



**CITY COUNCIL MEETING**  
**405 E. COLBY STREET, WHITEHALL, MI**  
**COUNCIL CHAMBERS**  
January 22, 2019  
6:00 p.m.

**AGENDA**

1. Meeting called to Order
  - A. Pledge of Allegiance
2. Approval of Agenda
3. Approval of the January 8 Work Session and Council Meeting Minutes
4. Approval of Accounts Payable
5. Communications: BLT Annual Report, BLT Minutes, Business Group, Central Dispatch Minutes, Crystal Morgan Letter, Planning Commission Minutes, Whitehall Twp Water Consumption Report, Wastewater Monthly Report, Wastewater Minutes, WLFA Annual Report
6. Public Comment \*
7. Messages from the Mayor, Council, and City Manager
8. Unfinished Business
9. New Business
  - A. Tag Day Requests: Knights of Columbus & Child Abuse Council
  - B. METRO Application
  - C. Resolution 19-03: Granting & Removing Real Property Exemptions
  - D. Resolution 19-04: Contract Change: Removal of HPS Light Fixture
  - E. Resolution 19-05: Contract Change: Installation of LED Light Fixture
10. Public Comment \*
11. Adjournment

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**City of Whitehall, 405 E. Colby Street, Whitehall, MI 49461; 231-894-4048**

\* PUBLIC COMMENT: Citizens wishing to speak on any subject matter or with regard to items on the agenda should use this opportunity. As a courtesy to the council, come to the podium, state your name, and direct your comments to the board. Please limit comments to three minutes.

**CITY OF WHITEHALL**  
**CITY COUNCIL WORK SESSION MINUTES**  
**January 8, 2019**  
**5:00 p.m.**

**PRESENT:** Virginia DeMumbrum, Ellie Dennis, Jen Hain, Debi Hillebrand, Norm Kittleson, Kevin Spencer, and Steve Salter

**ABSENT:** None

**ALSO PRESENT:** City Attorney Sweeting, City Manager Huebler, City Clerk Bourdon, Chief Squiers

Mayor Hillebrand called the meeting to order at 5:00 p.m. in the Garden Room.

***Discussion Items***

**Rental Inspections (Staff)**

City Manager Huebler informed council that a registration form is nearly complete and will be sent out to landlords for registration. He has also requested a quote from Safe Built for inspections based on the International Property Maintenance Code (IPMC), but has not received one yet. Questions were asked about the feasibility of a hybrid of the IPMC; Sweeting responded that it's fine as long as it doesn't conflict with any other ordinances. Council was asked to review the IPMC and indicate any sections that are not deemed necessary and return by January 25<sup>th</sup>.

***Informational Items***

**Recreational Marihuana (staff)**

City Manager Huebler informed council that City Attorney Sweeting will be presenting information to the Planning Commission on recreational marihuana on Jan. 15<sup>th</sup>. Public input will be requested in February and a public hearing will be held in March if Planning decides to implement a change in the ordinance for marihuana establishments.

**Other**

Council member Kittleson expressed his concern for residents who appear to show up on the police log quite frequently and asked if, in general, outside services are recommended to those in need. Discussion included the repeated issues at the home and what actions the City could take.

Council member Salter expressed that he has concerns with the sign placement at the Playhouse. City Manager Huebler explained how Beth and he came to the decision.

**Public Comment**

Jerry Rowe shared comments on the public nuisance issue discussed and the International Property Maintenance Code. Jenny Dennis and Jane Kritzman shared comments and questions on the rental inspection registration.

**Meeting Adjourned at 5:58 p.m.**

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Debra Hillebrand, Mayor

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Brenda Bourdon, City Clerk

CITY OF WHITEHALL  
COUNCIL MEETING MINUTES  
January 8, 2019

**PRESENT:** Virginia DeMumbrum, Ellie Dennis, Jen Hain, Debi Hillebrand, Norm Kittleson, Kevin Spencer, and Steve Salter

**ABSENT:** Student Representative Alison Hiner

**ALSO PRESENT:** City Attorney Sweeting, City Manager Huebler, City Clerk Bourdon, Chief Squiers, Student Representative Jackie Jacobs

Mayor Hillebrand called the meeting to order at 6:00 p.m. in the Council Chambers.

**APPROVAL OF THE AGENDA**

Motion by Kittleson, seconded by DeMumbrum, CARRIED, to approve the agenda. All yeses.

**APPROVAL OF COUNCIL MINUTES**

Motion by Dennis, seconded by Hain, CARRIED, to approve the December 18 council meeting minutes. All yeses.

**APPROVAL OF THE ACCOUNTS PAYABLE**

Motion by Spencer, seconded by Kittleson, CARRIED, to approve the account payables in the amount of \$194,057.60 and checks to be drawn in their several amounts.

Roll Call Vote: Yes – Spencer, Kittleson, Dennis, DeMumbrum, Salter, Hain, and Hillebrand;  
No – None; Absent – None

**COMMUNICATIONS**

Central Dispatch Financial Report, Central Dispatch Meeting minutes

Motion by Spencer, seconded by DeMumbrum, CARRIED, to approve the communications and place them on file. All yeses.

**PUBLIC COMMENT**

None

**MESSAGES FROM THE MAYOR, COUNCIL, AND CITY MANAGER**

Huebler updated Council on Central Dispatch who is still considering their next course of action; upgrades are needed, but the method is still being discussed.

Hain announced that she has submitted her resignation from council because she will be moving to Montague.

Spencer asked about the Splash Pad Fundraising committee; Huebler responded that we have names and will be arranging a meeting.

Kittleson reported on his tour of the Playhouse.

Mayor Hillebrand explained the process she proposed for filling the council vacancy basing it on the last council member election and selecting the next highest vote-getter.

Motion by DeMumbrum, seconded by Dennis, CARRIED, to approve the appointment of Dick Connell to City Council to fill the vacancy created by the resignation of Jen Hain effective January 23 in accordance with City Charter §4.8. (Yes – 6; No – 1, Salter: Not opposed to Dick's appointment but opposed to the process.)

Motion by Kittleson, seconded by DeMumbrum, CARRIED, to approve the appointment of Tanya Cabala to the Planning Commission to complete an unexpired term through December 2019. (Yes – 6; No – 1, Salter)

UNFINISHED BUSINESS  
None

NEW BUSINESS

A. Resolution 19-01 Poverty Exemption

Motion by Dennis, seconded by Spencer, CARRIED, to adopt the 2019 Poverty Exemption Policies and Guidelines as presented.

Roll Call Vote: Yes – Dennis, Spencer, Hain, Kittleson, DeMumbrum, Salter, and Hillebrand;  
No – None; Absent – None

B. Resolution 19-02 Residents Right to Protest

Motion by Spencer, seconded by Kittleson, CARRIED, to provide the right of resident and non-resident taxpayers to file protests to the Board of Review in writing, without the necessity of personal appearance by the taxpayer or the taxpayer's representative, provided such written protest is received on or before the second Tuesday in March of the tax year at issue.

Roll Call Vote: Yes – Spencer, Kittleson, Dennis, Hain, DeMumbrum, Salter, and Hillebrand;  
No – None; Absent – None

PUBLIC COMMENT

Cathy Russell thanked council for their service and encouraged them to look forward not backward.  
Tanya Cabala thanked council for the planning commission appointment.

ADJOURNMENT

Motion by Spencer, supported by Kittleson, CARRIED, that the Council meeting be adjourned at 6:20 p.m. All yeses.

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Debra Hillebrand, Mayor

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Brenda Bourdon, City Clerk

CITY OF WHITEHALL  
ACCOUNTS PAYABLE  
January 22, 2019

**January 2019 Prepays**

<u>VENDOR NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>Check No.</u>
City of Whitehall-Common Cash	Payroll	\$46,312.63	Transfer
IRS	Payroll	\$14,858.70	EFT
Alerus Financial	Payroll	\$5,017.69	7067
MISDU	Payroll	\$90.34	7068
Alerus Financial	Payroll	\$584.96	7069
<b><u>Total Prepays:</u></b>		\$66,864.32	

**TOTAL ACCOUNTS PAYABLE**

**\$342,993.69**

Vendor Code	Vendor Name	Description	Amount
AFLAC	AFLAC		
	982239	PREMIUM - DEC-2018	537.80
TOTAL FOR: AFLAC			537.80
ALPLHAF	ALPHAFISH, LLC		
	1142	PLAYHOUSE - DOMAIN REGISTRATION	109.00
TOTAL FOR: ALPHAFISH, LLC			109.00
MAHON	BRANDON L MAHONEY		
	FLEX	FLEX - JAN-2019	162.67
TOTAL FOR: BRANDON L MAHONEY			162.67
ARMST	BRIAN ARMSTRONG		
	FLEX	FLEX - JAN-2019	30.15
TOTAL FOR: BRIAN ARMSTRONG			30.15
CHART	CHARTER COMMUNICATIONS		
	0038420010419	INTERNET	179.18
TOTAL FOR: CHARTER COMMUNICATIONS			179.18
CMONT	CITY OF MONTAGUE		
	43468	REIMBURSEMENT COST SHARE - MAYORS & MANAGERS	245.00
TOTAL FOR: CITY OF MONTAGUE			245.00
CITY	CITY OF WHITEHALL		
	STATEMENTS	WATER/SEWER BILLS - OCT-DEC-2018	390.50
TOTAL FOR: CITY OF WHITEHALL			390.50
COBB	COBB COMMUNICATIONS INC		
	196512	WHITE LAKE VISITORS GUIDE ADVERTISING	750.00
TOTAL FOR: COBB COMMUNICATIONS INC			750.00
CONSU	CONSUMER'S ENERGY		
	STATEMENTS	PUBLIC UTILITIES	15,799.91
TOTAL FOR: CONSUMER'S ENERGY			15,799.91
DAN	DAN FROST DBA DAN'S AUTOMOTIVE		
	6104 & 6165	CRUISER MAINTENANCE - CAR 303 & 304	98.86
TOTAL FOR: DAN FROST DBA DAN'S AUTOMOTIVE			98.86
EDW	EDWARDS JANITORIAL SERVICE LLC		
	WHDPW19-01,CH19	OFFICE CLEANING	587.71
TOTAL FOR: EDWARDS JANITORIAL SERVICE LLC			587.71
EJ	EJ USA INC		
	1289371	BALL VALVES & CURB BOXES	483.00
TOTAL FOR: EJ USA INC			483.00
ETNA	ETNA SUPPLY INC		
	S102890634.001	SENSUS PROPELLER METER 8"	4,579.20
TOTAL FOR: ETNA SUPPLY INC			4,579.20

Vendor Code	Vendor Name	Description	Amount
FRONT	FRONTIER		
	STATEMENTS	TELEPHONE	91.90
TOTAL FOR: FRONTIER			91.90
GILL	GILLHESPY OF MICHIGAN INC		
	223919 & 223920	TANK TESTING - MARINA & DPW	2,026.75
TOTAL FOR: GILLHESPY OF MICHIGAN INC			2,026.75
GORDO	GORDON FOOD SERVICE		
	828406658	TP & TRASH BAGS	237.78
TOTAL FOR: GORDON FOOD SERVICE			237.78
HAVIL	HAVILAND		
	302344 & CR3026	15 GAL CHLORINE - QTY 15	919.40
TOTAL FOR: HAVILAND			919.40
HOME	HOME SERVICES OF WHITE LAKE		
	11446	UPS CHARGES	13.76
TOTAL FOR: HOME SERVICES OF WHITE LAKE			13.76
JOHNSTON	JOHNSTON LEWIS ASSOCIATES, INC.		
	76913	STORAGE TANK LIABILITY - 2019/2020	8,005.25
TOTAL FOR: JOHNSTON LEWIS ASSOCIATES, INC.			8,005.25
KORT	KORTHASE & SONS		
	4912	NORTH MEARS LOT - CUT & TAPE BROKEN PIPES	125.00
TOTAL FOR: KORTHASE & SONS			125.00
AUDO	LAURIE H AUDIO		
	FLEX	FLEX - JAN-2019	72.23
TOTAL FOR: LAURIE H AUDIO			72.23
WLBEA	LUDINGTON DAILY NEWS		
	99196718	PUBLISHING	586.95
TOTAL FOR: LUDINGTON DAILY NEWS			586.95
LOCK	MAX LOCKWOOD		
	DEPOSIT	PLAYHOUSE PERFORMANCE 5/11/19 - DEPOSIT	500.00
TOTAL FOR: MAX LOCKWOOD			500.00
MDEQ	MI DEPT OF ENVIRONMENTAL QUALITY		
	761-10395306	WATER TESTING	400.00
TOTAL FOR: MI DEPT OF ENVIRONMENTAL QUALITY			400.00
MAISD	MUSKEGON AREA INTERMEDIATE SCHOOLS		
	11182	PRINTING POSTERS - PLAYHOUSE	18.50
TOTAL FOR: MUSKEGON AREA INTERMEDIATE SCHOOLS			18.50
MUSTWP	MUSKEGON CHARTER TOWNSHIP		
	1900011163	FEBRUARY 2019 - CENTRAL DISPATCH FEES	3,465.00
TOTAL FOR: MUSKEGON CHARTER TOWNSHIP			3,465.00

Vendor Code	Vendor Name	Description	Amount
MUTRE	MUSKEGON COUNTY TREASURER'S		
	170456	ASSESMENT ADMIN SERVICES	8,000.00
	170491	DOG TAGS	137.00
TOTAL FOR: MUSKEGON COUNTY TREASURER'S			8,137.00
OFFIC	OFFICE MACHINES CO., INC		
	INV25632	COPIER MAINTENANCE	35.00
TOTAL FOR: OFFICE MACHINES CO., INC			35.00
YOUNG	PAUL YOUNG		
	FLEX	FLEX - JAN-2019	212.90
TOTAL FOR: PAUL YOUNG			212.90
PNC	PNC BANK		
	STATEMENT	VARIOUS EXPENSES	468.91
TOTAL FOR: PNC BANK			468.91
REP	REPUBLIC SERVICES #240		
	0240-007333023	WASTE REMOVAL	363.92
TOTAL FOR: REPUBLIC SERVICES #240			363.92
SQUI	ROGER SQUIERS		
	FLEX	FLEX - JAN-2019	1,269.44
TOTAL FOR: ROGER SQUIERS			1,269.44
SBAM	SBAM PLAN		
	FEB-2019	PREMIUM - FEB-2019	20,714.86
TOTAL FOR: SBAM PLAN			20,714.86
HUEBL	SCOTT HUEBLER		
	FLEX	FLEX - JAN-2019	5.90
TOTAL FOR: SCOTT HUEBLER			5.90
STAND	STANDARD SUPPLY & LUMBER		
	3050451I	FOAM SHEATHING & CAULK	23.54
TOTAL FOR: STANDARD SUPPLY & LUMBER			23.54
STAPL	STAPLES CREDIT PLAN		
	STATEMENT	OFFICE SUPPLY	198.72
TOTAL FOR: STAPLES CREDIT PLAN			198.72
STANI	THE STANDARD INSURANCE		
	STATEMENT	PREMIUM - JAN-2019 - DENTAL	1,906.65
TOTAL FOR: THE STANDARD INSURANCE			1,906.65
TRACE	TRACE ANALYTICAL LABS		
	9010377	WATER SAMPLE TESTING	30.00
TOTAL FOR: TRACE ANALYTICAL LABS			30.00
VERIZ	VERIZON WIRELESS		
	9821228722	ON CALL PAGER	5.84
TOTAL FOR: VERIZON WIRELESS			5.84



01/18/2019 09:26 AM  
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DB: Whitehall

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF WHITEHALL  
EXP CHECK RUN DATES 01/18/2019 - 01/18/2019  
BOTH JOURNALIZED AND UNJOURNALIZED  
OPEN  
CITY OF WHITEHALL ACCOUNTS PAYABLE  
COUNCIL MEETING OF JANUARY 22, 2019

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Vendor Code	Vendor Name	Description	Amount
WLCHA	WHITE LAKE CHAMBER OF COMMERCE		
	4283	DUES - 2019 MEMBERSHIP	1,350.00
TOTAL FOR: WHITE LAKE CHAMBER OF COMMERCE			1,350.00
WHIVE	WHITEHALL VENTURES INC		
	JAN - 2019	LEASE - JAN-2019	145.00
TOTAL FOR: WHITEHALL VENTURES INC			145.00
WINBE	WINBERG CONSTRUCTION		
	17-037-012	PAY AP #12 - PLAYHOUSE RENOVATION	200,821.19
TOTAL FOR: WINBERG CONSTRUCTION			200,821.19
WORKP	WORKPLACE HEALTH MUSKEGON		
	193773	DOT DRUG SCREEN - BOND	25.00
TOTAL FOR: WORKPLACE HEALTH MUSKEGON			25.00
TOTAL - ALL VENDORS			276,129.37

INVOICE GL DISTRIBUTION REPORT FOR CITY OF WHITEHALL  
 EXP CHECK RUN DATES 01/18/2019 - 01/18/2019  
 BOTH JOURNALIZED AND UNJOURNALIZED  
 BOTH OPEN AND PAID  
 CITY OF WHITEHALL ACCOUNTS PAYABLE  
 COUNCIL MEETING OF JANUARY 22, 2019

GL Number	Invoice Line Desc	Vendor	Invoice Date	Invoice	Amount
<b>Fund 101 GENERAL OPERATING FUND</b>					
Dept 000 648					
101-000-259.004	DUE TO FLEX FUND	BRANDON L MAHONEY	01/15/19	FLEX	162.67
101-000-259.004	DUE TO FLEX FUND	BRIAN ARMSTRONG	01/15/19	FLEX	30.15
101-000-259.004	DUE TO FLEX FUND	LAURIE H AUDIO	01/15/19	FLEX	72.23
101-000-259.004	DUE TO FLEX FUND	PAUL YOUNG	01/15/19	FLEX	212.90
101-000-259.004	DUE TO FLEX FUND	ROGER SQUIERS	01/15/19	FLEX	1,269.44
101-000-259.004	DUE TO FLEX FUND	SCOTT HUEBLER	01/15/19	FLEX	5.90
101-000-259.005	DUE TO ALFAC	AFLAC	01/12/19	982239	537.80
101-000-259.007	DUE TO COUNTY-DOG TAGS	MUSKEGON COUNTY TREASURE	01/15/19	170491	137.00
		Total For Dept 000 648			2,428.09
Dept 101 CITY COUNCIL					
101-101-728.000	POSTAGE & COPYING	STAPLES CREDIT PLAN	12/28/18	STATEMENT	12.89
101-101-962.000	COST SHARE - MAYORS & MANAGERS	CITY OF MONTAGUE	01/03/19	43468	245.00
		Total For Dept 101 CITY COUNCIL			257.89
Dept 111 CITY CLERK					
101-111-727.000	OFFICE SUPPLIES	STAPLES CREDIT PLAN	12/28/18	STATEMENT	108.99
101-111-905.000	PUBLISHING	LUDINGTON DAILY NEWS	12/31/18	99196718	586.95
		Total For Dept 111 CITY CLERK			695.94
Dept 172 ADMINISTRATION					
101-172-727.000	OFFICE SUPPLIES	STAPLES CREDIT PLAN	12/28/18	STATEMENT	28.58
101-172-957.000	CONFERENCES & WORKSHOPS	PNC BANK	01/01/19	STATEMENT	259.00
		Total For Dept 172 ADMINISTRATION			287.58
Dept 209 ASSESSOR					
101-209-818.000	CONTRACTUAL SERVICES	MUSKEGON COUNTY TREASURE	01/15/19	170456	8,000.00
		Total For Dept 209 ASSESSOR			8,000.00
Dept 247 BOARD OF REVIEW					
101-247-962.000	OTHER EXPENSES	PNC BANK	01/01/19	STATEMENT	9.99
		Total For Dept 247 BOARD OF REVIEW			9.99
Dept 265 CITY HALL BLDG & GROUNDS					
101-265-757.000	OPERATING SUPPLIES	GORDON FOOD SERVICE	01/15/19	828406658	149.63
101-265-757.000	OPERATING SUPPLIES	PNC BANK	01/01/19	STATEMENT	118.95
101-265-818.700	CONTRACTUAL SERVICES-CLEANERS	EDWARDS JANITORIAL SERVI	01/08/19	WHDPW19-01,CH19-01	350.53
101-265-920.000	PUBLIC UTILITIES	CITY OF WHITEHALL	01/10/19	STATEMENTS	139.20
101-265-920.000	PUBLIC UTILITIES	CONSUMER'S ENERGY	01/02/19	STATEMENTS	1,275.16
		Total For Dept 265 CITY HALL BLDG & GROUNDS			2,033.47
Dept 276 CEMETERY					
101-276-920.000	PUBLIC UTILITIES	CITY OF WHITEHALL	01/10/19	STATEMENTS	109.08
101-276-920.000	PUBLIC UTILITIES	CONSUMER'S ENERGY	01/02/19	STATEMENTS	70.69
		Total For Dept 276 CEMETERY			179.77
Dept 301 POLICE					
101-301-727.000	OFFICE SUPPLIES	STAPLES CREDIT PLAN	12/28/18	STATEMENT	43.27
101-301-850.000	DISPATCH	MUSKEGON CHARTER TOWNSHI	01/15/19	1900011163	3,465.00
101-301-920.000	UTILITIES-EMERGENCY SIRENS	CONSUMER'S ENERGY	01/02/19	STATEMENTS	18.29
101-301-933.000	EQUIPMENT MAINTENANCE	DAN FROST DBA DAN'S AUTO	12/07/18	6104 & 6165	98.86

INVOICE GL DISTRIBUTION REPORT FOR CITY OF WHITEHALL  
 EXP CHECK RUN DATES 01/18/2019 - 01/18/2019  
 BOTH JOURNALIZED AND UNJOURNALIZED  
 BOTH OPEN AND PAID  
 CITY OF WHITEHALL ACCOUNTS PAYABLE  
 COUNCIL MEETING OF JANUARY 22, 2019

GL Number	Invoice Line Desc	Vendor	Invoice Date	Invoice	Amount
Fund 101 GENERAL OPERATING FUND					
Dept 301 POLICE					
Dept 400 PLANNING DEPARTMENT	POSTAGE & COPYING	STAPLES CREDIT PLAN	12/28/18	STATEMENT	3,625.42
101-400-728.000					4.99
Dept 446 HIGHWAYS & STREETS	OPERATING SUPPLIES	PNC BANK	01/01/19	STATEMENT	4.99
101-446-757.000					7.95
Dept 448 STREET LIGHTING	PUBLIC UTILITIES	CONSUMER'S ENERGY	01/02/19	STATEMENTS	7.95
101-448-920.000					5,840.03
Dept 525 SANITATION	CONTRACTUAL SERVICES	REPUBLIC SERVICES #240	12/31/18	0240-007333023	5,840.03
101-525-818.000					116.16
Dept 751 PARKS DEPARTMENT	REPAIRS & MAINT SUPPLIES	STANDARD SUPPLY & LUMBER	12/18/18	30504511	116.16
101-751-775.000	PUBLIC UTILITIES	CITY OF WHITEHALL	01/10/19	STATEMENTS	23.54
101-751-920.000	PUBLIC UTILITIES	CONSUMER'S ENERGY	01/02/19	STATEMENTS	51.18
101-751-920.000					254.52
Dept 752 PATHWAY	PUBLIC UTILITIES	CITY OF WHITEHALL	01/10/19	STATEMENTS	329.24
101-752-920.000					32.32
Dept 851 FRINGE BENEFITS	FRINGE-HEALTH INS	SBAM PLAN	01/01/19	FEB-2019	32.32
101-851-719.600	FRINGE BENEFITS-RETIREE HEALTH	SBAM PLAN	01/01/19	FEB-2019	17,662.44
101-851-719.601	DENTAL INSURANCE	THE STANDARD INSURANCE	12/31/18	STATEMENT	3,052.42
101-851-719.605	FRINGE-MISCELLANEOUS	WORKPLACE HEALTH MUSKEGO	01/14/19	193773	1,906.65
101-851-719.685					25.00
Fund 245 TAX INCREMENT FINANCE AUTHORITY.#3					22,646.51
Dept 000 648					46,495.35
245-000-818.400	CONTRACTUAL SERVICES-DOWNTOWN R	WHITEHALL VENTURES INC	01/15/19	JAN - 2019	145.00
Dept 300 DOWNTOWN STREETSCAPE					145.00
245-300-818.000	CONTRACTUAL SERVICES	KORTHASE & SONS	01/11/19	4912	125.00
245-300-920.000	PUBLIC UTILITIES	CITY OF WHITEHALL	01/10/19	STATEMENTS	30.88
245-300-921.000	ELECTRICAL-PEDESTRIAN LIGHTS	CONSUMER'S ENERGY	01/02/19	STATEMENTS	356.97
Fund 248 LOCAL DEVELOPMENT FINANCE AUTHORITY					512.85
Dept 000 648					657.85
248-000-818.000	CONTRACTUAL SERVICES	WHITE LAKE CHAMBER OF CO	01/02/19	4283	1,350.00

INVOICE GL DISTRIBUTION REPORT FOR CITY OF WHITEHALL  
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 CITY OF WHITEHALL ACCOUNTS PAYABLE  
 COUNCIL MEETING OF JANUARY 22, 2019

GL Number	Invoice Line Desc	Vendor	Invoice Date	Invoice	Amount
Fund 248 LOCAL DEVELOPMENT FINANCE AUTHORITY					
Dept 000 648					
248-000-818.100	C/S-INDUSTRIAL PARK MARKETING	COBB COMMUNICATIONS INC	01/15/19	196512	750.00
248-000-818.100	C/S-INDUSTRIAL PARK MARKETING	CONSUMER'S ENERGY	01/02/19	STATEMENTS	51.16
		Total For Dept 000 648			2,151.16
		Total For Fund 248 LOCAL DEVELOPMENT FINANCE AU			2,151.16
Fund 580 PLAYHOUSE					
Dept 000 648					
580-000-805.000	MARKETING	ALPHAFISH, LLC	01/09/19	1142	109.00
580-000-805.000	MARKETING	MUSKOGON AREA INTERMEDIA	01/07/19	11182	18.50
580-000-805.000	MARKETING	PNC BANK	01/01/19	STATEMENT	37.00
580-000-818.400	CONTRACTUAL SERVICES-MUSIC	MAX LOCKWOOD	01/02/19	DEPOSIT	500.00
580-000-920.000	PUBLIC UTILITIES	CONSUMER'S ENERGY	01/02/19	STATEMENTS	735.45
580-000-975.000	BUILDING REHAB AND ADDITION	WINBERG CONSTRUCTION	01/16/19	17-037-012	200,821.19
		Total For Dept 000 648			202,221.14
		Total For Fund 580 PLAYHOUSE			202,221.14
Fund 590 SEWER FUND					
Dept 564 SEWER PUMPING					
590-564-920.000	PUBLIC UTILITIES	CONSUMER'S ENERGY	01/02/19	STATEMENTS	1,024.05
590-564-920.000	PUBLIC UTILITIES	FRONTIER	01/01/19	STATEMENTS	36.63
		Total For Dept 564 SEWER PUMPING			1,060.68
Dept 568 SEWER T & D					
590-568-850.000	TELEPHONE	VERIZON WIRELESS	12/28/18	9821228722	2.92
		Total For Dept 568 SEWER T & D			2.92
		Total For Fund 590 SEWER FUND			1,063.60
Fund 591 WATER FUND					
Dept 546 WATER SOURCE PLANT					
591-546-757.000	OPERATING SUPPLIES	HAVILAND	01/04/19	302344 & CR302604	919.40
591-546-775.000	REPAIRS & MAINT SUPPLIES	ETNA SUPPLY INC	01/17/19	S102890634.001	4,579.20
591-546-801.000	PROFESSIONAL SERVICES	HOME SERVICES OF WHITE I,	12/31/18	11446	13.76
591-546-801.000	PROFESSIONAL SERVICES	MI DEPT OF ENVIRONMENTAL	01/10/19	761-10395306	400.00
591-546-920.000	PUBLIC UTILITIES	CONSUMER'S ENERGY	01/02/19	STATEMENTS	5,355.12
		Total For Dept 546 WATER SOURCE PLANT			11,267.48
Dept 548 WATER T & D					
591-548-818.000	CONTRACTUAL SERVICES	TRACE ANALYTICAL LABS	01/10/19	9010377	30.00
591-548-850.000	TELEPHONE	VERIZON WIRELESS	12/28/18	9821228722	2.92
		Total For Dept 548 WATER T & D			32.92
Dept 550 WATER CONSTRUCTION					
591-550-757.000	OPERATING SUPPLIES	EJ USA INC	12/26/18	1289371	483.00
		Total For Dept 550 WATER CONSTRUCTION			483.00
Fund 594 MARINA FUND					
Dept 000 648					
		Total For Fund 591 WATER FUND			11,783.40

INVOICE GL DISTRIBUTION REPORT FOR CITY OF WHITEHALL  
 EXP CHECK RUN DATES 01/18/2019 - 01/18/2019  
 BOTH JOURNALIZED AND UNJOURNALIZED  
 BOTH OPEN AND PAID  
 CITY OF WHITEHALL ACCOUNTS PAYABLE  
 COUNCIL MEETING OF JANUARY 22, 2019

GL Number	Invoice Line Desc	Vendor	Invoice Date	Invoice	Amount
<b>Fund 594 MARINA FUND</b>					
Dept 000 648					
594-000-815.000	INSURANCE	JOHNSTON LEWIS ASSOCIATE	01/05/19	76913	4,002.62
594-000-850.000	TELEPHONE	CHARTER COMMUNICATIONS	01/04/19	0038420010419	179.18
594-000-920.000	PUBLIC UTILITIES	CONSUMER'S ENERGY	01/02/19	STATEMENTS	281.17
594-000-955.100	COST OF SALES-FUEL	GILLHESPY OF MICHIGAN IN	12/20/18	2233919 & 223920	1,030.85
		Total For Dept 000 648			5,493.82
		Total For Fund 594 MARINA FUND			5,493.82
<b>Fund 661 MOTOR POOL FUND</b>					
Dept 000 648					
661-000-751.000	GASOLINE & MOTOR OIL	GILLHESPY OF MICHIGAN IN	12/20/18	223919 & 223920	995.90
661-000-757.000	OPERATING SUPPLIES	GORDON FOOD SERVICE	01/15/19	828406658	88.15
661-000-757.000	OPERATING SUPPLIES	PNC BANK	01/01/19	STATEMENT	6.35
661-000-781.000	REPAIR PARTS AND SUPPLIES	PNC BANK	01/01/19	STATEMENT	29.67
661-000-815.000	INSURANCE	JOHNSTON LEWIS ASSOCIATE	01/05/19	76913	4,002.63
661-000-818.000	CONTRACTUAL SERVICES	REPUBLIC SERVICES #240	12/31/18	0240-007333023	247.76
661-000-818.700	CONTRACTUAL SERVICES-CLEANERS	EDWARDS JANITORIAL SERVI	01/08/19	WHDPW19-01, CH19-01	237.18
661-000-850.000	TELEPHONE	FRONTIER	01/01/19	STATEMENTS	55.27
661-000-920.000	PUBLIC UTILITIES	CITY OF WHITEHALL	01/10/19	STATEMENTS	27.84
661-000-920.000	PUBLIC UTILITIES	CONSUMER'S ENERGY	01/02/19	STATEMENTS	537.30
661-000-933.000	EQUIPMENT MAINTENANCE	OFFICE MACHINES CO., INC	01/16/19	INV25632	35.00
		Total For Dept 000 648			6,263.05
		Total For Fund 661 MOTOR POOL FUND			6,263.05



**CITY OF WHITEHALL**

**BROWNFIELD REDEVELOPMENT AUTHORITY  
LOCAL DEVELOPMENT FINANCE AUTHORITY  
TAX INCREMENT FINANCE AUTHORITY**



**ANNUAL REPORT  
Fiscal Year 2017/18**

## **Board Members**

Chair Darrel Copley, Arconic Engines  
Vice Chair Shon Cook, Shon Cook Law  
Virginia DeMumbrum, White Lake Community Library  
Mike Guinon, Real Estate Appraiser  
Dan Hain, Fetch Brewing  
Gary Langlois, Greenridge Realty  
Ken Mahoney, Muskegon County Commissioner  
Martin McDermott, Muskegon Community College  
Dr. Jerry McDowell, Whitehall District Schools Superintendent  
Donald Nordlund, Pitkin Drugs and Gift Shoppe  
Dr. Paul Voss, Retired Dentist

Director/Secretary Scott Huebler  
Treasurer Laurie Audo



Michigan Public Act 57 Of 2018 provides for the recodification of tax increment finance authorities “...to correct and prevent deterioration in residential, commercial, and industrial areas and certain other areas; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas; to promote residential and economic growth; to create certain boards; to prescribe the powers and duties of certain boards; to authorize the issuance of bonds and other evidence of indebtedness; to levy certain taxes; to authorize the use of tax increment financing; ...”

The purpose of the Act is accomplished through the adoption of development plans funded with tax increment financing - a method of generating revenues by “capturing” the growth in taxable value above the base year. Revenue not used in a fiscal year must be returned proportionately to all taxing jurisdictions. As one of the very few communities that do so, Whitehall’s Local Development Finance Authority (LDFA) and Tax Increment Finance Authority (TIFA) will have returned just under \$3M over the last five years.

The City’s first TIFA was established in 1984 encompassing the Howmet industrial facilities. A second TIFA was created a year later for the downtown. These were combined into a single TIFA in 1999. That year’s combined base value was \$21M which grew as high as \$46M in 2015 but is now down to \$16.7M due to the elimination of personal property taxes in 2016.

Projects were at a minimum this past year following the major Downtown Phase III improvements of 2017. TIFA did install a new fence at the Thompson Street Veterans Memorial Park, a new sewage pump out at the marina, and new holiday decorations in the downtown.

**TIFA Fiscal Year 2017/18 Audited Financials**

Property Taxes	\$406,299
Community Stabilization	\$606,445
Investment Earnings	\$2,840
Other	<u>\$22,101</u>
	<b>\$1,037,685</b>
General Government	\$40,647
Public Works	\$398,587
Primary Government	\$70,658
Other (Pass Through)	<u>\$400,000</u>
	<b>\$909,892</b>
Beginning Fund Balance	\$325,877
<b>Ending Fund Balance</b>	<b>\$453,670</b>

The LDFA was formed in 1988 to stimulate industrial growth by building and marketing an industrial park located at the southeast corner of the City. The park is fully developed, has no debt, and offers 55 acres for sale. The captured taxable value grew over 28 years from \$50,000 to \$17M but plunged to \$7.1M as a result of the elimination of personal property taxes.

**LDFA Fiscal Year 2015/16 Audited Financials**

Property Taxes	\$149,767
Community Stabilization	\$163,064
Investment Earnings	<u>\$1,079</u>
	<b>\$313,910</b>
General Government	\$30,510
Public Works	\$116,870
Other (Pass Through)	<u>\$200,000</u>
	<b>\$347,380</b>
Beginning Fund Balance	\$213,996
<b>Ending Fund Balance</b>	<b>\$180,526</b>

The Brownfield Redevelopment Authority (BRA) encompasses the entire city with site specific redevelopment plans. A residential redevelopment plan for the former Whitehall Leather Tannery property was adopted in 2005. Construction of residential units on the 36 acre site began in 2016. The taxable value has grown from \$16,000 to \$1.4M.

**FY15/16 Audited Financials**

Property Taxes	\$80,488
Investment Earnings	<u>\$198</u>
	<b>\$80,686</b>
General Government	\$28,062
Public Works	<u>\$701</u>
	<b>\$58,763</b>
Beginning Fund Balance	\$2,889
<b>Ending Fund Balance</b>	<b>\$54,812</b>

**CITY OF WHITEHALL  
BROWNFIELD, LDFA, TIFA  
January 10, 2019**

**PRESENT**

S. Cook D. Copley, M. Guinon, D. Hillebrand, J. McDowell, D. Nordlund, P. Voss

**ABSENT**

D. Hain, G. Langlois, K. Mahoney, M. McDermott

**ALSO PRESENT**

Treasurer L. Audo, Director/Secretary S. Huebler

Chair Copley called the meeting to order at 12:05 p.m.

**APPROVAL OF AGENDA**

Motion by Cook, seconded by Nordlund, CARRIED, to approve the agenda as submitted. All ayes.

**ELECTION OF OFFICERS**

Motion by Guinon, seconded by Hillebrand, CARRIED, to re-elect Copley as Chair, Cook as Vice Chair Huebler as Director/Secretary, and Audo as Treasurer. All ayes.

**APPROVAL OF MINUTES**

Motion by Cook, seconded by Hillebrand, CARRIED, to approve the July 2018 minutes as submitted. All ayes.

**COMMUNICATIONS**

DeMumbrum resigned her position due to her appointment as the new White Lake Community Library Director. As TIFA captures library taxes, this could create a conflict of interest. Emergency repairs were done to the northwest corner of the North Mears Parking Lot due to severe erosion brought on by heavy fall rains. Volunteers are being coordinated to start fund raising for the Goodrich park Splash Pad.

**UNFINISHED BUSINESS**

**A. Gateway Wall**

Motion by Guinon, seconded by Voss, CARRIED, to confirm support for installing a gateway wall at the corner of Colby and Division subject to confirmation by the business owner. All ayes.

**NEW BUSINESS**

**A. Annual Report**

Motion by Cook, seconded by Hillebrand, CARRIED, to accept the annual report as submitted. All ayes.

**PUBLIC COMMENT**

**ADJOURNMENT**

There being no further business, Chair Copley adjourn the meeting at 12:37 p.m.

DRAFT

Whitehall Business Group  
Meeting Minutes  
Wednesday, November 14, 2018

Attendees: Vicky Marshall (PNC), Amy VanLoon (Chamber), Louise St Amour (Coldwell Banker), Greg Hillebrand (Lewis House B&B), Cathy Russel (White Swan Inn), Ryan Briegel (Pitkins), Neil and Amy Martell (Big Johns).

1) Chamber of Commerce Update (Amy)

- a. Holiday Walk ads have been on Fox 17 News. Highlighted Whitehall and Montague. For free! Also, chamber is getting White Lake area publicity on the radio and social. 1000 backpack flyers for Holiday Walk. Kids make ornaments at Lakes Edge. Visits with Santa. Maps for visiting each business. Win a WL gift certificate. Carriage rides and trolley rides. Need to make sure there are enough lights. Every business is getting a little video on the WLCC Facebook Page. Suggestions were made for how to make the 'star' tour more of a benefit to the business.
- b. Christmas Parade on Dec 1 at 2:00 PM.
- c. Chamber Christmas Party on Thursday Dec 13 at Crosswinds on the Lake.
- d. Lots of other events on the Community Calendar at the WLCC website. If you have any events or happening to post on the website, please contact the Chamber and let them know and it could make it into the top 10 for the week.
- e. Plans for 2019 events are being formed. Summersault and TrashBash will continue.
- f. During January and February, the Chamber will be going to several shows in the Midwest to promote the White Lake Area.

2) City News Relevant to Downtown Businesses (Scott was ill and not available)

3) Beautification

- a. For 2019, we may want to work on new ways to improve the alley between Bells and Restore and make it an attractive and functional space.
- b. Holiday décor was discussed. No new additional décor this year. For next year, we will inventory the current lights and recommend lamp poles for additional lighting in 2019.

4) Individual Business Updates:

- Big Johns. Amy and Neil have exciting plans for growth starting with an outside deck for patrons facing the lake. However, the city owns the property. WBG meeting attendees were supportive of finding a way to help make this happen. It was suggested that Amy/Neil restart the conversation with the City (Scott).
- Pitkins: Ryan noted that 'Lady's Night' coming up at Posh. Will be put into the top 10.

- PNC: Vicky is seeing a lot of fraud going on in the area. Its all ages. Wire fraud on the internet is the primary kind of fraud that is occurring, but it takes all kinds of forms. You might be at a site that is not what it appears to be and is designed to get your PW or account info. Fraudsters are trying to capture passwords. It was suggested that an article or interview with Vicky in the Beacon may help bring more awareness to this problem.
- Cathy: West Mi B&B Christmas Cookie Tour. \$25 per ticket. Dec 7-8 and 13-14. <https://mailchi.mp/fcaea29cb75d/2018cookietour>
- Louise: Real estate correction. Homes are trading at 96% of the price *at the time of sale*, not the starting price. 485 residential for sale in Muskegon County at this time.

5) Next meeting date: Jan 9.

Muskegon Central Dispatch 9-1-1  
BOARD OF DIRECTORS  
MEETING MINUTES  
December 19, 2018

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The December 19, 2018 Muskegon Central Dispatch 9-1-1 Board of Directors meeting held at Muskegon Central Dispatch was called to order at 1:34 p.m. by Vice-Chairman, Frank Peterson.

Members present: Frank Peterson, City Manager, City of Muskegon  
Jennifer Hernandez, Township Supervisor, Muskegon Charter Township  
Scott Huebler, City Manager, City of Whitehall  
Jared Olson, City Manager, City of Roosevelt Park  
Jeff Auch, City Manager, City of Montague  
Jake Eckholm, City Manager, City of Muskegon Heights  
Heidi Tice, Supervisor, Fruitport Charter Township  
Mark Meyers, City Administrator, City of Norton Shores  
Ken Mahoney, County Commissioner, County of Muskegon  
Sam Janson, City Manager, City of North Muskegon

Absent: Chris McIntire, Lieutenant, Michigan State Police

Staff present: Shawn Grabinski, Executive Director, Muskegon Central Dispatch 9-1-1  
Nick Martin, Operations Manager, Muskegon Central Dispatch 9-1-1  
Rebecca Injerd, Administrative Assistant, Muskegon Central Dispatch 9-1-1

Others present: Eric VanDop, CPA, Brickley Delong  
Dave Glotzbach, Fire Chief, Muskegon Charter Township  
Mike Muskovin, Motorola

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**APPROVAL OF THE AGENDA**

Moved by Mr. Eckholm, seconded by Ms. Hernandez to approve the December 19, 2018 agenda. Motion carried.

**MINUTES OF THE NOVEMBER 14, 2018 MEETING**

Moved by Mr. Mahoney, seconded by Mr. Huebler to approve the November 14, 2018 meeting minutes. Motion carried.

**REPORTS**

**FY2018 AUDIT PRESENTATION**

Eric VanDop from Brickley Delong presented the FY2018 Audit Report. In conclusion, Mr. VanDop stated that there were no new recommendations this year.

Moved by Mr. Huebler, seconded by Mr. Eckholm to approve the FY2018 Audit Report as presented. Motion carried.

### NOVEMBER 2018 MONTHLY FINANCIAL REPORTS

Moved by Mr. Olson, seconded by Mr. Huebler to approve the November 2018 financial reports, as presented. Motion carried.

### DIRECTOR'S REPORT

As presented.

### RADIO COMMITTEE

Director reported the Radio Committee is finalizing plan for radio count requirements.

### OLD BUSINESS

#### SURCHARGE – Pro Forma

Open discussion regarding funding options moving forward. Presented two Pro-Forma documents. Discussed potential for 12 year financing with Motorola. Mr. Peterson asked about replacement fund being used to cover annual expenses. Mr. Glotzbach asked if funding would include desktops. Mr. Huebler stated opposition to duplicating recent surcharge request. He favors a 20 year repayment and a millage over a surcharge.

Further discussion regarding how other dispatch centers have successfully funded their 800 MHz project. Mr. Janson suggested a meeting with the County Administrator, Mark Eisenbarth and Finance Director Beth Dick about a bonding option. Mr. Eckholm suggested that we reach out to GVSU to have a study done, however, Mr. Peterson felt it might take too long. Mr. Mahoney said a deadline would help. Mr. Peterson felt it best to communicate to County residents to offer up the changes that reflect feedback received during the last process. Mr. Huebler felt \$1.77 would be enough to request on a 20 year finance option. Mr. Eckholm suggested that by November 2019 we would be better prepared to go to the ballot. Mr. Glotzbach felt requesting less would reflect negatively on MCD and that there was no time to wait with state of current equipment. Mr. Mahoney favored repeating a similar initiative with a sunset date. He has had adverse experiences with lowering the initiative and the public perception of the request. Mr. Peterson thought it would be a good idea to compare millage vs. surcharge. Mr. Janson will be among those who meet with the County to explore a millage and potential bonding options.

### NEW BUSINESS

#### GUIDELINE 100-13 RETENTION SCHEDULE

Moved by Mr. Huebler, seconded by Mr. Eckholm, to approve the revisions to Guideline 100-13 Retention Schedule as presented. Motion carried.





LAW OFFICE OF  
**CRYSTALMORGAN**

*Sent via email only on*  
January 7, 2019

Members of the City Council  
City of Whitehall  
405 E. Colby Street  
Whitehall, MI 49461

**Re: Playhouse Contracts and Specifications**

Dear Members of the City Council:

The City of Whitehall (“City”) has adopted Freedom of Information (“FOIA”) Procedures and Guidelines, which reads in part:

*The City of Whitehall’s policy with respect to FOIA requests is to comply with State law in all respects and to respond to FOIA requests in a consistent, fair, and even-handed manner regardless of who makes such a request....The City of Whitehall’s policy is to disclose public records consistent with and in compliance with State law.*

State law allows the City to charge certain fees for responding to FOIA requests, but it also very clearly states that:

*A search for a public record may be conducted or copies of public records may be furnished without charge or at a reduced charge if the public body determines that a waiver or reduction of the fee is in the public interest because searching for or furnishing copies of the public record can be considered as primarily benefiting the general public.<sup>1</sup>*

Several months ago, my client and City of Whitehall resident Sandra Gibbs submitted a FOIA request to the City for various public records concerning the improvements to the Playhouse. Among the records requested were copies of contract documents including the subcontracts approved by this City Council in Resolution No. 18-30. As this Council is presumably aware from its purported approval of the contracts, the City is a named third-party beneficiary to the contracts. Thus, the City has important rights (and obligations) under the contracts and a citizen would therefore expect the City to have copies of the contracts easily available for purposes of reference, disclosure, and enforcement, if necessary.

To Dr. Gibbs’ surprise, her request for the records was initially denied for the reason that—although the City had approved and was bound by the contracts—the contracts were not physically housed at City Hall and, thus, the City had no obligation to provide copies. After back-and-forth correspondence between legal counsel, some records were provided, but they trickled in over time and were incomplete—causing Dr. Gibbs to incur additional expenses (and delay) in trying to track

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<sup>1</sup> MCL 15.234.

down the missing and undisclosed public records. Dr. Gibbs and Mr. Rowe were forced to incur legal fees following up on the request, piecing together the partial responses that were received from the City over time, and notifying the City regarding records that were never provided or appeared to missing from those that were provided.

Eventually it became more clear that the City Clerk with assistance from the City Attorney was not able to ascertain what documents were responsive to the FOIA request, as she was not familiar with the contract documents and did not know what records existed. The City suggested a meeting be held at Winberg Construction to discuss the outstanding requests from Dr. Gibbs' original FOIA request. Dr. Gibbs and Mr. Rowe ultimately agreed to the Winberg meeting in an attempt to resolve the outstanding requests (and in fact agreed during the meeting to *reduce the scope of the requests* to limit the work and expense incurred in fulfilling it—hence the pared-down list Mr. Rowe provided during the meeting). When Dr. Gibbs and Mr. Rowe were invited to attend the meeting and accepted that invitation, there was never any indication that they would be *charged* for the meeting. Had they known, they would not have agreed to pay for multiple people to attend. In addition, they agreed to attend the meeting to *assist the City* in fulfilling the FOIA request and, by attending the meeting, they too spent significant time at the Winberg office and incurred expenses.

The meeting was held at Winberg Construction on November 29, 2018. I attended the meeting, as did Dr. Gibbs, Mr. Rowe, Brad VanBergen from Winberg, Brenda Bourdon, and Beth Beaman. My clients and I were left with the impression after the meeting at Winberg—especially based on Mr. VanBergen's comments—that the remaining documents were in electronic (pdf) format and were easily accessible. Again to Dr. Gibbs' surprise, while she was led to believe the electronic records would be forwarded without a cost to her, she received demand for payment of nearly \$300, which included 11 hours of labor for time spent by Ms. Bourden and Ms. Beaman collecting, examining and “organizing” the documents—*seven hours of which* supposedly took place *after* the meeting at Winberg.

Respectfully, based on the conversation at the meeting—at which I was present—it is unfathomable how it could have taken an additional seven hours after that meeting to fulfill Dr. Gibbs' pared-down request. It is also unclear what needed to be “organized”, as Winberg indicated the files were all available in pdf format. In addition, Dr. Gibbs was charged by the City for the time Ms. Beaman spent examining subcontracts that she had no familiarity with. I confirmed in the email to her (in response to her email seeking clarification) that the purpose of the request was to determine if the boilerplate third-party beneficiary language was in each subcontract and—if it was—a simple email to that effect would have sufficed rather than a lengthy search of any documents. That was an attempt to *reduce* the amount of time and energy being spent on the request, as a person familiar with the subcontracts would have *known* whether that provision was contained in the subcontracts as it was a standard contract with many identical provisions and numbering. If Ms. Beaman was unsure of whether the third-party language was included, the appropriate thing to do would have been to simply provide copies of the subcontracts (which, again, we were told were in pdf format at Winberg and, thus, available at no cost). Dr. Gibbs could have then reviewed them herself to determine if they contained the relevant language. Instead, Dr. Gibbs was required to pay an excessive fee for an unnecessary review by a person who was unfamiliar with the subcontracts.

Dr. Gibbs requested a waiver of the fee under the public interest exception and her request was unreasonably denied by the City Clerk who, under the FOIA policy, determines if a request benefits the general public. Dr. Gibbs' written request outlined the circumstances above, also reminding the City that it had previously provided *some* documents, including some subcontracts (or portions thereof) in its earlier, partial responses to the FOIA request. So, as it turned out, she was billed for time spent searching, reviewing, and/or organizing documents she previously received—and paid for.<sup>2</sup>

Dr. Gibbs' request was for the benefit of the general public because it was aimed at helping the public to understand the nature of the improvements and expenses related to the Playhouse renovation/remodel. Dr. Gibbs, Mr. Rowe, and others with whom they communicate have a significant interest in the Playhouse project, which involves various approvals by the City Council and the expenditure of a significant amount of public monies. The fact that it supposedly took hours upon hours to determine if the City was, in fact, a named beneficiary of the contracts is of concern because the City *is* a named beneficiary and should have had these documents readily available for its own reference and for review by interested persons. Dr. Gibbs should not have been forced to incur the costs associated with tracking down and organizing contracts involving the City.

For all of these reasons, Dr. Gibbs respectfully requests that this Council order a refund of the \$297.24 in FOIA fees paid by Dr. Gibbs in response to the City's December 19, 2018 letter.<sup>3</sup>

In addition, Dr. Gibbs wishes to alert the City Council of what appears be a serious deficiency in its record-keeping—one that could eventually prejudice the City and its taxpayers should the City be put in a position to enforce a contract for services or products. Despite months of back-and-forth, Dr. Gibbs did not receive the documents she requested, which were intended to reveal simply:

- What specific items (products, labor, labor, etc.) were included in the original budget amounts?<sup>4</sup>
- What specific items (products, labor, etc.) were included in the original bids received by the various subcontractors?
- What specific items (products, labor, etc.) were included in the contract that was awarded by the City Council (if different from the bid)?
- What specific changes, if any, have been made to the contracts or items or services purchased under the contracts since being approved by Council?

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<sup>2</sup> Dr. Gibbs has never before requested a fee waiver. She has always timely paid the requested costs without complaint. This, however, is a unique situation and she believes one that warrants a fee waiver under the totality of the circumstances.


<sup>3</sup> This letter is not presented as formal FOIA appeal because the FOIA policy does not expressly provide for a fee appeal. The City Council may nevertheless grant the request.

<sup>4</sup> See Resolution No. 18-30, which contains a "budgeted" amount for each category, shows the amount bid by each subcontractor, and identifies the contractor and contract amount that the Council awarded in each category.

By way of this letter, Dr. Gibbs respectfully asks the Council—which approved the various contracts and is presumably therefore aware of their contents—to direct her to the source of this information as the documents provided are largely nonresponsive or indiscernible.<sup>5</sup>

Thank you for your prompt attention to this matter.

Sincerely,



Crystal L. Morgan

cc: Clients  
Rodger Sweeting, Esq.

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<sup>5</sup> The City provided, for example, pages upon pages of schematic drawings that were not responsive to the request. The City also did not provide any change orders despite the City Council having approved changes to various aspects of the project.

**Whitehall Planning Commission  
Meeting Minutes  
January 15, 2019**

**Present**

B. Armstrong, D. Bedau, D. Bowyer, T. Cabala, J. Guzman, D. Hillebrand, V. Irby, C. Mahoney, S. Salter.

**Also Present**

Zoning Administrator S. Huebler, City Attorney R. Sweeting

**Absent**

**Call to Order**

Chair Bedau called the meeting to order at 6:00 p.m.

**Agenda**

Motion by Mahoney, seconded by Salter, CARRIED, to approve the agenda as submitted. All ayes.

**Election of Officers**

Motion by Hillebrand, seconded by Armstrong, CARRIED, to re-elect Bedau as Chair and Mahoney as Vice Chair. All ayes.

**Minutes**

Motion by Hillebrand, supported by Bowyer CARRIED, to approve the November 2018 minutes as submitted. All ayes.

**Communications**

The City received a Notice of Master Plan Update from the City of Montague. Cabala introduced herself as the newest member to the Commission.

**Public Comment**

**Unfinished Business**

**New Business**

**A. Weesies Lot Split Request**

Motion by Mahoney, seconded by Armstrong, CARRIED, to approve Resolution 19-01 granting the lot split request as submitted. Roll Call Vote – All ayes.

## **B. Recreational Marijuana**

Attorney Sweeting presented information regarding the Commission's role in establishing zoning regulations should the City decide to allow recreational marijuana retail shops. The Commission would focus on the time, place, and manner of retail establishments. If they are allowed in the City, medical marijuana establishments should be reconsidered. There is no time limit on action by the Commission. It would be best to do something sooner than later while the prohibition is in effect and before the year deadline expires with the State Licensing and Regulation Administration. An ordinance template will be provided to allow the Commissioners the option of making decisions by filling in the blanks.

Huebler noted that next month the Commission will have the results of a survey and allow an opportunity for expanded public comment on this issue.

### **Adjournment**

Motion by Armstrong, seconded by Hillebrand, CARRIED, to adjourn at 6:27 p.m. All ayes.

# City of Whitehall

405 E. Colby Street  
Whitehall, MI 49461  
Phone 231.894.4048 • Fax 231.893.4708  
www.cityofwhitehall.org • www.fb.com/cityofwhitehallmi



January 8, 2019.

Mr. Chuck Schmitgal, Supervisor  
Whitehall Township  
7644 Durham Road  
Whitehall, MI 49461

Dear Chuck:

Please find enclosed the 2018 Annual Report of water consumption in Whitehall Township as it relates to the 1998 Water Service Agreement between Whitehall Township and the City of Whitehall. The water consumption remains well below the requirement of notice as stated in the Agreement.

The Agreement also requires a meeting each year sometime between January and April to foster communication, between the City and the Township, and to plan for future water needs. I am looking forward to meeting with you at your earliest convenience to discuss any issues or answer any questions you may have. Please call my office, 894-4157, to set up a day and time to meet.

Sincerely,

Brian Armstrong, Director  
Department of Public Works

C: Deb Hillebrand, Mayor  
Scott Huebler, City Manager





WHITEHALL TOWNSHIP – CITY OF WHITEHALL

WATER SERVICE AGREEMENT

2018 ANNUAL REPORT

AVERAGE DAILY DEMAND (ADD)\*:

The ADD computed from Township water meter readings for four consecutive quarters Of 2018:

1 <sup>st</sup> Quarter	1.542 MG	0.01713 MGD/quarter	
2 <sup>nd</sup> Quarter	2.345 MG	0.02606 MGD/quarter	
3 <sup>rd</sup> Quarter	5.087 MG	0.05652 MGD/quarter	0.0302 MGD
4 <sup>th</sup> Quarter	1.913 MG	0.02126 MGD/quarter	<b>Average Daily Demand</b>

\*The average daily demand is defined as the average of the average daily demand of four consecutive quarters of the previous calendar year. Maximum water capacity delivered to the Township is limited to 0.313 MGD. Notice is required when the ADD of four consecutive quarters exceeds 0.282 MGD.

AVERAGE DAILY DEMAND 2017 0.0408 MGD


FIVE YEAR AVERAGE DAILY DEMAND 0.02996 MGD

TOTAL NUMBER OF METERED TOWNSHIP CONNECTIONS (40)

METERED CONNECTIONS ADDED IN 2018 (1)

TOTAL NUMBER OF TOWNSHIP FIRE HYDRANTS (40)

FIRE HYDRANTS ADDED IN 2018 (0)

 Date Jan. 8, 2019  
Brian Armstrong, Director of Public Works

## Whitehall Township Water Usage 2018

Account #	Service	Jan-Mar 2018	Apr-June 2018	July-Sept 2018	Oct-Dec 2018	Totals	
016-07021-00	Schmuckal Oil Co/main bldg	0	22	30	17	69	
016-07021-05	Schmuckal Oil Co/Irrig	0	72	260	28	360	
016-07022-00	Schmuckal Oil Co/Car wash	349	388	328	243	1308	
016-07024-00	Taco Bell	95	84	112	75	366	
016-07024-05	Taco Bell/Irrig	0	32	118	0	150	
016-07025-00	Little Ceasers Pizza	67	78	99	78	322	
016-07026-00	W/L Centre (Grand Video)	22	29	33	23	107	
016-07030-00	W/L Centre	18	16	16	17	67	
016-07035-00	Great Lakes Fresh Market	0	0	0	0	0	
016-07037-00	O'Reilly Auto Parts	3	2	2	2	9	
016-07037-05	O'Reilly Auto Parts/Irrig	0	53	89	6	148	
016-07038-00	Sun Agency	8	12	8	8	36	
016-07038-05	Sun Agency/Irrig	0	0	123	6	129	
016-07039-01	Goodwill Industries	10	12	26	12	60	
016-07039-05	Goodwill Industries/Irrig	0	67	102	0	169	
016-07040-00	Underwood Del	7	10	12	6	35	
016-07043-00	Save-A-Lot	20	20	22	20	82	
016-07043-05	Save-A-Lot/Irrig	0	105	552	154	811	
016-07045-00	San Marcos	76	71	126	119	392	
016-07050-00	Sikkenga Phyllis	0	0	0	0	0	
016-08010-00	Walgreens #11417	10	9	10	9	38	
016-08010-05	Walgreens #11417/Irrig	0	0	0	0	0	
016-08020-00	Arby's #7822	47	96	144	58	345	
016-08021-00	Advanced Auto	3	3	4	2	12	
016-08021-05	Advanced Auto/Irrig	0	0	110	0	110	
016-08050-00	McDonalds	120	279	764	159	1322	
016-08052-00	Rodeway Inn	309	300	292	192	1093	
016-08053-00	Wesco	83	76	104	84	347	
016-08053-05	Wesco/Irrig	0	153	657	145	955	
016-08101-00	Viking Tool & Engineering	0	1	0	1	2	
016-08108-00	Harborlight Credit Union	3	4	5	4	16	
016-08108-05	Harborlight Credit Union/Irrig	0	36	132	30	198	
016-08109-00	Wal-Mart Stores East #34	167	193	207	176	743	
016-08109-05	Wal-Mart Stores East #34/Irrig	0	6	459	0	465	
016-09002-00	Erdman Machine Company	61	47	50	45	203	
016-09008-00	Urban Machine	0	0	0	95	95	
016-09012-00	Fusion Fluid Equipment	22	2	0	0	24	
016-09025-00	Patterson Chad/Sheena	9	16	19	36	80	
016-10002-00	Magnolia's Pet Grooming	33	51	72	63	219	
016-10015-00	Eklund Robert	0	0	0	0	0	
	<b>Totals:</b>	1542	2345	5087	1913	10887	Qtr. MGD
	Average Daily Demand	0.01713	0.02606	0.05652	0.02126	0.12097	0.03024

FIRE HYDRANTS  
WHITEHALL TOWNSHIP

	<u>Hydrant #</u>	<u>Location</u>
1.	FH4-194	3284 E Colby
2.	FH4-234	3303 E Colby
3.	FH4-235	E Colby
4.	FH4-236	3205 E Colby
5.	FH4-237	3311 E Colby
6.	FH4-238	3263 E Colby
7.	FH4-239	3297 E Colby
8.	FH4-240	3255 E Colby
9.	FH8-178	3384 Benston
10.	FH8-179	3200 Blk Benston
11.	FI4-264	3100 Blk Colby
12.	FI4-265	3090 E Colby
13.	FI4-266	3165 E Colby
14.	FI4-267	3123 E Colby
15.	FI4-268	3001 E Colby
16.	FI4-269	8238 Whitehall Rd
17.	FI4-272	E Colby
18.	FI4-273	Albers Dr/field behind Pamida
19.	FI5-274	Albers Dr//dead end
20.	FJ3-279	W Holton/Whitehall Rd and Durham Rd
21.	FJ3-280	8500 Blk Durham Rd
22.	FJ4-270	8210 Whitehall Rd
23.	FJ4-271	8171 Whitehall Rd
24.	FJ4-277	W Holton/Whitehall Rd and US31
25.	FJ4-278	2865 W Holton/Whitehall
26.	FJ5-275	3240 Albers Dr
27.	FJ5-276	8131 Whitehall Rd & Albers Dr
28.	FK3-281	2740 W Holton/Whitehall

- |     |         |  |
|-----|---------|--|
| 29. | FK3-282 | 2600 Blk W Holton/Whitehall Rd         |
| 30. | FK3-283 | W Holton/Whitehall Rd and Silver Creek |
| 31. | FK3-284 | 8529 Silver Creek Rd                   |
| 32. | FK3-285 | 8579 Silver Creek Rd                   |
| 33. | FI4-286 | Dead end Shelby Ridge Ct               |
| 34. | FI4-287 | End of E Ridge Dr                      |
| 35. | Fk4-100 | W. Side Wal-Mart by garage door        |
| 36. | FK4-102 | S. Side Walmart-loading dock           |
| 37. | FK4-104 | N. Side Walmart-Island Garden Center   |
| 38. | FK4-106 | N. Side Walmart-East End               |
| 39. | FK4-108 | S. Side Walmart- East End              |
| 40. | FK3-286 | At Entrance-Harborlight C.U.           |

The Wastewater Department exists to improve the public health of Muskegon County citizens by receiving polluted wastewater, cleaning it up, and returning it the environment for reuse and enjoyment. We recognize the weight of our responsibility as stewards both of the environment and of our system infrastructure which enables us to do our job. Our goal is to offer our service to the people of Muskegon County at the best possible rate without compromising our stewardships.

~David Johnson, Director

## FINANCIAL REPORT

Christine Morris / Administrative Analyst

### NOVEMBER FINANCIAL REPORT

Operating expenditures for the first two months of the 2019 fiscal year are \$1,396,720, or 8.8% of the FY2019 budget. Revenues for the same period are \$1,725,287, or 9.2% of the budget.

## INFRASTRUCTURE MAINTENANCE AND IMPROVEMENT PROJECTS

Vic Singh / Engineer & Dave Johnson / Director

### FLEET MAINTENANCE BUILDING EXPANSION

**Progress:** The coming of winter hasn't kept Grand River Construction from making progress on the Fleet Maintenance Building Expansion project. This month they finished pouring the concrete floors and laying masonry blocks as high as necessary. They also put in the new septic tank and drain field behind the new building to the west. Now they're waiting on the steel to arrive so that the building can go up. It's scheduled to arrive in early January.



**Progress on the Fleet Maintenance Building Expansion. The concrete floors have been poured and the block wall has been completed.**

## SPECIAL REPORTS

Dave Johnson / Director

## TIMBER STAND IMPROVEMENT

One more timber contract was executed before the year ended. This one was with Roger Bazuin and Sons for the harvest of a 20-acre plot of red pine, also known as Norwegian pine. Despite the name "Norwegian", red pine is actually native to Michigan but not to our part of Michigan. In the 1950s and 1960s the state of Michigan sponsored red pine plantations all over the state, and thus it ended up outside its native range, where it experiences greater environmental stresses, making it more susceptible to disease. A fungal disease known as diplodia tip blight has taken hold in our red pine stand and killed a number of trees in it. Because of the disease and because of its non-native status in our area, our forestry consultant has recommended that it be clearcut. Clearcutting is not our normal practice for timber stand improvement, but in this case it will allow the forest to return to native oak and white pine, which are already abundant in the understory. The high bid from Roger Bazuin and Sons is based on \$40 per cord of red pine. The Wastewater will probably get about \$16,000 from the sale, give or take. A map of the red pine stand is shown at the bottom of the next page.

## ENERGY PARK DEVELOPMENT

**Progress:** On the 5th of this month, Consumers Energy, having made full payment to Tradewind Energy, officially became the owner of our solar energy project proposed for south of Apple Avenue. This ends Tradewind's involvement south of Apple, but they're still leasing the Wastewater property north of Apple and gearing up for the next phase of development, which they are calling *Muskegon Green Solar*. Their goal is to come up with a solar farm design that will not hinder our ability to treat wastewater. That's a tall order, but they've hired the renowned engineering firm Black

& Veatch to work on that problem. In the meantime, we at the Wastewater are waiting to hear some hoped-for word from Consumers Energy, something of a firm intention and a timeframe so that we can plan accordingly for next year's crop, and, more importantly, so that we can realize our dreams for a solar farm south of Apple. Speaking of dreams, I thought Tradewind's Christmas card this year was pretty clever:



## MOSQUITO CREEK TRAILS

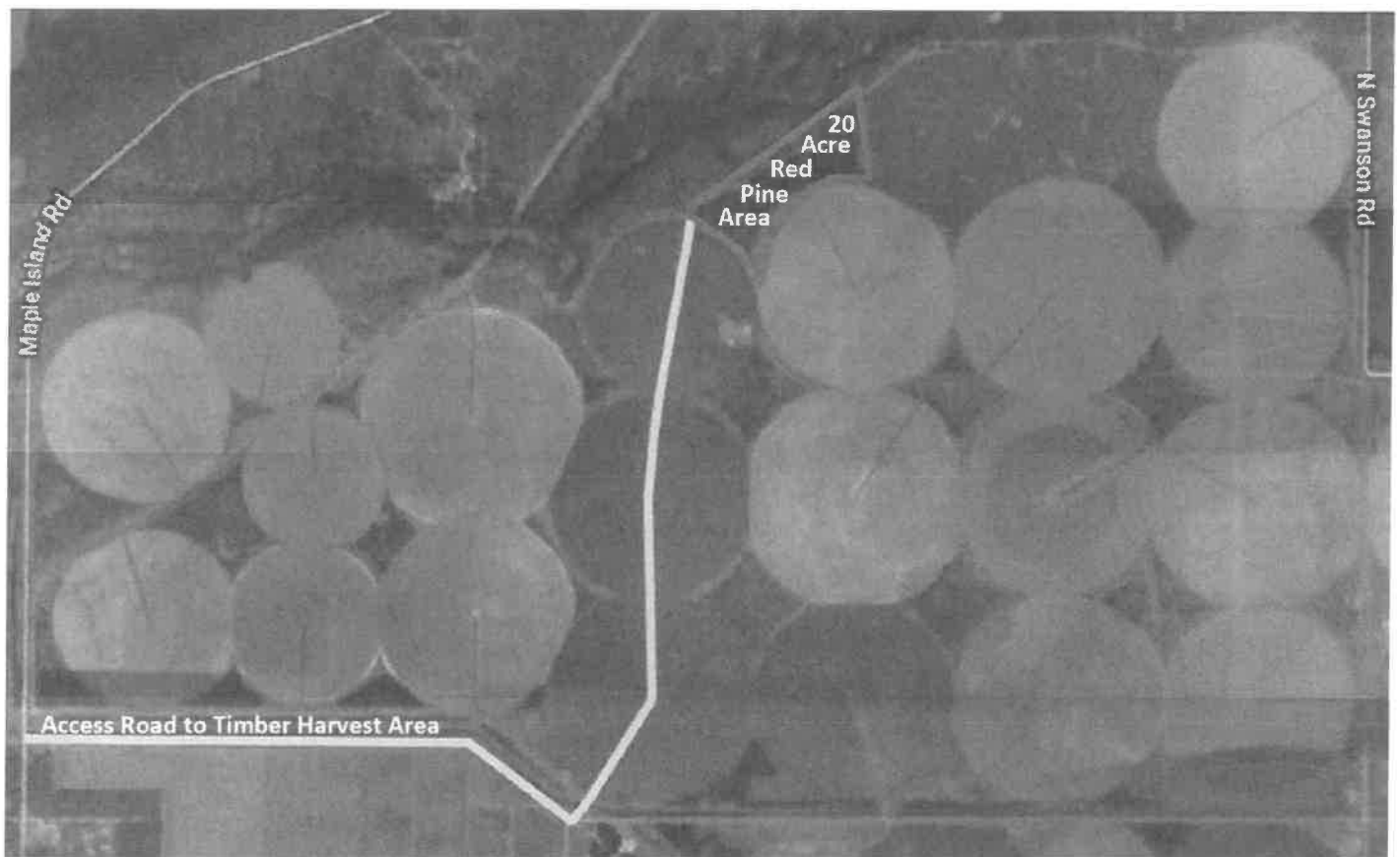
In the Wastewater October Monthly Report, I gave an update on the Mosquito Creek Trails, a project of the Michigan's Edge Mountain Biking Association on the forested northern part of the Wastewater property. On the next page I have a copy of the engineer's drawing, which shows exactly how the trails will be laid out when they are finally finished. They are being built as funds come in from donations. The green trails are the easiest, the blue are intermediate, and the black are expert.

## STATISTICAL COMPARISONS

Dave Johnson / Director

### FLOWS AND LAGOON LEVELS

The average daily wastewater flow (Fig. 1) received at the WWTP in December was 12.2 MGD, 13% higher than the same period last year. Hauled waste flow for December (Fig. 2) was 3.5 MG, 10% lower than the same period last year. The volume of water in the storage lagoons (Fig. 3) near the end of December was 2,539 MG, 4.5% higher than this time last year.



**The red border marks the 20-acre area of red pine that will be harvested by Roger Bazuin and Sons of McBain, Michigan.**



Figure 1

## 2016 - 2018 Total Wastewater Monthly Flow in MGD

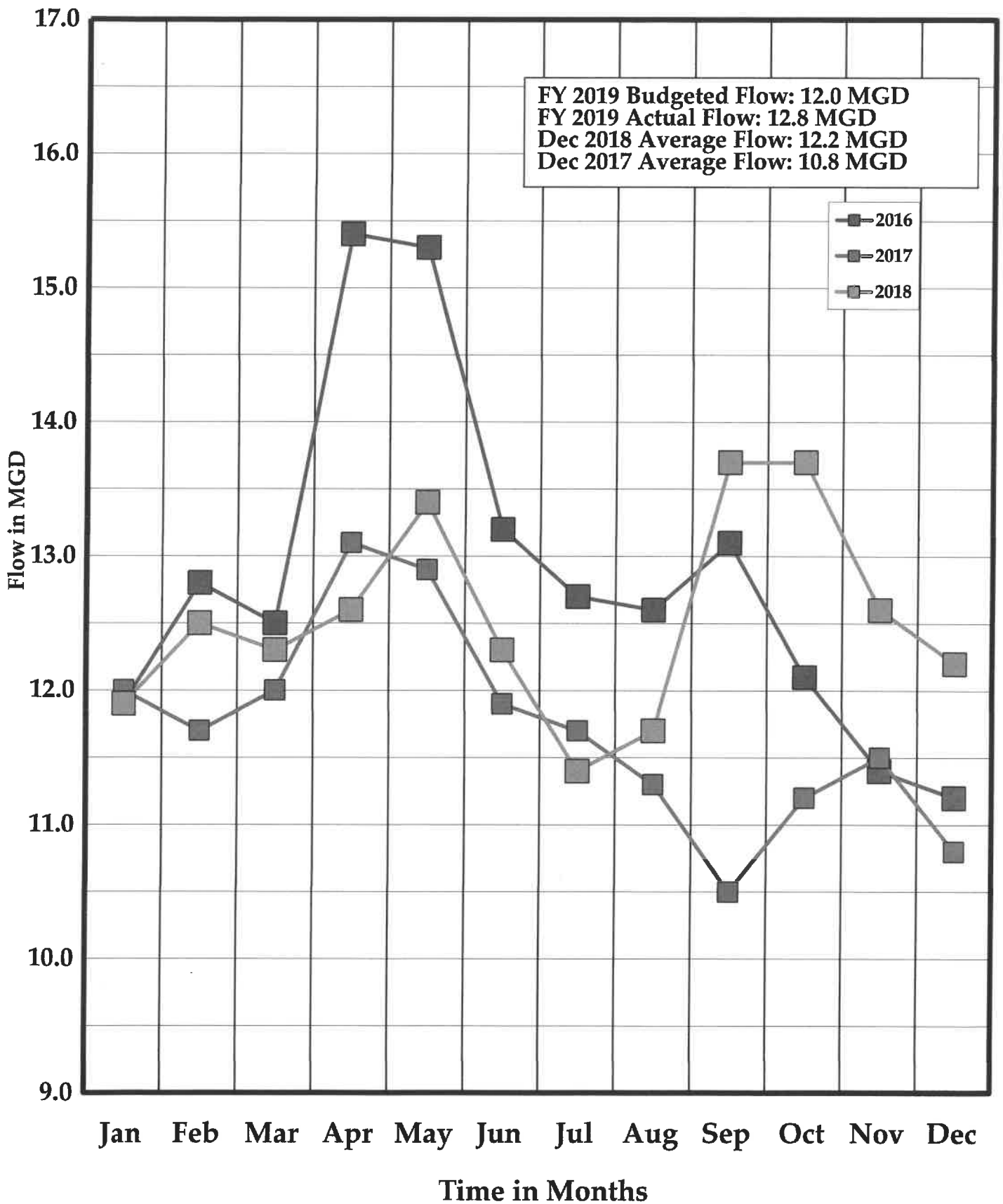




Figure 2

## 2016 - 2018 Hauled Waste Monthly Volume in Gallons

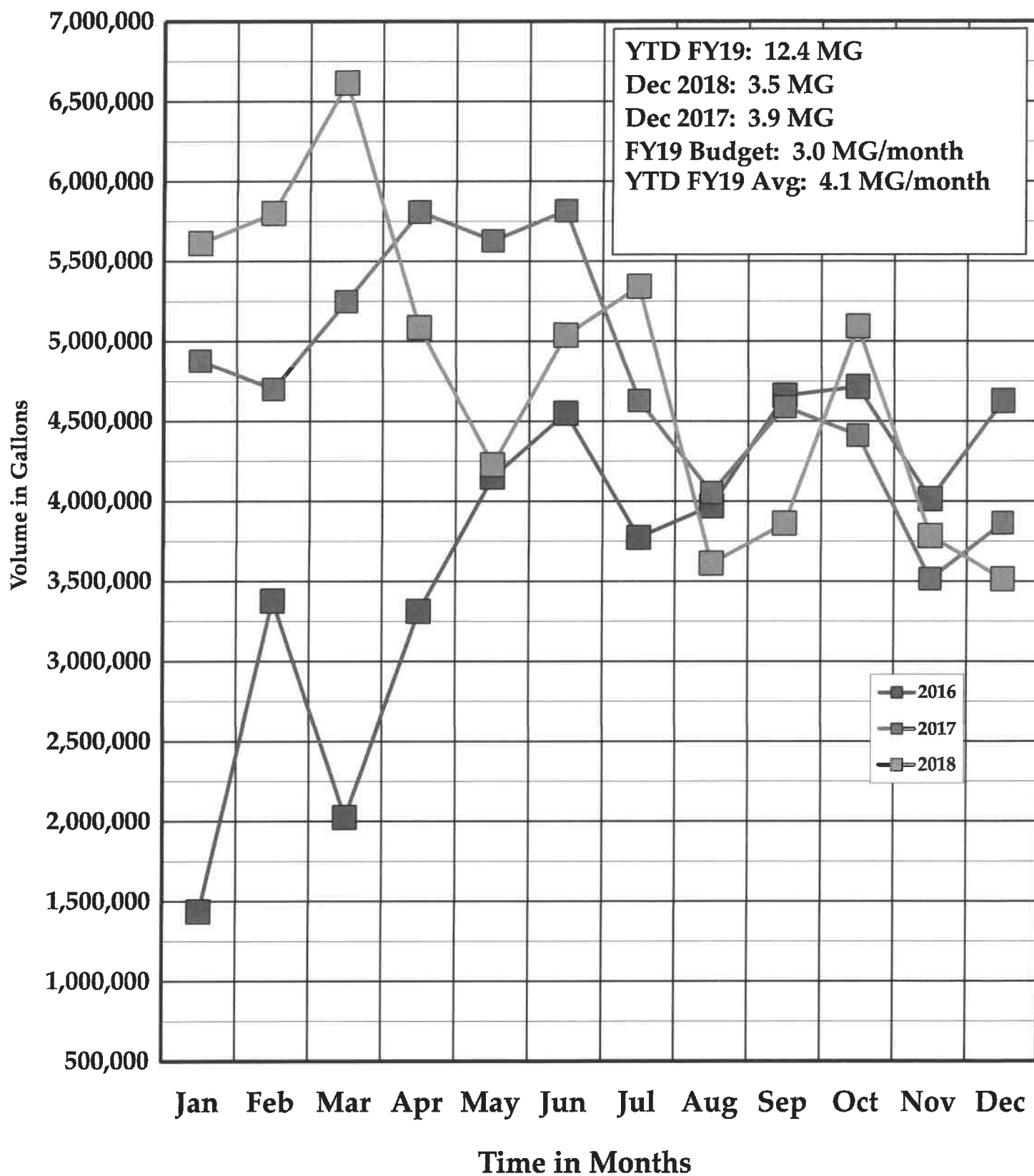
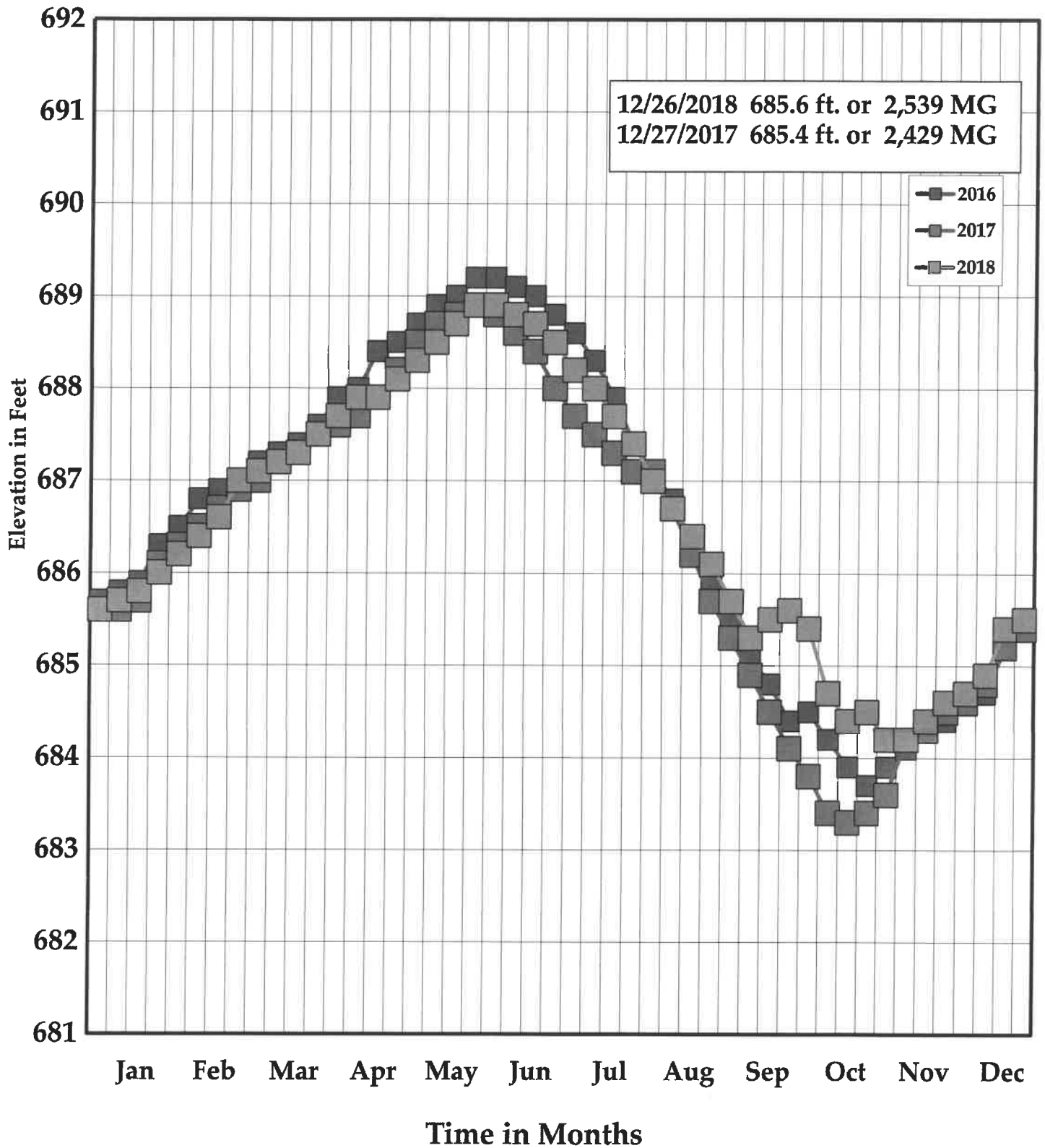


Figure 3

### 2016 - 2018 Metro Lagoon Average Elevation in Feet



**Muskegon Municipal Wastewater Management Committee  
Meeting Minutes  
November 15, 2018  
Muskegon Charter Township**

Members Present

Jerry Sanders - Muskegon Township  
Jerry Bartoszek - Norton Shores  
Jacob Eckholm, City of Muskegon Heights  
Jared Olson, City of Roosevelt Park  
Sam Janson - City of North Muskegon  
Jeff Auch - City of Montague

John Holter - Egelston Township  
Scott Huebler - City of Whitehall  
Kim Arter - Laketon Township  
Marcia Jeske - Fruitland Township  
Tony Barnes - Dalton Township

Others Present

Jennifer Hernandez, Muskegon Township  
Matt Farrar, Muskegon County  
Mike Ortega, MWMC Attorney

David Johnson, Muskegon County  
Doug Hughes, County Attorney

*Chair Scott Huebler called the meeting to order at 1:30 p.m.*

1. **Approval of Minutes of the September 27, 2018 Meeting**  
**Motion by Sam Janson, seconded by Kim Arter to approve the September 27, 2018 meeting minutes as presented. Motion Carried.**
  
2. **Directors Report – David Johnson, Wastewater Director**  
Director Johnson summarized his monthly report beginning with financials. He continued with a farm report noting that the corn and soybean yields are complete and was comparable to last year's yields. The irrigation ran through the month of October due to the heavy rains to bring down additional water in the lagoons. Cell three renovations continue to progress and the access road required some pipe removal. The Mosquito Creek Trail is progressing and they hope to have the parking lot and hope that the project is completed by the end of November.  
  
Supervisor Barnes questioned progress of a Household Hazardous Waste site on the north side of the County. Public Works Director Farrar responded that the County does not have any plans in 2018 for relocating the site on Keating.
  
3. **Communications**  
Member Barnes questioned the status of talks with Coopersville. Director Johnson responded that a proposed meeting with Coopersville and Fairlife/Continental Dairy has not yet occurred to his knowledge.
  
4. **Unfinished Business**
  - a. **Proposed Memorandum of Understanding**

Chairman Huebler began summarizing the final document – resolve the disposition of the current fund balance into separate items – we have unprecedented role in the rate setting. It's been an issue for years – great compromise with the County and they have gone a long way to resolving our issues.

Attorney Ortega added it took longer than preferred but we are very pleased. He added that the outcome was a great illustration of a good solid relationship. Doug Hughes agreed and noted it has been four years in the coming.

Member Holter asked Chairman Huebler the safeguards of the proposed MOU. Chairman Huebler responded naming the ones that brought issues to light many years ago.

Member Barnes asked if Member Wood's questions were addressed. Matt responded why we have two fund balances - we redefined how to interpret H & I. He also addressed how the rates were to be set without opening up the contract. A contract amendment was not an option for the Board of Public Works. Vice Chair Eckholm added he felt it was better to have two separate provisions which give us more latitude in our scope of review. The Capital Improvement Fund was also discussed.

**Motion by Jeff Auch, seconded by Sam Janson to approve the Memorandum of Understanding as submitted.**

**ROLL CALL VOTE:**

**Ayes: 11**

**Nays: 0**

**MOTION CARRIED**

**5. New Business**

**6. Community Updates/Information/Public Comment**

**7. Adjournment**

Chairman Huebler adjourned the meeting at 2:06 p.m.

Respectfully submitted,

Marcia Jeske, Secretary



# 2018 Annual Report

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January 2019

White Lake Fire Authority Board

It is with great pleasure I submit the 2018 Annual Report for the White Lake Fire Authority. I am proud to lead the professional Firefighters of the White Lake Fire Authority. My vision for the department is to be a professional fire service leader, committed to high performance standards that serves and provides a safe community for all. As you will see in this report, the Fire Authority continues its commitment of providing quality service to those we protect.

The fire department responded to a total of 1077 calls for service, with an average response time of 6 minutes and 31 seconds which is below the national standard of 8 minutes.

The Department had 45 fire suppression responses, of those 17 were "working" structure fires, and of those, 9 were located in our initial response area.

While fire suppression continues to be an essential service, we also provide emergency medical service at the Medical First Responder level. The greatest number of fire department responses is to medical emergencies. The department responded to 754 medical calls in 2018. This accounts for 70.00% of our total call volume.

We also respond to and provide a variety of services intended to meet the specific needs of our community. The fire department trains and responds to incidents involving hazardous materials, water rescue, ice rescue, confined space rescue and weapons of mass destruction. In addition, the Fire Authority has continued to conduct inspection of premises throughout the area for compliance with the fire code.

As we move forward into the new year, the White Lake Fire Authority will continue to evaluate the services we provide to the community to determine quality and effectiveness. Officer and employee development remains a priority. We are looking forward to new training programs both department and countywide. We have improved our Inspection, Pre-planning and Enforcement programs working hand and hand with local building Code Officials.

The White Lake Fire Authority, as always, is committed to preserving the life and property of our citizens and to serve the community with honor, courage and valor.

Respectfully Submitted,

Gregory M. Holman, Fire Chief

## **Our Mission...**

It is our commitment to protect life and property through fire prevention, fire safety education, rescue and fire suppression for all who live, work, or invest in the White Lake Community.

## **We accomplish this through...**

Prompt response to call for service

Recruitment & retention of dedicated personnel

Continuous training with the most up to date information

Public education with community involvement and interaction

Pro-active Code Enforcement in a partnership with our Building Officials

Systematic inspections of all Department equipment to insure operational readiness

Utilization of the National Incident Management System and operational use of the Unified Incident Command System.

## **Our Vision...**

To deliver efficient and effective services by working together to maintain a progressive, caring, professional organization that remains flexible within a changing environment. We strive to be recognized for our leadership within the region by fostering cooperative working relationships.

We work to be fiscally responsible, and financially stable and secure.

## **Our Motto...**

*What is best for the Community, What is best for the Department, What is best for us*



## About the Department

The White Lake Fire Authority was established in 1994 by the City of Whitehall, Fruitland Township and Whitehall Township, to protect and preserve the lives and property of the citizens of the City of Whitehall, Fruitland Township and Whitehall Township from fire and to assist them in emergency situations. Originally, the Whitehall Fire Department, founded in 1885, provided fire protection to the City of Whitehall and offered contractual services to Fruitland Township and Whitehall Township prior to forming the Fire Authority. These services were provided from a single station located in the City of Whitehall. In 1988, through a DNR grant secured for the weed eater in Fruitland Township, a new facility was constructed and the assets of the Department were divided to provide a more efficient response to our Communities.

It is the duty and responsibility of the Fire Authority to enforce the laws of the State of Michigan and the ordinances of the City of Whitehall, Fruitland Township and Whitehall Township; which provide for protection of life and property against fire. It is the further duty and responsibility of the department to constantly strive for optimum efficiency in maintenance and operation of its facilities, equipment and personnel for the prevention and extinguishment of fires and to be ready to respond to any emergency whether natural or technological in nature.

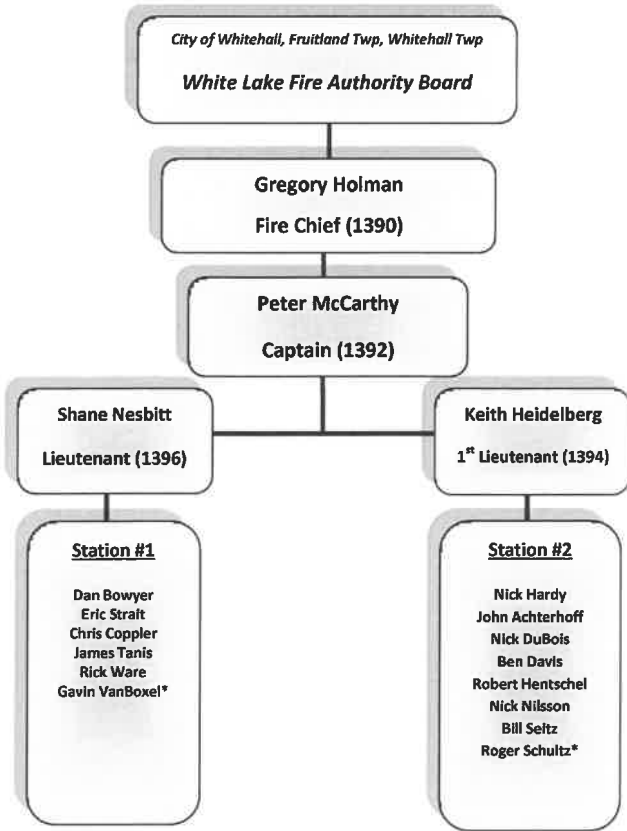
The department is led by the Fire Chief whose duties are to direct and administer all operations and personnel of the department. The chief is appointed by and performs the duties of this position under the administrative guidance of the White Lake Fire Authority Board. The classified personnel of the department include the Captain, 1<sup>st</sup> Lieutenant, Lieutenants, Firefighters, Probationary Firefighters, and Recruit Firefighters. The White Lake Fire Authority is presently operating with a compliment of 18 personnel; 1 Fire Chief, 1 Captain, 1- 1<sup>st</sup> Lieutenant, 1 Lieutenants, 7 Firefighters, 5 Probationary Firefighter and 2 Recruit Firefighters.

For operational purposes, the personnel of the department are divided into 2 stations, each with a complement of personnel under the direction of a Lieutenant who is responsible to the 1<sup>st</sup> Lieutenant. The Lieutenants are responsible for the maintenance of all equipment, apparatus and facilities. The 1<sup>st</sup> Lieutenant is responsible for the code enforcement and fire inspection activities within the Community. The Captain also functions as the departments training officer, and functions as the Fire Chief in his absence.

The department serves a population of 10,100 covering an area of 54 square miles. The Fire Department continuously strives to improve the municipalities ISO rating. The City of Whitehall has an ISO rating of 5 while Fruitland Township and Whitehall Township are currently at a 5Y rating.

## Achievements in 2018

- Continued open lines of communication within the Fire Department as well as with the Authority Board and its employees.
- Continued with the Muskegon Area Training Cooperative Group; this is a number of Fire Departments in Muskegon County who have chosen to begin offering and participating in joint training programs at no cost to the departments involved.
- Held a successful Fire Prevention Open House with an attendance of over 500 citizens in 3 hours.
- We became owners of WLFA Station #2 as well as made several necessary repairs to facility.
- 3 members completed Muskegon County Fire Academy firefighter I & II certifications while 2 other members completed Muskegon County Fire Academy Medical First Responder class.
- Began pilot program for White Lake Fire Academy. 3 candidates are currently going through the academy.
- Assisted numerous area departments with automatic/ mutual aid including but not limited to fire suppression, water rescue, and vehicle extrication.
- Continued successful enforcement of fire codes within the respective business' within the White Lake Fire Authority coverage area.
- Installed over 100 smoke detectors within the White Lake Fire Authority coverage area as part of a County wide grant program.
- Had no fire fatalities for the 2018 calendar year.
- Part of a deployment team for MI-MABAS deployment to North Carolina for hurricane response. Team did not deploy but was ready within 24 hours of notification.
- Converted to new data reporting software in August. Part of a collaborative effort by the Muskegon area Fire Departments.
- Multiple Board level actions throughout the year including but not limited to: switching banking institutions, review and changes to Full-time employment benefits (saving \$50,000.00 in 1<sup>st</sup> year), review and changes to Department Policies & Procedures.



\* denotes recruit FF

## **Type of Call Definitions**

The following are Types of Calls as used in this report. These call types are based on the National Fire Incident Reporting system (NFIRS).

**Fire/Explosion:** All calls concerned with actual burning or explosions. This category includes fires in buildings and vehicles as well as brush fires refuse fires and fires in spilled fuel.

**Rescue:** Calls are related to removing people from dangerous situations including extrication from crushed vehicles or machinery, removal from the water or ice, searching for lost persons and assisting people who are locked in a structure or vehicle.

**Medical:** Emergency medical situations, for example heart attacks, strokes and lack of respiration or occasions where people need a medical assist such as a fall without injury but need help in getting up.

**Hazardous Condition:** Situations of spills or leaks without ignition, excessive heat conditions, power lines down, aircraft emergencies, chemical emergencies and overpressure situations causing pipe or container ruptures.

**Service:** Calls involving people being locked out of structures, removing water from structures, assisting the police, checking unauthorized burning, smoke/odor investigations and steam or other vapor mistaken for smoke.

**False Alarm:** Alarm calls where no emergency situation exists such as malicious mischief, a bomb scare, alarm system malfunction and unintentional alarms.

**Other:** Calls not otherwise classified, these are usually responses discontinued before arrival on the scene.

**TYPE****Fire**

	<b>COUNT</b>	<b>PCT %</b>
Building fire	17	1.58
Cooking fire, contained to container	2	0.19
Chimney or Flue fire, confined to chimney or flue	3	0.28
Trash or rubbish fire, contained	1	0.09
Passenger Vehicle Fire	11	1.02
Road freight or transport vehicle fire	1	0.09
Forest, woods or wild-land fire	2	0.19
Brush or brush-and-grass mixture fire	4	0.37
Grass fire	3	0.28
Outside rubbish, trash or waste fire	1	0.09
<b>TOTAL</b>	<b>45</b>	<b>4.18%</b>

**Rescue& Emergency Medical Service Incident**

Medical assist, assist EMS crew	8	0.74
EMS call, excluding vehicle accident with injury	671	62.30
Motor vehicle accident with injuries	45	4.18
Motor vehicle/pedestrian accident (MV Ped)	2	0.19
Motor Vehicle Accident with no injuries	21	1.95
High-angle Rescue	2	0.19
Swimming/Recreational Water Areas Rescue	1	0.09
Ice Rescue	1	0.09
Watercraft Rescue	3	0.28
<b>TOTAL</b>	<b>754</b>	<b>70.00%</b>

**Hazardous condition (No Fire)**

Hazardous condition, Other	5	0.46
Gasoline or other flammable liquid spill	1	0.09
Gas leak (natural gas or LPG)	3	0.28
Chemical Spill or Leak	3	0.28
Carbon monoxide incident	9	0.84
Overheated Motor	1	0.09
Heat from short circuit(wiring), defective/worn	2	0.19
Power line down	44	4.09
Arcing, shorted electrical equipment	3	0.28
Cable Television Line	1	0.09
Telephone Line	1	0.09
Arcing line in Tree	4	0.37
<b>TOTAL</b>	<b>77</b>	<b>7.15%</b>

**Service Call**

Public Service Assistance, Other	1	0.09
Assist police or other governmental agency	3	0.28
Assist invalid	37	3.44
Unauthorized burning	4	0.37
<b>TOTAL</b>	<b>45</b>	<b>4.18%</b>

**Good Intent Call**

Good intent call, Other	5	0.46
Dispatched & cancelled en route	76	7.06
Wrong location	1	0.09
No incident found on arrival at dispatch	17	1.58
Smoke scare, odor of smoke	1	0.09
Steam, Vapor, Fog or Dust thought to be Smoke	2	0.19
<b>TOTAL</b>	<b>102</b>	<b>9.47%</b>

**False Alarm & False Call**

Municipal alarm system, malicious false alarm	1	0.09
Malicious, mischievous false call, other	1	0.09
Central Station, malicious false alarm	2	0.19
Smoke detector activation due to malfunction	6	0.56
Sprinkler activation due to malfunction	1	0.09
Alarm system sounded due to malfunction	4	0.37
CO detector activation due to malfunction	1	0.09
Unintentional transmission of alarm, other	8	0.74
Sprinkler Activation, no fire	2	0.19
Smoke detector activation, no fire - unintentional	9	0.84
Detector activation, no fire	4	0.37
Alarm System Activation, no fire	10	0.93
Carbon Monoxide Detector Activation, no CO	1	0.09
<b>TOTAL</b>	<b>50</b>	<b>4.64%</b>

**Severe Weather & Natural Disaster**

Wind Storm, Tornado/Hurricane Assessment	2	0.19
<b>TOTAL</b>	<b>2</b>	<b>0.19%</b>

**Special type of Incident, other**

Citizen complaint	2	0.19
<b>TOTAL</b>	<b>2</b>	<b>0.19%</b>

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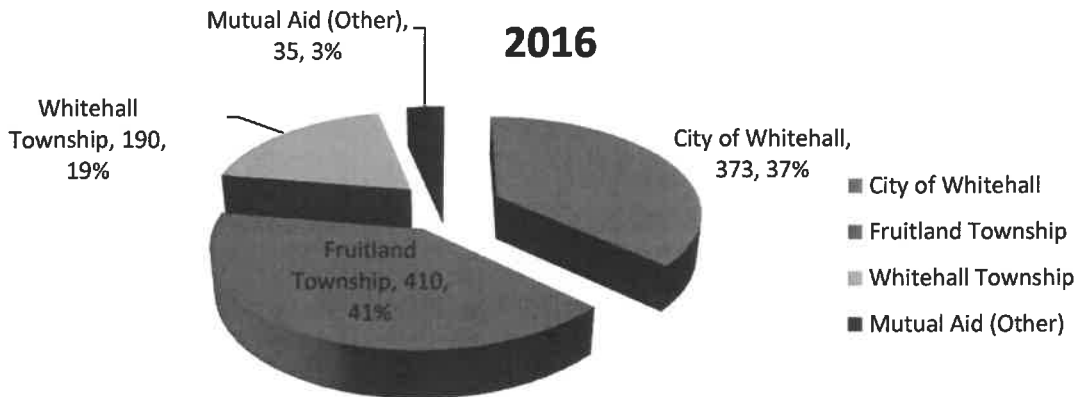
<b>GRAND TOTAL</b>	<b>1077</b>	<b>100.00%</b>
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**Response & Type by District 2018**

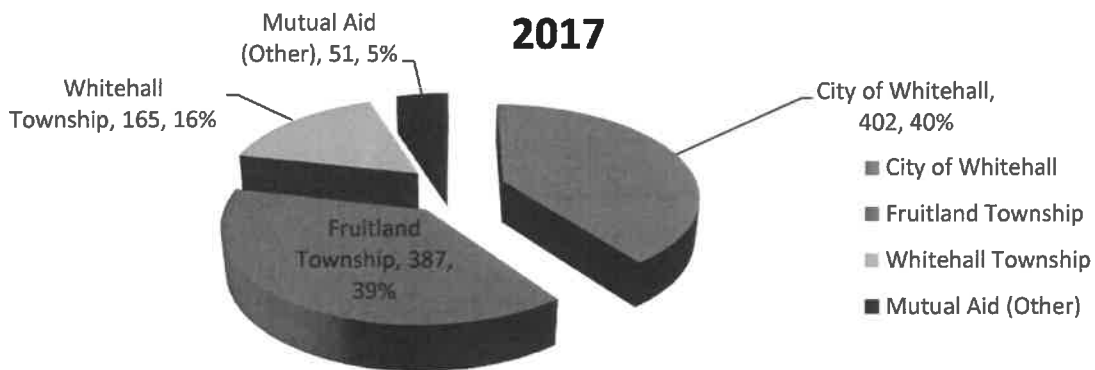
<b>District</b>	<b>False</b>	<b>Fire</b>	<b>Good Intent</b>	<b>Haz Cond</b>	<b>Special Incident</b>	<b>EMS/ Rescue</b>	<b>Service Call</b>	<b>Weather</b>	<b>Total</b>
City of Whitehall	19	9	20	23	1	302	10	0	384
Fruitland Twp.	16	13	36	48	0	320	27	1	461
Whitehall Twp.	5	11	36	6	1	129	8	1	197
Mutual Aid	10	12	10	0	0	3	0	0	35
<b>TOTAL</b>	<b>50</b>	<b>45</b>	<b>102</b>	<b>77</b>	<b>2</b>	<b>754</b>	<b>45</b>	<b>2</b>	<b>1077</b>



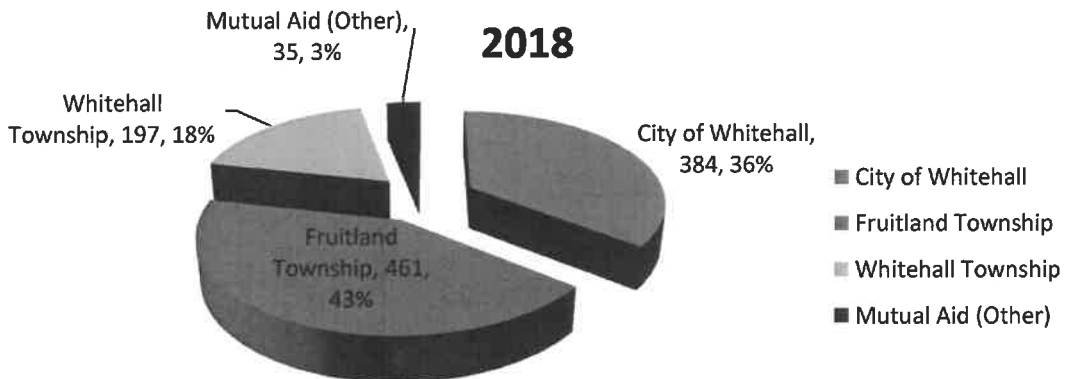
**Response By District- 2016**



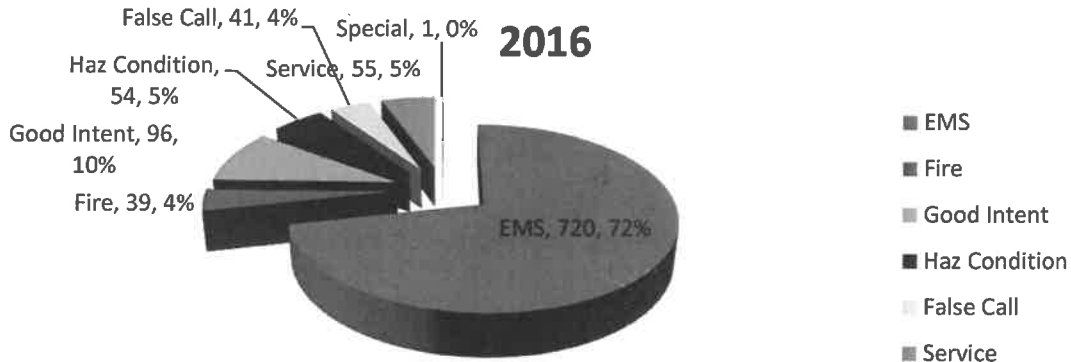
**Response By District- 2017**



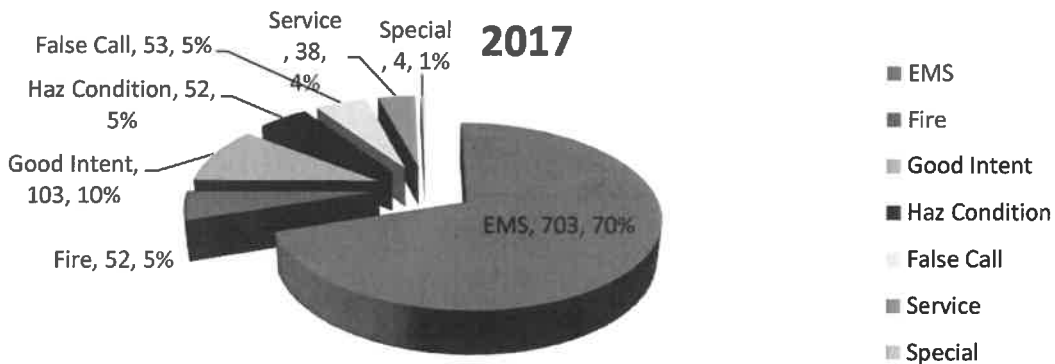
**Response By District- 2018**



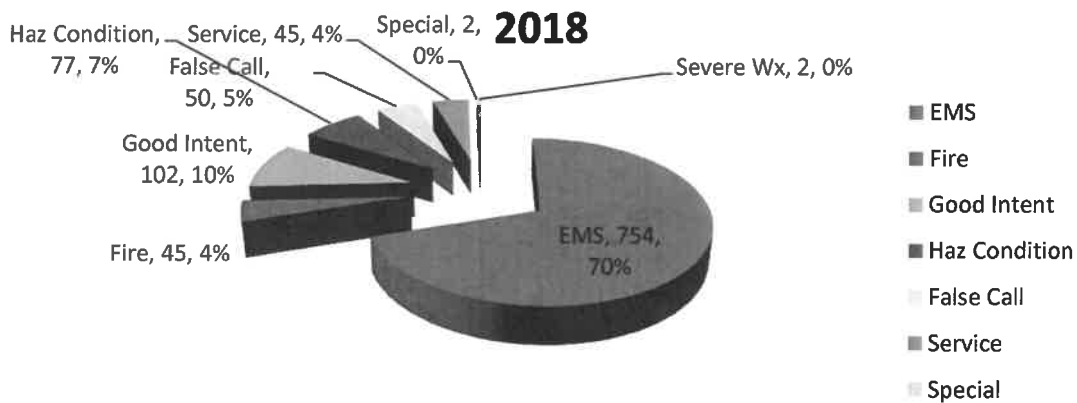
**Total calls for 2016 = 1008 (2.76 calls per day)**



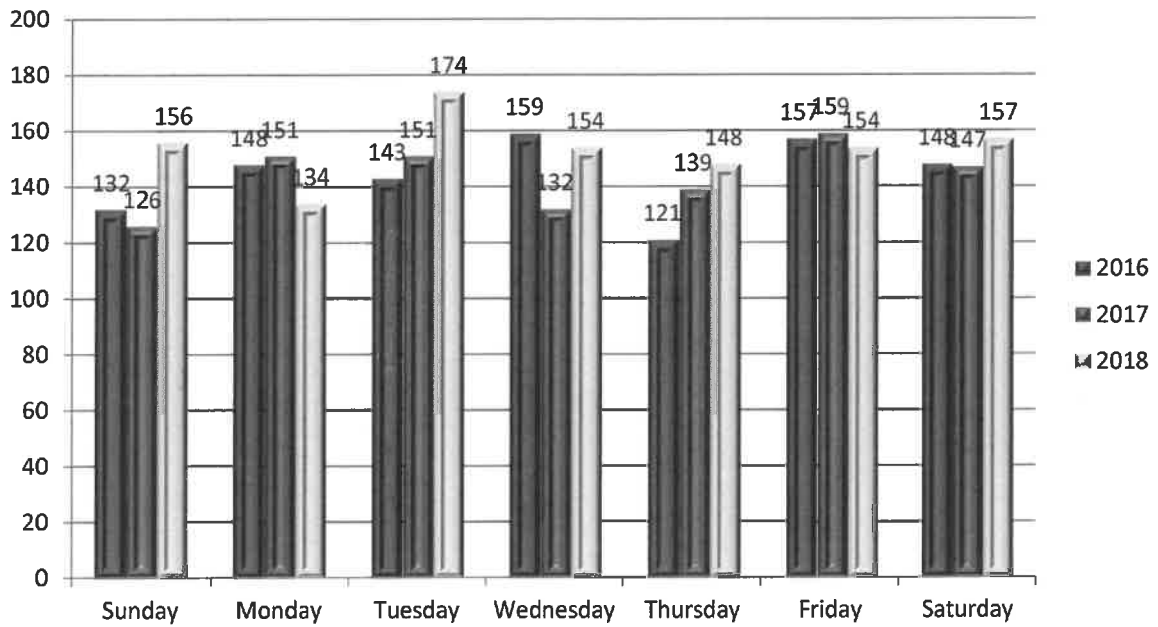
**Total calls for 2017 = 1005 (2.75 calls per day)**



**Total calls for 2018 = 1077 (2.95 calls per day)**

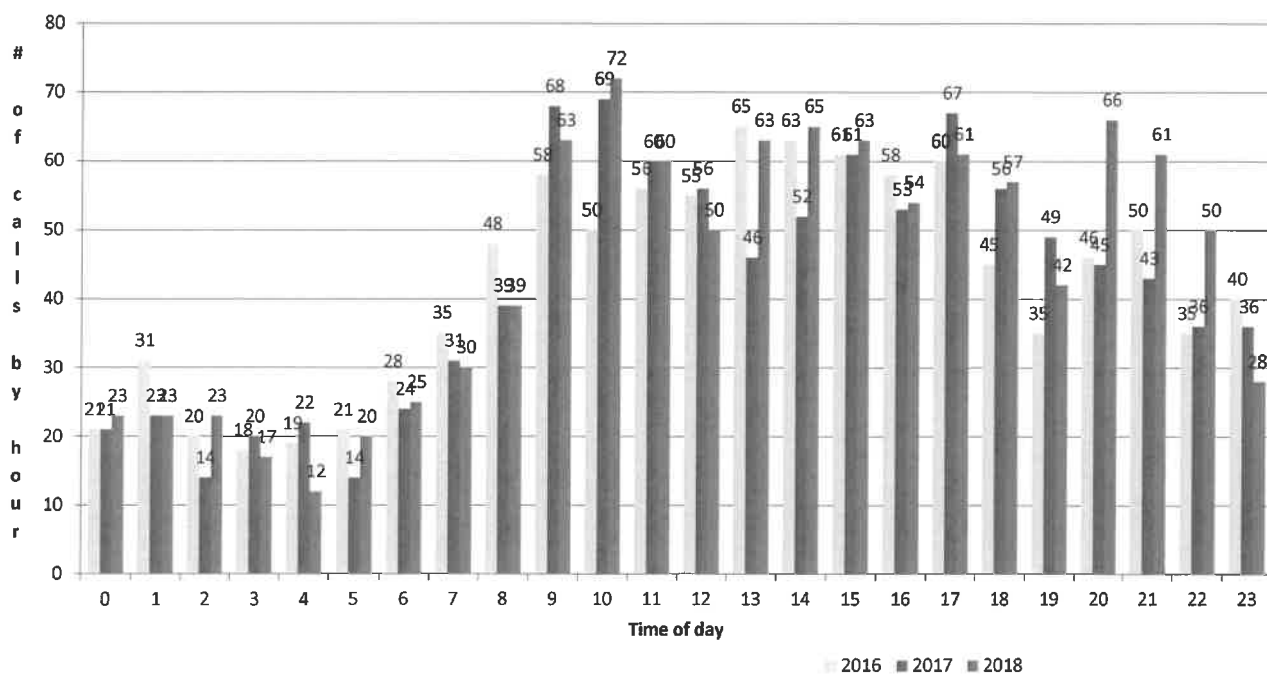


### Responses by day of the week



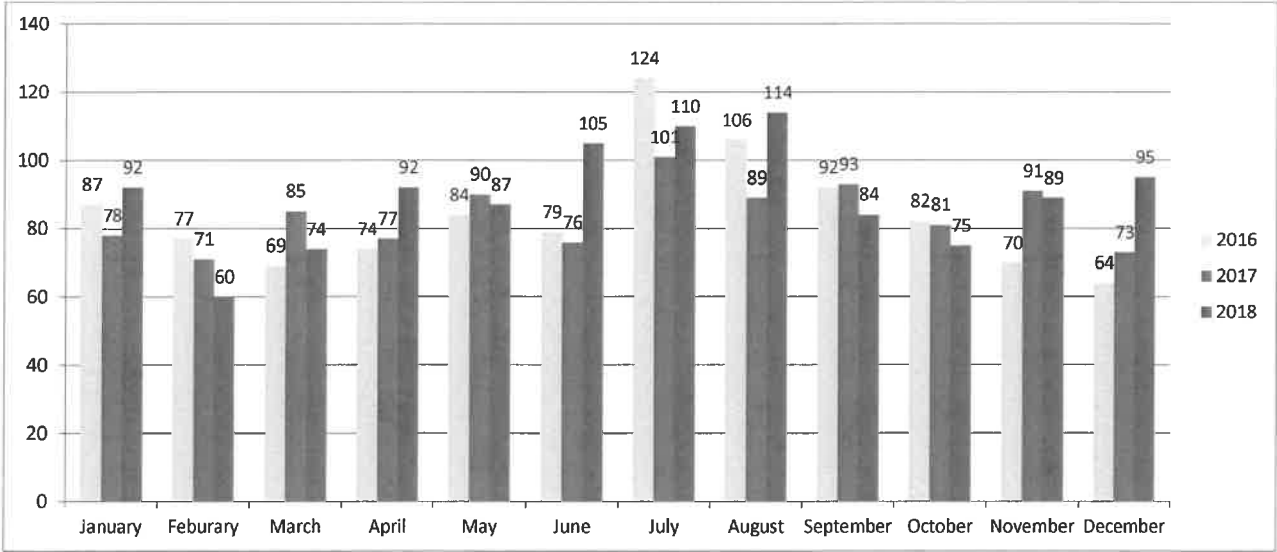
*This graph represents the number of response by day of the week, per year.*

### Responses by time of day



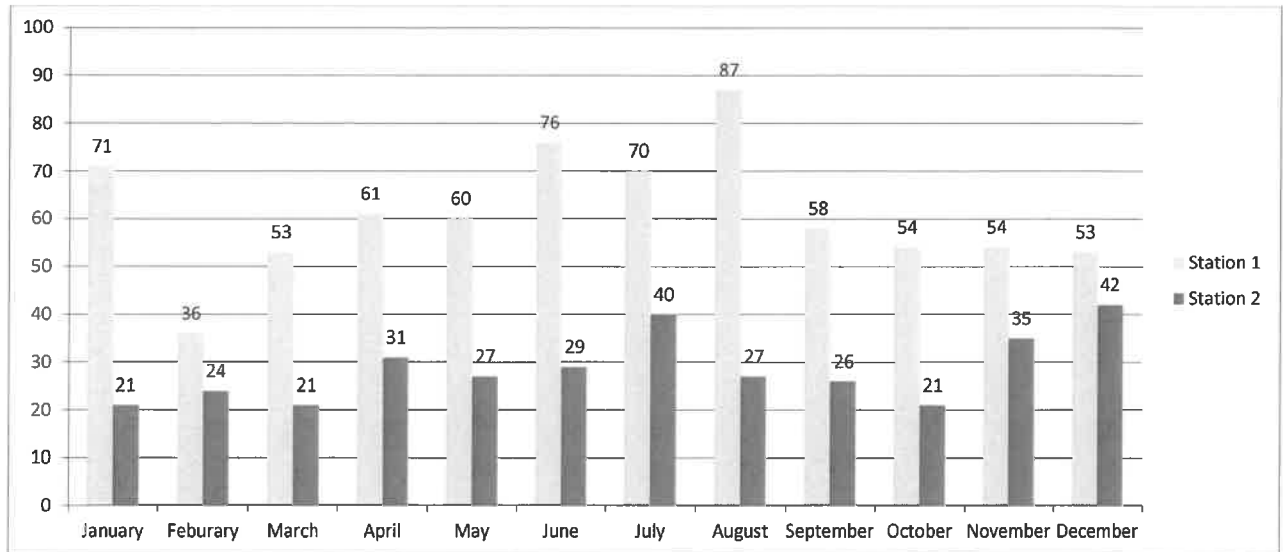
*This graph represents the number of calls by time of the day, per year*

### Reponses by Month

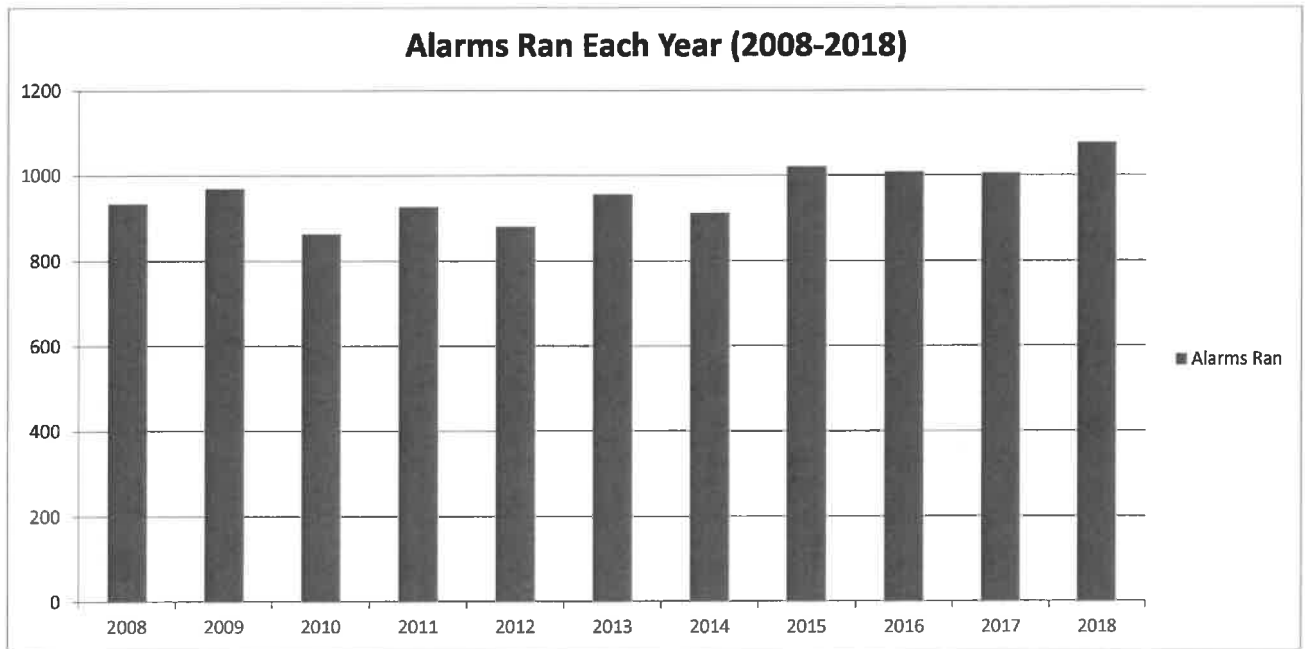


*This graph represents monthly responses by year*

### Reponses by Month- By Station- 2018



*This graph represents monthly responses by station for 2018*



*This graph represents the total number of alarms ran each year from 2008-2018. From calendar year 2008, the White Lake Fire Authority has responded to an average of 959 alarms per year.*

## **Department Apparatus**

### **1310**

2012 F-550 Mini-pumper, this vehicle is our “on duty” response vehicle that responds to 95% of initial alarms throughout our immediate response area. 1310 holds 300 gallons of water and 12 gallons of foam. This vehicle also carries necessary medical equipment for EMS response including the AED as well as the new extrication equipment, purchased this year. Cost per hour for this unit = \$250.00. This vehicle is due for replacement in 2027 (without 3 years in reserve).

### **1320**

1990 Grumman 2 person Engine, this is our 2<sup>nd</sup> response to all structure fires from Station #1. This vehicle holds 1000 gallons of water & all fire suppression equipment. This is our 1<sup>st</sup> response to Hazardous Materials incidents from our Station #1, carrying decontamination equipment and special splash guard suits. This vehicle also carries necessary medical equipment for EMS response including the AED. Cost per hour for this unit is \$ 230.39. This vehicle was due for replacement in 2005 (currently operating in reserve status).

### **1321**

2009 KME 4 person Engine, this is our 1<sup>st</sup> response on any fire, car accident and rescue type incident out of our Station #1. This vehicle holds 980 gallons of water 20 gallons of fire suppression foam, medical equipment including an AED, extrication equipment (Jaws of Life) and other speciality tools. This vehicle responds to auto/mutual aid alarms as well. Cost per hour for this unit is \$ 409.93. This vehicle is due for replacement in 2024 (without 3 years in reserve).

### **1342**

2012 KME 4 person Quint, serves the dual purpose of an engine and a ladder truck and is our 1<sup>st</sup> response on any fire, car accident, and rescue type incident out of our Station #2. This vehicle holds 480 gallons of water, 20 gallons of firefighting foam, various pieces of rescue equipment, medical equipment including an AED, is equipped with 106’ total of ground ladders and a mounted 79’ aerial device. This vehicle responds to auto/mutual aid alarms as well. Cost per hour for this unit = \$537.27. This vehicle is due for replacement in 2027 (without 3 years in reserve).



### **1351 & 1352**

2004 Honda AquaTrax Personal WaterCraft, these crafts respond to all water emergency alarms from both Stations. Department personnel train on water operations on a consistent basis due to the multiple lakes and the White River within our jurisdiction. Cost per hour for this unit = \$5.25/unit. Replacement time is based on usage.

### **1353**

2005 Neoteric Hovercraft, this vehicle responds from our Station #1 and is 1<sup>st</sup> out for all Ice related emergencies. Again with the multiple lakes and White River in our jurisdiction, Department staff are training on a consistent basis for ice/water emergencies and flight operations. Cost per hour for this unit = \$22.50. Replacement time is based on usage.

### **1354**

2007 American Hauler, this trailer is designed to respond 2<sup>nd</sup> out from our Station #1 on all water related emergencies. This trailer carries essential ice/water rescue suits, rope and other medical equipment. This trailer also carries unit 1353 so it is 1<sup>st</sup> out on all ice related emergencies. Cost per hour for this unit = \$6.75. Replacement time is based on usage.

### **1362**

1994 KME Tender, this is our 2<sup>nd</sup> Vehicle responding to fires from our Station #2. It is our only tender within the White Lake Fire Authority response area. This vehicle carries 3,000 gallons of water and is most needed in areas that lack municipal water supply. This vehicle also responds to auto/mutual aid alarms as well. Cost per hour for this unit = \$108.75. Replacement of this unit is 20 years.

### **1371**

2003 Ford Excursion, this is our 1<sup>st</sup> medical response from our Station #1. This vehicle is equipped with all necessary medical equipment including the AED. Replacement of this unit is 8-10 years. Cost per hour per unit = \$28.98.

### 1372

2016 Chevrolet 2500HD, this is our 1<sup>st</sup> medical response from our Station #2. This vehicle is equipped with all necessary medical equipment including the AED. Replacement of this unit is 8-10 years. Cost per hour per unit = \$28.98.

### 1380, 1381 & 1382

1380 & 1381 are the MI DNR vehicles on loan through the fire department mutual aid program. 1382 was purchased through the Federal Surplus auction and acts in the same capacity as the other two. They are the initial responses for brush, grass and woods fires. They also serve as tow vehicles for the water rescue equipment. 1380 & 1381 are housed at our Station #1 while 1382 responds from our Station #2. Cost per hour for this unit = \$10.84. Brush vehicles are typically replaced in 15 years (with an additional 3 years in reserve).

### 1390

2015 Chevrolet Tahoe, this vehicle is assigned to the Fire Chief; it carries vital equipment for management of emergency incidents, along with basic EMS equipment, including an AED (Automated External Defibrillator). Cost per hour for this unit = \$25.18. Replacement in 5-7 years, (mileage/usage does play a factor).

#### *Apparatus replacement plan (life expectancy definition)*

*Although there are no standards that give recommendations as to how long a given piece of apparatus should remain in service, but one can compare life expectancy based on other organizations. When doing so several factors were taken into account including but not limited to; frequency of use, engine hours, type of usage, preventive maintenance programs, maintenance records, odometer readings, technology changes in current apparatus, and general condition.*

***\*\*Units 1320 and 1362 are both past operational life span and are in need of desperate replacement. Unit 1320 is currently 28 years old while unit 1362 is currently 24 years old.\*\****

## Department Facilities

### WLFA Station 1

Built in 1956, the Fire Station has 7 single depth bays for storage of apparatus and equipment. There are offices for both the Fire Chief and On duty firefighter respectively. A small kitchenette to allow employees the room to eat which also serves as the meeting room. There are not sleeping quarters within this facility. During the daytime our “on-duty” staff work from this station to complete essential duties for the department.

### WLFA Station 2

Built in 1988 originally to house the weed eater for Fruitland Township and later renovated to house the White Lake Fire Authority apparatus, this station has 3 single depth bays and 1 double depth bay for storage of apparatus and equipment. In 2000 the Fire Authority, with approval from Fruitland Township, renovated the inside congregation area to accommodate for sleeping and living quarters for staff. In 2016 the Fire Authority Board authorized the Department to enhance the common area of Station #2 with fresh paint on the walls, new floor covering, appliances in the kitchen area and furniture in the sleeping area and lounge area. In 2018 the Fruitland Township Board awarded ownership of the building to the White Lake Fire Authority. The White Lake Fire Authority continued improvements by replacing the aging well system, replacing interior/apparatus bay lighting to LED efficient lighting receiving rebates from Consumers Energy for the project. The White Lake Fire Authority also replaced the aging generator system for back-up power in the event of power loss. With assistance from Fruitland Township, the cistern was repaired to continue a centrally located fill-site for water shuttling operations.

This Station is also equipped with a kitchen/dining area and a report office for department staff. During the evening and night hours our “on-duty” staff respond from this station.

## **Goals for 2019**

- ❖ Continue to maintain the highest level of service possible to those we protect. This will be accomplished through positive customer service, strong public education, training and remaining vigilant to our mission, core values and focus.
- ❖ Remain fiscally responsible with budget planning for FY 19-20, this will be accomplished with active budget planning and implementation of a balanced budget and remain within the constraints of the budget.
- ❖ Continue to find ways to maintain service on a limited budget
- ❖ Actively pursue any and all available grants to help supplement the budget.
- ❖ Continue to improve the overall operation function of the Department.
- ❖ Continue to work on a long term operational philosophy, which will include new capital purchases including but not limited to apparatus, turnout gear, station maintenance, etc.
- ❖ Maintain an open and honest communication line with the staff, Board and those we serve.

## **Agenda Report - Tag Day Requests**

Tag Days for community nonprofit organizations require City Council approval subject to coordination with the Police Department. Tag days are limited to one per weekend, two per month, and ten per year. They may not be held on Sundays or national holidays.

Knights of Columbus have requested a tag day for Saturday, September 21, 2019 and Child Abuse Council has requested Saturday, June 1, 2019.

June 1	Child Abuse Council
September 21	Knights of Columbus

### **RECOMMENDATION**

Approve the tag days as requested.

APPLICATION TO SOLICIT FUNDS  
For a Non-Profit Organization  
Within Public Rights-of-Way  
"TAG DAYS"

Organization: Dur Lady of White Lake Knights of Columbus

Date of Solicitation: September 21, 2019

My organization requests permission from the Whitehall City Council to solicit funds within public rights-of-way within the City of Whitehall on the date above. As an officer (President, Chairperson, Vice President or Vice Chairperson) of the organization, I am authorized to make this request and to bind my organization to the acceptance of liability for the above activity; and in making this request, I do in fact bind my organization to accept full responsibility for the safety and well being of the persons soliciting funds on our organizations behalf. Further, our organization accepts total liability and holds the City of Whitehall harmless for accidents, injury, and /or death from this activity to any of our solicitors and/or the general public that may directly or indirectly result from this activity.

Date: January 8, 2019

[Signature] chair, MI drive  
Signature of Officer and Title

---

PERMIT TO SOLICIT FUNDS  
For a Non-Profit Organization  
Within Public Rights-of-Way

Organization: \_\_\_\_\_

Date of Solicitation: \_\_\_\_\_

Permission is hereby granted by the City Council of Whitehall for the above-named organization to solicit funds in the public rights-of-way on the date indicated. This permit is granted in accordance with the ordinances and policies of the City and the acceptance of the application submitted. Further, your organization is encouraged to read and follow the guidelines established by the City of Whitehall Police Department when engaged in this activity.

Date of  
Council Approval: \_\_\_\_\_

\_\_\_\_\_  
City Clerk for the City of Whitehall

cc: Whitehall Police Department  
File

CHILD  
ABUSE COUNCIL

EVERY STEP OF THE WAY.

January 15, 2019

Dear Council Members,

The Child Abuse Council of Muskegon County would like permission to do a "Tag Day" corner solicitation on Saturday, June 1, 2019. We would be soliciting during the hours of 9:00am to 1:00pm. We would like to be stationed at the corners of Mears and Colby and Mears and Main. We would be passing out information cards on Stress-Less Parenting and Positive Discipline. All monies raised would go to our general fund to improve our programs.

We were previously approved to hold Tag Days in April and October of 2018, but we had to cancel them due to weather and lack of volunteers.

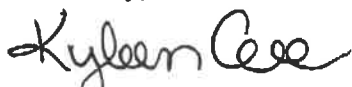
Thank you for considering this request. If needed, a member of our staff can come to a meeting to inform your Council on the programs and services we provide.

A copy of our 501 (c)(3) determination and certificate of liability insurance is attached.

I can be reached at 231-722-0282 or [kyleengee@childabusecouncil.org](mailto:kyleengee@childabusecouncil.org)

Thank you for your time and consideration.

Sincerely,



Kyleen Gee  
Executive Director  
Child Abuse Council of Muskegon County



**Whitehall City Council  
Agenda Report – METRO Application**

Advanced Communication & Data has submitted an application to install communication infrastructure in the City in accordance with City Ordinance Article 112 and the Metropolitan Extension Telecommunications Rights-of-Way Oversight (METRO) Act, PA 48 of 2002. Staff has reviewed the application and has found it to be in compliance.

**RECOMMENDATION**

Motion to authorize execution by the City Clerk of the Advanced Communication & Data METRO application as submitted.



**METRO Act Permit Application Form  
Revised February 2, 2015**

Whitehall, City of  
**Name of Local Unit of Government**

**APPLICATION FOR  
ACCESS TO AND ONGOING USE OF PUBLIC WAYS BY  
TELECOMMUNICATIONS PROVIDERS  
UNDER  
METROPOLITAN EXTENSION TELECOMMUNICATIONS  
RIGHTS-OF-WAY OVERSIGHT ACT  
2002 PA 48  
MCL SECTIONS 484.3101 TO 484.3120**

**BY**

**KEPS Technologies Inc. dba ACD.net and ACD Telecom, Inc.  
("APPLICANT")**

**Unfamiliar with METRO Act?--Assistance:** Municipalities unfamiliar with Michigan Metropolitan Extension Telecommunications Rights-of-Way Oversight Act ("METRO Act") permits for telecommunications providers should seek assistance, such as by contacting the Telecommunications Division of the Michigan Public Service Commission at 517-284-8190 or via its web site at [http://www.michigan.gov/mpsc/0,4639,7-159-16372\\_22707---,00.html](http://www.michigan.gov/mpsc/0,4639,7-159-16372_22707---,00.html).

**45 Days to Act—Fines for Failure to Act:** The METRO Act states that "A municipality shall approve or deny access under this section within 45 days from the date a provider files an application for a permit for access to a public right-of-way." MCL 484.3115(3). The Michigan Public Service Commission can impose fines of up to \$40,000 per day for violations of the METRO Act. It has imposed fines under the Michigan Telecommunications Act where it found providers or municipalities violated the statute.

**Where to File:** Applicants should file copies as follows [municipalities should adapt as appropriate—unless otherwise specified service should be as follows]:

- 1.1.1 -- Three (3) copies (one of which shall be marked and designated as the master copy) with the Clerk at City Hall 405 E. Colby St. Whitehall, MI 49461.
-

Whitehall, City of  
Name of local unit of government

**APPLICATION FOR  
ACCESS TO AND ONGOING USE OF PUBLIC WAYS BY  
TELECOMMUNICATIONS PROVIDERS**

By  
**KEPS Technologies Inc, dba ACD.net**  
("APPLICANT")

*This is an application pursuant to Sections 5 and 6 of the Metropolitan Extension Telecommunications Rights-of-Way Oversight Act, 2002 PA 48 (the "METRO Act") for access to and ongoing usage of the public right-of-way, including public roadways, highways, streets, alleys, easements, and waterways ("Public Ways") in the Municipality for a telecommunications system. The METRO Act states that "A municipality shall approve or deny access under this section within 45 days from the date a provider files an application for a permit for access to a public right-of-way." MCL 484.3115(3).*

*This application must be accompanied by a one-time application fee of \$500, unless the applicant is exempt from this requirement under Section 5(3) of the METRO Act, MCL 484.3105(3).*

---

**1 GENERAL INFORMATION:**

1.1 Date: 1/7/2019

1.2 Applicant's legal name: KEPS Technologies Inc, dba ACD.net  
Mailing Address: ACD.net  
1800 N. Grand River Ave.  
Lansing, MI 48906

Telephone Number: 517-999-9999

Fax Number: 517-999-3993

Corporate website: http://www.acd.net

Name and title of Applicant's local manager (and if different) contact person regarding this application:

Shirley Yohnka  
Mailing Address: ACD.net  
1800 N. Grand River Ave.

Lansing, MI 48906

Telephone Number: 517-999-3240  
Fax Number: 517-999-3993  
E-mail Address: yohnka.shirley@acd.net

1.3 Type of Entity: (Check one of the following)

- Corporation
- General Partnership
- Limited Partnership
- Limited Liability Company
- Individual
- Other: please describe: \_\_\_\_\_

1.4 Assumed name for doing business, if any: ACD.net

1.5 Description of Entity: Competitive Local Exchange Carrier

1.5.1 Jurisdiction of incorporation/formation; Michigan

1.5.2 Date of incorporation/formation; 1987

1.5.3 If a subsidiary, name of ultimate parent company;

1.5.4 Chairperson, President/CEO, Secretary and Treasurer (and equivalent officials for non-corporate entities).  
CEO, Kevin Schoen  
President, Steve Schoen  
CFO, David Sunden

1.6 Attach copies of Applicant's most recent annual report (with state ID number) filed with the Michigan Department of Licensing and Regulatory Affairs and certificate of good standing with the State of Michigan. For entities in existence for less than one year and for non-corporate entities, provide equivalent information. See Exhibit A.

1.7 Is Applicant aware of any present or potential conflicts of interest between Applicant and Municipality? If yes, describe: No

1.8 In the past three (3) years, has Applicant had a permit to install telecommunications facilities in the public right of way revoked by any Michigan municipality?

Circle: Yes  No

*If "yes," please describe the circumstances.*

1.9 In the past three (3) years, has an adverse finding been made or an adverse final action been taken by any Michigan court or administrative body against Applicant under any law or regulation related to the following:

1.9.1 A felony;  No

1.9.2 A revocation or suspension of any authorization (including cable franchises) to provide telecommunications or video programming services?

Circle: Yes  No

*If "yes," please attach a full description of the parties and matters involved, including an identification of the court or administrative body and any proceedings (by dates and file numbers, if applicable), and the disposition of such proceedings.*

1.10 [If Applicant has been granted and currently holds a license to provide basic local exchange service, no financial information needs to be supplied.] If publicly held, provide Applicant's most recent financial statements. If financial statements of a parent company of Applicant (or other affiliate of Applicant) are provided in lieu of those of Applicant, please explain.

1.10.1 If privately held, and if Municipality requests the information within 10 days of the date of this Application, the Applicant and the Municipality should make arrangements for the Municipality to review the financial statements.

*If no financial statements are provided, please explain and provide particulars.*

---

## **2 DESCRIPTION OF PROJECT:**

2.1 Provide a copy of authorizations, if applicable, Applicant holds to provide telecommunications services in Municipality. If no authorizations are applicable, please explain.

*A copy of the "Basic Local Exchange Service License" is attached labeled as Exhibit B.*

2.2 Describe in plain English how Municipality should describe to the public the telecommunications services to be provided by Applicant and the telecommunications facilities to be installed by Applicant in the Public Ways.

*We propose to build a fiber optic line that would connect our end users to a high-speed telecommunications network.*

2.3 Attach route maps showing the location (including whether overhead or underground) of Applicant's existing and proposed facilities in the public right-of-way. To the extent known, please identify the side of the street on which the facilities will be located. (If construction approval is sought at this time, provide engineering drawings, if available, showing location and depth, if applicable, of facilities to be installed in the public right-of-way).

*Route maps are attached as Exhibit C.*

2.4 Please provide an anticipated or actual construction schedule.

*We would like to start this project no later than January 2019. Final determination will be dependent on permit issuance and weather. Construction will take about 3 months.*

2.5 Please list all organizations and entities which will have any ownership interest in the facilities proposed to be installed in the Public Ways.

*KEPS Technologies, Inc. is the sole owner of any equipment or fiber that we install to connect to the network.*

2.6 Who will be responsible for maintaining the facilities Applicant places in the Public Ways and how are they to be promptly contacted? If Applicant's facilities are to be installed on or in existing facilities in the Public Ways of existing public utilities or incumbent telecommunications providers, describe the facilities to be used, and provide verification of their consent to such usage by Applicant.

*KEPS Technologies, Inc. or their appointee's will perform any maintenance needed.*

### **3 TELECOMMUNICATION PROVIDER ADMINISTRATIVE MATTERS:**

*Please provide the following or attach an appropriate exhibit.*

3.1 Address of Applicant's nearest local office;

1800 N. Grand River Ave., Lansing, MI 48906

3.2 Location of all records and engineering drawings, if not at local office;

1800 N. Grand River Ave., Lansing, MI 48906

3.3 Names, titles, addresses, e-mail addresses and telephone numbers of contact person(s) for Applicant's engineer or engineers and their responsibilities for the telecommunications system

Phil Brown, OSP Engineer, [brown.phil@acd.net](mailto:brown.phil@acd.net), 517-999-3213

1800 North Grand River Ave., Lansing, MI 48906

Quality Control of Outside Plant Engineering and Engineered drawings

3.4 Provide evidence of self-insurance or a certificate of insurance showing Applicant's insurance coverage, carrier and limits of liability for the following:

See Exhibit D

3.4.1 Worker's compensation;

3.4.2 Commercial general liability, including at least:

3.4.2.1 Combined overall limits;

3.4.2.2 Combined single limit for each occurrence of bodily injury;

3.4.2.3 Personal injury;

3.4.2.4 Property damage;

3.4.2.5 Blanket contractual liability for written contracts, products, and completed operations;

3.4.2.6 Independent contractor liability;

3.4.2.7 For any non-aerial installations, coverage for property damage from perils of explosives, collapse, or damage to underground utilities (known as XCU coverage);

3.4.2.8 Environmental contamination;

3.4.3 Automobile liability covering all owned, hired, and non-owned vehicles used by Applicant, its employee, or agents.

3.5 Names of all anticipated contractors and subcontractors involved in the construction, maintenance and operation of Applicant's facilities in the Public Ways.

*BRE Communications Inc., 9329 N. Cut Rd, Roscommon, MI 48653*

*Double K Underground, 9219 Holland Rd, Six Lakes, MI 48886*

*Ken Davidson Enterprises, 3195 Christy Way, Suite B, Saginaw, MI 48603*

*R.C. Directional Boring, 2000 Country Farm Rd, Howell, MI 48843*

*Utility Contracting Co., 1001 12 Mile Rd, Sparta, MI 49345*

**4 CERTIFICATION:**

*All the statements made in the application and attached exhibits are true and correct to the best of my knowledge and belief.*

**KEPS Technologies Inc.**  
**DbA ACD.net ("APPLICANT")**

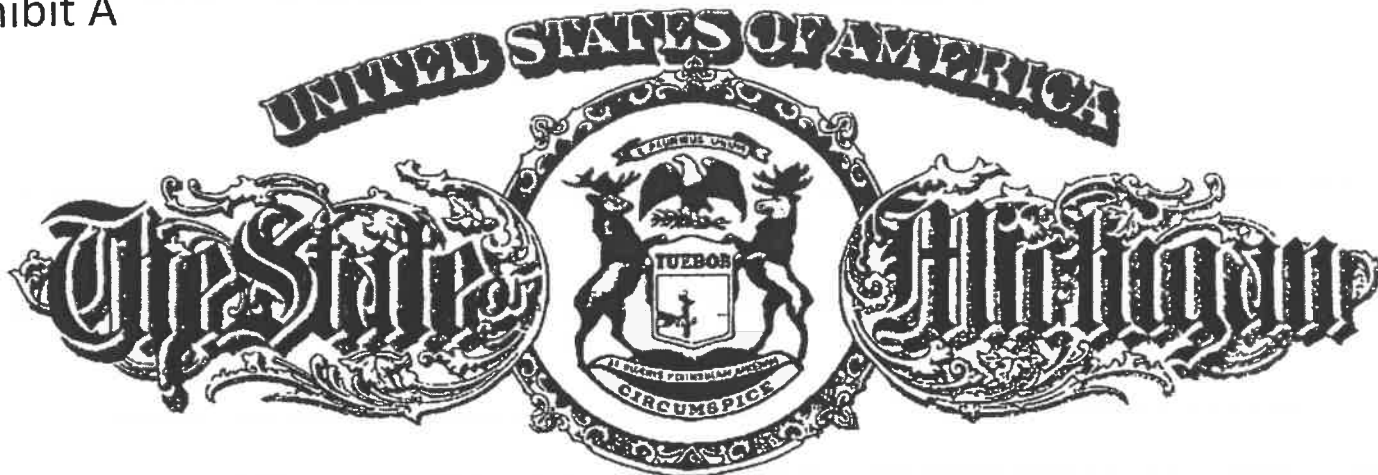
1.8.19  
Date

  
By

DAVID M. SUNDEN CPA  
Type or Print Name

CHIEF FINANCIAL OFFICER  
Title

S:\metroapplicationform.doc



**Department of Licensing and Regulatory Affairs**  
**Lansing, Michigan**

*This is to Certify That*

**KEPS TECHNOLOGIES, INC.**

*was validly incorporated on February 14, 1991, as a Michigan profit corporation, and said corporation is validly in existence under the laws of this state.*

*This certificate is issued pursuant to the provisions of 1972 PA 284, as amended, to attest to the fact that the corporation is in good standing in Michigan as of this date and is duly authorized to transact business and for no other purpose.*

*This certificate is in due form, made by me as the proper officer, and is entitled to have full faith and credit given it in every court and office within the United States.*



Sent by Facsimile Transmission  
537475

*In testimony whereof, I have hereunto set my hand, in the City of Lansing, this 6th day of February, 2014.*

Alan J. Schefke, Director  
Corporations, Securities & Commercial Licensing Bureau



**DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU  
PROFIT CORPORATION ANNUAL REPORT  
2016**

**Exhibit A**

<b>Identification Number</b> 537475	<b>Corporation Name</b> KEPS TECHNOLOGIES, INC.	
<b>Resident agent name and mailing address of the registered office</b> STEVEN E. SCHOEN  MI		
<b>The address of the registered office</b> 1800 NORTH GRAND RIVER AVE  LANSING MI 48906		
<b>Describe the purpose and activities of the corporation during the year covered by this report:</b> PHONE COMPANY, ISP, CONSTRUCTION OF TELECOMMUNICATION FIBER OPTIC LINES		
<b>Officer/Director Information</b>		
<b>NAME</b>	<b>TITLE</b>	<b>BUSINESS OR RESIDENCE ADDRESS</b>
KEVIN SCHOEN	PRESIDENT	1800 N GRAND RIVER AVE LANSING MI 48906
STEVE SCHOEN	SECRETARY	1800 N GRAND RIVER AVE LANSING MI 48906
STEVE SCHOEN	TREASURER	1800 N GRAND RIVER AVE LANSING MI 48906
KEVIN SCHOEN	DIRECTOR	1800 N GRAND RIVER AVE LANSING MI 48906
<b>Electronic Signature</b>		
<b>Filed By</b> STEVE SCHOEN	<b>Title</b> AUTHORIZED OFFICER OR AGENT	<b>Phone</b> 571-999-9999
<input checked="" type="checkbox"/> I certify that this filing is submitted without fraudulent intent and that I am authorized by the business entity to make any changes reported herein.		
<b>Payment Information</b>		
<b>Payment Amount</b> \$ 35	<b>Payment Date/Time</b> 05/26/2016 14:28:54	<b>Reference Nbr</b> 71315 6801 537475 2016



State of Michigan  
John Engler, Governor

Department of Consumer & Industry Services  
Kathleen M. Wilbur, Director

Public Service Commission

6545 Mercantile Way  
P.O. Box 30221  
Lansing, MI 48909-7721  
Telephone: 517-241-6180  
Web Site: .cis.state.mi.us/mpsc

Commissioners  
Laura Chappelle  
David A. Svanda  
Robert B. Nelson

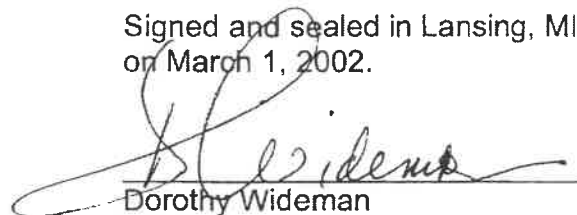
## Basic Local Exchange Service License

I, Dorothy Wideman, Executive Secretary, Michigan Public Service Commission, certify that on January 19, 2000, in Case No. U-12180, the Michigan Public Service Commission granted ACD Telecom, Inc. a permanent license to render basic local exchange service within a specific geographic area, in accordance with the requirements of the Michigan Telecommunications Act, 1991 PA 179 as amended, MCL 484.2101 et seq., and all requirements established by laws, orders, and regulations of the Commission.

I further certify that on December 3, 2001, Commission staff officially approved the tariffs filed by ACD Telecom, Inc. as a precondition to commencing basic local exchange service in the state of Michigan.

This license cannot be sold or otherwise transferred without prior approval from the Michigan Public Service Commission. ACD Telecom, Inc. may not discontinue basic local exchange service without first complying with the requirements of Section 313 of the Michigan Telecommunications Act, MCL 484.2313.

Signed and sealed in Lansing, MI  
on March 1, 2002.



Dorothy Wideman  
Executive Secretary



Exhibit C



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

1/7/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Lyman & Sheets Insurance Agency P.O. Box 15127 Lansing MI 48901	<b>CONTACT NAME:</b> Angela Maldonado <b>PHONE (A/C No. Ext):</b> 517-482-2211 <b>E-MAIL ADDRESS:</b> angelam@lymansheets.com	<b>FAX (A/C No):</b> 517-371-4881
	<b>INSURER(S) AFFORDING COVERAGE</b>	
<b>INSURED</b> ACDNE-1 KEPS Technologies Inc dba ACD.net dba ACD Telecom, Inc. 1800 N. Grand River Avenue Lansing MI 48906-3905	<b>INSURER A :</b> Chubb Group of Insurance Cos. NAIC# 20303	
	<b>INSURER B :</b> Accident Fund Company 10166	
	<b>INSURER C :</b> Auto-Owners Insurance Company 18988	
	<b>INSURER D :</b> Westchester Surplus Lines Ins. 10172	
	<b>INSURER E :</b> Federal Insurance Co. 20281	
	<b>INSURER F :</b>	

**COVERAGES**

CERTIFICATE NUMBER: 658148430

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:		36000815	2/20/2018	2/20/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
E	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS		73583522	2/20/2018	2/20/2019	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
C	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000		4984742701	2/20/2018	2/20/2019	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000 \$
B	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input checked="" type="checkbox"/> N / A	WCV6097262	1/1/2019	1/1/2020	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
D A A	Envir. Contamination Professional Liability EPLI Incl 3rd Party		G27442420 005 36000825 82512353	4/15/2018 2/20/2018 2/16/2018	4/15/2019 2/20/2019 2/16/2019	Each Occurrence 2,000,000 Each Occurrence 3,000,000 Each Occurrence 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

**CERTIFICATE HOLDER****CANCELLATION**

For Illustration Purposes

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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**METRO Act Permit  
Bilateral Form  
Revised 12/06/02**

**RIGHT-OF-WAY  
TELECOMMUNICATIONS PERMIT**

TERMS AND CONDITIONS

1 Definitions

- 1.1 Company shall mean KEPS Technologies, Inc. dba ACD.net organized under the laws of the State of Michigan whose address is 1800 North Grand River Ave, Lansing, MI 48906.
- 1.2 Effective Date shall mean the date set forth in Part 13.
- 1.3 Manager shall mean Municipality's City Manager or his or her designee.
- 1.4 METRO Act shall mean the Metropolitan Extension Telecommunications Rights-of-Way Oversight Act, Act No. 48 of the Public Acts of 2002, as amended.
- 1.5 Municipality shall mean the City of Whitehall, a Michigan municipal corporation.
- 1.6 Permit shall mean this document.
- 1.7 Public Right-of-Way shall mean the area on, below, or above a public roadway, highway, street, alley, easement, or waterway, to the extent Municipality has the ability to grant the rights set forth herein. Public right-of-way does not include a federal, state, or private right-of-way.
- 1.8 Telecommunication Facilities or Facilities shall mean the Company's equipment or personal property, such as copper and fiber cables, lines, wires, switches, conduits, pipes, and sheaths, which are used to or can generate, receive, transmit, carry, amplify, or provide telecommunication services or signals. Telecommunication Facilities or Facilities do not include antennas, supporting structures for antennas, equipment shelters or houses, and any ancillary equipment and miscellaneous hardware used to provide federally licensed commercial mobile service as defined in Section 332(d) of Part I of Title III of the Communications Act of 1934, Chapter 652, 48 Stat. 1064, 47 U.S.C. 332 and further defined as commercial mobile radio service in 47 CFR 20.3, and service provided by any wireless, 2-way communications device.
- 1.9 Term shall have the meaning set forth in Part 7.

2 Grant

- 2.1 Municipality hereby grants a permit under the METRO Act to Company for access to and ongoing use of the Public Right-of-Way to construct, install and maintain Telecommunication Facilities in those portions of the Public Right-of-Way identified on Exhibit A on the terms set forth herein.
- 2.1.1 Exhibit A may be modified by written request by Company and approval by Manager.
- 2.1.2 Manager shall not unreasonably condition or deny any request for a modification of Exhibit A. Any decision of Manager on a request for a modification may be appealed by Company to Municipality's legislative body.
- 2.2 Overlashing. Company shall not allow the wires or any other facilities of a third party to be overlashed to the Telecommunication Facilities without Municipality's prior written consent. Municipality's right to withhold written consent is subject to the authority of the Michigan Public Service Commission under Section 361 of the Michigan Telecommunications Act, MCL § 484.2361.
- 2.3 Nonexclusive. The rights granted by this Permit are nonexclusive. Municipality reserves the right to approve, at any time, additional permits for access to and ongoing usage of the Public Right-of-Way by telecommunications providers and to enter into agreements for use of the Public Right-of-Way with and grant franchises for use of the Public Right-of-Way to telecommunications providers, cable companies, utilities and other providers.

3 Contacts, Maps and Plans

- 3.1 Company Contacts. The names, addresses and the like for engineering and construction related information for Company and its Telecommunication Facilities are as follows:
- 3.1.1 The address, e-mail address, phone number and contact person (title or name) at Company's local office (in or near Municipality) is Kevin Schoen. 1800 N. Grand River Avenue, Lansing, Michigan 48906. Phone: (517)999-3250 Fax:(517)999-3993 Email: schoen.kevin@acd.net.
- 3.1.2 If Company's engineering drawings, as-built plans and related records for the Telecommunication Facilities will not be located at the preceding local office, the location address, phone number and contact person (title or department) for them is Phil Brown 1800 N. Grand River Avenue, Lansing, Michigan 48906. Phone: (517)999-3213 Fax: (517)999-3993 Email: brown.phil@acd.net.

- 3.1.3 The name, title, address, e-mail address and telephone numbers of Company's engineering contact person(s) with responsibility for the design, plans and construction of the Telecommunication Facilities is Steve Schoen, 1800 N. Grand River Avenue, Lansing, Michigan 48906. Phone: (517)449-2456 Fax: (517)999-3993 Email: schoen.steve@acd.net.
- 3.1.4 The address, phone number and contact person (title or department) at Company's home office/regional office with responsibility for engineering and construction related aspects of the Telecommunication Facilities is Steve Schoen, 1800 N. Grand River Avenue, Lansing, Michigan 48906. Phone: (517)449-2456 Fax: (517)999-3993 Email: schoen.steve@acd.net.
- 3.1.5 Company shall at all times provide Manager with the phone number at which a live representative of Company (not voice mail) can be reached 24 hours a day, seven (7) days a week, in the event of a public emergency is (517)999-9999 (option #1).
- 3.1.6 The preceding information is accurate as of the Effective Date. Company shall notify Municipality in writing as set forth in Part 12 of any changes in the preceding information.

3.2 Route Maps. Within ninety (90) days after the substantial completion of construction of new Facilities in a Municipality, a provider shall submit route maps showing the location of the Telecommunication Facilities to both the Michigan Public Service Commission and to the Municipality, as required under Section 6(7) of the METRO Act, MCLA 484.3106(7).

3.3 As-Built Records. Company, without expense to Municipality, shall, upon forty-eight (48) hours notice, give Municipality access to all "as-built" maps, records, plans and specifications showing the Telecommunication Facilities or portions thereof in the Public Right-of-Way. Upon request by Municipality, Company shall inform Municipality as soon as reasonably possible of any changes from previously supplied maps, records, or plans and shall mark up maps provided by Municipality so as to show the location of the Telecommunication Facilities.

#### 4 Use of Public Right-of-Way

4.1 No Burden on Public Right-of-Way. Company, its contractors, subcontractors, and the Telecommunication Facilities shall not unduly burden or interfere with the present or future use of any of the Public Right-of-Way. Company's aerial cables and wires shall be suspended so as to not endanger or injure persons or property in or about the Public Right-of-Way. If Municipality reasonably determines that any portion of the Telecommunication Facilities constitutes an undue burden or interference, due to changed circumstances, Company, at its sole

expense, shall modify the Telecommunication Facilities or take such other actions as Municipality may determine is in the public interest to remove or alleviate the burden, and Company shall do so within a reasonable time period. Municipality shall attempt to require all occupants of a pole or conduit whose facilities are a burden to remove or alleviate the burden concurrently.

- 4.2 No Priority. This Permit does not establish any priority of use of the Public Right-of-Way by Company over any present or future permittees or parties having agreements with Municipality or franchises for such use. In the event of any dispute as to the priority of use of the Public Right-of-Way, the first priority shall be to the public generally, the second priority to Municipality, the third priority to the State of Michigan and its political subdivisions in the performance of their various functions, and thereafter as between other permit, agreement or franchise holders, as determined by Municipality in the exercise of its powers, including the police power and other powers reserved to and conferred on it by the State of Michigan.
- 4.3 Restoration of Property. Company, its contractors and subcontractors shall immediately (subject to seasonal work restrictions) restore, at Company's sole expense, in a manner approved by Municipality, any portion of the Public Right-of-Way that is in any way disturbed, damaged, or injured by the construction, installation, operation, maintenance or removal of the Telecommunication Facilities to a reasonably equivalent (or, at Company's option, better) condition as that which existed prior to the disturbance. In the event that Company, its contractors or subcontractors fail to make such repair within a reasonable time, Municipality may make the repair and Company shall pay the costs Municipality incurred for such repair.
- 4.4 Marking. Company shall mark the Telecommunication Facilities as follows: Aerial portions of the Telecommunication Facilities shall be marked with a marker on Company's lines on alternate poles which shall state Company's name and provide a toll-free number to call for assistance. Direct buried underground portions of the Telecommunication Facilities shall have (1) a conducting wire placed in the ground at least several inches above Company's cable (if such cable is nonconductive); (2) at least several inches above that, a continuous colored tape with a statement to the effect that there is buried cable beneath; and (3) stakes or other appropriate above ground markers with Company's name and a toll-free number indicating that there is buried telephone cable below. Bored underground portions of the Telecommunication Facilities shall have a conducting wire at the same depth as the cable and shall not be required to provide the continuous colored tape. Portions of the Telecommunication Facilities located in conduit, including conduit of others used by Company, shall be marked at its entrance into and exit from each manhole and handhole with Company's name and a toll-free telephone number.



- 4.5 Tree Trimming. Company may trim trees upon and overhanging the Public Right-of-Way so as to prevent the branches of such trees from coming into contact with the Telecommunication Facilities, consistent with any standards adopted by Municipality. Company shall dispose of all trimmed materials. Company shall minimize the trimming of trees to that essential to maintain the integrity of the Telecommunication Facilities. Except in emergencies, all trimming of trees in the Public Right-of-Way shall have the advance approval of Manager.
- 4.6 Installation and Maintenance. The construction and installation of the Telecommunication Facilities shall be performed pursuant to plans approved by Municipality. The open cut of any Public Right-of-Way shall be coordinated with the Manager or his designee. Company shall install and maintain the Telecommunication Facilities in a reasonably safe condition. If the existing poles in the Public Right-of-Way are overburdened or unavailable for Company's use, or the facilities of all users of the poles are required to go underground then Company shall, at its expense, place such portion of its Telecommunication Facilities underground, unless Municipality approves an alternate location. Company may perform maintenance on the Telecommunication Facilities without prior approval of Municipality, provided that Company shall obtain any and all permits required by Municipality in the event that any maintenance will disturb or block vehicular traffic or are otherwise required by Municipality.
- 4.7 Pavement Cut Coordination. Company shall coordinate its construction and all other work in the Public Right-of-Way with Municipality's program for street construction and rebuilding (collectively "Street Construction") and its program for street repaving and resurfacing (except seal coating and patching) (collectively, "Street Resurfacing").
- 4.7.1 The goals of such coordination shall be to encourage Company to conduct all work in the Public Right-of-Way in conjunction with or immediately prior to any Street Construction or Street Resurfacing planned by Municipality.
- 4.8 Compliance with Laws. Company shall comply with all laws, statutes, ordinances, rules and regulations regarding the construction, installation, and maintenance of its Telecommunication Facilities, whether federal, state or local, now in force or which hereafter may be promulgated. Before any installation is commenced, Company shall secure all necessary permits, licenses and approvals from Municipality or other governmental entity as may be required by law, including, without limitation, all utility line permits and highway permits. Municipality shall not unreasonably delay or deny issuance of any such permits, licenses or approvals. Company shall comply in all respects with applicable codes and industry standards, including but not limited to the National Electrical Safety Code (latest edition adopted by Michigan Public Service Commission) and

the National Electric Code (latest edition). Company shall comply with all zoning and land use ordinances and historic preservation ordinances as may exist or may hereafter be amended. This section does not constitute a waiver of Company's right to challenge laws, statutes, ordinances, rules or regulations now in force or established in the future.

- 4.9 Street Vacation. If Municipality vacates or consents to the vacation of Public Right-of-Way within its jurisdiction, and such vacation necessitates the removal and relocation of Company's Facilities in the vacated Public Right-of-Way, Company shall, as a condition of this Permit, consent to the vacation and remove its Facilities at its sole cost and expense when ordered to do so by Municipality or a court of competent jurisdiction. Company shall relocate its Facilities to such alternate route as Municipality and Company mutually agree, applying reasonable engineering standards.
- 4.10 Relocation. If Municipality requests Company to relocate, protect, support, disconnect, or remove its Facilities because of street or utility work, or other public projects, Company shall relocate, protect, support, disconnect, or remove its Facilities, at its sole cost and expense, including where necessary to such alternate route as Municipality and Company mutually agree, applying reasonable engineering standards. The work shall be completed within a reasonable time period.
- 4.11 Public Emergency. Municipality shall have the right to sever, disrupt, dig-up or otherwise destroy Facilities of Company if such action is necessary because of a public emergency. If reasonable to do so under the circumstances, Municipality shall attempt to provide notice to Company. Public emergency shall be any condition which poses an immediate threat to life, health, or property caused by any natural or man-made disaster, including, but not limited to, storms, floods, fire, accidents, explosions, water main breaks, hazardous material spills, etc. Company shall be responsible for repair at its sole cost and expense of any of its Facilities damaged pursuant to any such action taken by Municipality.
- 4.12 Miss Dig. If eligible to join, Company shall subscribe to and be a member of "MISS DIG," the association of utilities formed pursuant to Act 53 of the Public Acts of 1974, as amended, MCL § 460.701 et seq., and shall conduct its business in conformance with the statutory provisions and regulations promulgated thereunder.
- 4.13 Underground Relocation. If Company has its Facilities on poles of Consumers Energy, Detroit Edison or another electric or telecommunications provider and Consumers Energy, Detroit Edison or such other electric or telecommunications provider relocates its system underground, then Company shall relocate its Facilities underground in the same location at Company's sole cost and expense.

4.14 Identification. All personnel of Company and its contractors or subcontractors who have as part of their normal duties contact with the general public shall wear on their clothing a clearly visible identification card bearing Company's name, their name and photograph. Company shall account for all identification cards at all times. Every service vehicle of Company and its contractors or subcontractors shall be clearly identified as such to the public, such as by a magnetic sign with Company's name and telephone number.

## 5 Indemnification

5.1 Indemnity. Company shall defend, indemnify, protect, and hold harmless Municipality, its officers, agents, employees, elected and appointed officials, departments, boards, and commissions from any and all claims, losses, liabilities, causes of action, demands, judgments, decrees, proceedings, and expenses of any nature (collectively "claim" for this Part 5) (including, without limitation, attorneys' fees) arising out of or resulting from the acts or omissions of Company, its officers, agents, employees, contractors, successors, or assigns, but only to the extent such acts or omissions are related to the Company's use of or installation of facilities in the Public Right-of-Way and only to the extent of the fault or responsibility of Company, its officers, agents, employees, contractors, successors and assigns.

5.2 Notice, Cooperation. Municipality shall notify Company promptly in writing of any such claim and the method and means proposed by Municipality for defending or satisfying such claim. Municipality shall cooperate with Company in every reasonable way to facilitate the defense of any such claim. Municipality shall consult with Company respecting the defense and satisfaction of such claim, including the selection and direction of legal counsel.

5.3 Settlement. Municipality shall not settle any claim subject to indemnification under this Part 5 without the advance written consent of Company, which consent shall not be unreasonably withheld. Company shall have the right to defend or settle, at its own expense, any claim against Municipality for which Company is responsible hereunder.

## 6 Insurance

6.1 Coverage Required. Prior to beginning any construction in or installation of the Telecommunication Facilities in the Public Right-of-Way, Company shall obtain insurance as set forth below and file certificates evidencing same with Municipality. Such insurance shall be maintained in full force and effect until the end of the Term. In the alternative, Company may satisfy this requirement through a program of self-insurance, acceptable to Municipality, by providing reasonable evidence of its financial resources to Municipality. Municipality's acceptance of such self-insurance shall not be unreasonably withheld.

- 6.1.1 Commercial general liability insurance, including Completed Operations Liability, Independent Contractors Liability, Contractual Liability coverage, railroad protective coverage and coverage for property damage from perils of explosion, collapse or damage to underground utilities, commonly known as XCU coverage, in an amount not less than Five Million Dollars (\$5,000,000).
  - 6.1.2 Liability insurance for sudden and accidental environmental contamination with minimum limits of Five Hundred Thousand Dollars (\$500,000) and providing coverage for claims discovered within three (3) years after the term of the policy.
  - 6.1.3 Automobile liability insurance in an amount not less than One Million Dollars (\$1,000,000).
  - 6.1.4 Workers' compensation and employer's liability insurance with statutory limits, and any applicable Federal insurance of a similar nature.
  - 6.1.5 The coverage amounts set forth above may be met by a combination of underlying (primary) and umbrella policies so long as in combination the limits equal or exceed those stated. If more than one insurance policy is purchased to provide the coverage amounts set forth above, then all policies providing coverage limits excess to the primary policy shall provide drop down coverage to the first dollar of coverage and other contractual obligations of the primary policy, should the primary policy carrier not be able to perform any of its contractual obligations or not be collectible for any of its coverages for any reason during the Term, or (when longer) for as long as coverage could have been available pursuant to the terms and conditions of the primary policy.
- 6.2 Additional Insured. Municipality shall be named as an additional insured on all policies (other than worker's compensation and employer's liability). All insurance policies shall provide that they shall not be canceled, modified or not renewed unless the insurance carrier provides thirty (30) days prior written notice to Municipality. Company shall annually provide Municipality with a certificate of insurance evidencing such coverage. All insurance policies (other than environmental contamination, workers' compensation and employer's liability insurance) shall be written on an occurrence basis and not on a claims made basis.
- 6.3 Qualified Insurers. All insurance shall be issued by insurance carriers licensed to do business by the State of Michigan or by surplus line carriers on the Michigan Insurance Commission approved list of companies qualified to do business in Michigan. All insurance and surplus line carriers shall be rated A+ or better by A.M. Best Company.

- 6.4 Deductibles. If the insurance policies required by this Part 6 are written with retainages or deductibles in excess of \$50,000, they shall be approved by Manager in advance in writing. Company shall indemnify and save harmless Municipality from and against the payment of any deductible and from the payment of any premium on any insurance policy required to be furnished hereunder.
- 6.5 Contractors. Company's contractors and subcontractors working in the Public Right-of-Way shall carry in full force and effect commercial general liability, environmental contamination liability, automobile liability and workers' compensation and employer liability insurance which complies with all terms of this Part 6. In the alternative, Company, at its expense, may provide such coverages for any or all its contractors or subcontractors (such as by adding them to Company's policies).
- 6.6 Insurance Primary. Company's insurance coverage shall be primary insurance with respect to Municipality, its officers, agents, employees, elected and appointed officials, departments, boards, and commissions (collectively "them"). Any insurance or self-insurance maintained by any of them shall be in excess of Company's insurance and shall not contribute to it (where "insurance or self-insurance maintained by any of them" includes any contract or agreement providing any type of indemnification or defense obligation provided to, or for the benefit of them, from any source, and includes any self-insurance program or policy, or self-insured retention or deductible by, for or on behalf of them).

## 7 Term

- 7.1 Term. The term ("Term") of this Permit shall be until the earlier of:
- 7.1.1 Fifteen years (15) from the Effective Date; provided, however, that following such initial term there shall be three subsequent renewal terms of five (5) years. Each renewal term shall be automatic unless Municipality notifies Company in writing, at least twelve (12) months prior to the end of any term then in effect, that due to changed circumstances a need exists to negotiate the subsequent renewal with Company. Municipality shall not unreasonably deny a renewal term; or
- 7.1.2 When the Telecommunication Facilities have not been used to provide telecommunications services for a period of one hundred and eighty (180) days by the Company or a successor of an assign of the Company; or
- 7.1.3 When Company, at its election and with or without cause, delivers written notice of termination to Municipality at least one-hundred and eighty (180) days prior to the date of such termination; or

7.1.4 Upon either Company or Municipality giving written notice to the other of the occurrence or existence of a default by the other party under Sections 4.8, 6, 8 or 9 of this Permit and such defaulting party failing to cure, or commence good faith efforts to cure, such default within sixty (60) days (or such shorter period of time provided elsewhere in this Permit) after delivery of such notice; or

7.1.5 Unless Manager grants a written extension, one year from the Effective Date if prior thereto Company has not started the construction and installation of the Telecommunication Facilities within the Public Right-of-Way and two years from the Effective Date if by such time construction and installation of the Telecommunication Facilities is not complete.

8 Performance Bond or Letter of Credit

8.1 Municipal Requirement. Municipality may require Company to post a bond (or letter of credit) as provided in Section 15(3) of the METRO Act, as amended [MCL § 484.3115(3)].

9 Fees

9.1 Establishment; Reservation. The METRO Act shall control the establishment of right-of-way fees. The parties reserve their respective rights regarding the nature and amount of any fees which may be charged by Municipality in connection with the Public Right-of-Way.

10 Removal

10.1 Removal; Underground. As soon as practicable after the Term, Company or its successors and assigns shall remove any underground cable or other portions of the Telecommunication Facilities from the Public Right-of-Way which has been installed in such a manner that it can be removed without trenching or other opening of the Public Right-of-Way. Company shall not remove any underground cable or other portions of the Telecommunication Facilities which requires trenching or other opening of the Public Right-of-Way except with the prior written approval of Manager. All removals shall be at Company's sole cost and expense.

10.1.1 For purposes of this Part 10, "cable" means any wire, coaxial cable, fiber optic cable, feed wire or pull wire.

10.2 Removal; Above Ground. As soon as practicable after the Term, Company, or its successor or assigns at its sole cost and expense, shall, unless waived in writing by Manager, remove from the Public Right-of-Way all above ground elements of

its Telecommunication Facilities, including but not limited to poles, pedestal mounted terminal boxes, and lines attached to or suspended from poles.

10.3 Schedule. The schedule and timing of removal shall be subject to approval by Manager. Unless extended by Manager, removal shall be completed not later than twelve (12) months following the Term. Portions of the Telecommunication Facilities in the Public Right-of-Way which are not removed within such time period shall be deemed abandoned and, at the option of Municipality exercised by written notice to Company as set forth in Part 12, title to the portions described in such notice shall vest in Municipality.

11 Assignment. Company may assign or transfer its rights under this Permit, or the persons or entities controlling Company may change, in whole or in part, voluntarily, involuntarily, or by operation of law, including by merger or consolidation, change in the ownership or control of Company's business, or by other means, subject to the following:

11.1 No such transfer or assignment or change in the control of Company shall be effective under this Permit, without Municipality's prior approval (not to be unreasonably withheld), during the time period from the Effective Date until the completion of the construction of the Telecommunication Facilities in those portions of the Public Right-of-Way identified on Exhibit A.

11.2 After the completion of such construction, Company must provide notice to Municipality of such transfer, assignment or change in control no later than thirty (30) days after such occurrence; provided, however,

11.2.1 Any transferee or assignee of this Permit shall be qualified to perform under its terms and conditions and comply with applicable law; shall be subject to the obligations of this Permit, including responsibility for any defaults which occurred prior to the transfer or assignment; shall supply Municipality with the information required under Section 3.1; and shall comply with any updated insurance and performance bond requirements under Sections 6 and 8 respectively, which Municipality reasonably deems necessary, and

11.2.2 In the event of a change in control, it shall not be to an entity lacking the qualifications to assure Company's ability to perform under the terms and conditions of this Permit and comply with applicable law; and Company shall comply with any updated insurance and performance bond requirements under Sections 6 and 8 respectively, which Municipality reasonably deems necessary.

11.3 Company may grant a security interest in this Permit, its rights thereunder or the Telecommunication Facilities at any time without notifying Municipality.

12 Notices

12.1 Notices. All notices under this Permit shall be given as follows:

12.1.1 If to Municipality, City Hall 405 E. Colby St. Whitehall, MI 49461.

12.1.2 If to Company, to Kevin Schoen, KEPS Technologies Inc. dba ACD.net, 1800 N. Grand River Avenue, Lansing, Michigan 48906. Phone: (517)999-9999 Fax: (517)999-3993 Email: schoen.kevin@acd.net.

12.2 Change of Address. Company and Municipality may change its address or personnel for the receipt of notices at any time by giving notice thereof to the other as set forth above.

13 Other items

13.1 No Cable, OVS. This Permit does not authorize Company to provide commercial cable type services to the public, such as “cable service” or the services of an “open video system operator” (as such terms are defined in the Federal Communications Act of 1934 and implementing regulations, currently 47 U.S.C. §§ 522 (6), 573 and 47 CFR § 76.1500).

13.2 Duties. Company shall faithfully perform all duties required by this Permit.

13.3 Effective Date. This Permit shall become effective when issued by Municipality and Company has provided any insurance certificates and bonds required in Parts 6 and 8, and signed the acceptance of the Permit.

13.4 Authority. This Permit satisfies the requirement for a permit under Section 5 of the METRO Act [MCL 484.3105].

13.5 Amendment. Except as set forth in Section 2.1 this Permit may be amended by the written agreement of Municipality and Company.

13.6 Interpretation and Severability. The provisions of this Permit shall be liberally construed to protect and preserve the peace, health, safety and welfare of the public, and should any provision or section of this Permit be held unconstitutional, invalid, overbroad or otherwise unenforceable, such determination/holding shall not be construed as affecting the validity of any of the remaining conditions of this Permit. If any provision in this Permit is found to be partially overbroad, unenforceable, or invalid, Company and Municipality may nevertheless enforce such provision to the extent permitted under applicable law.

13.7 Governing Law. This Permit shall be governed by the laws of the State of Michigan.



City of Whitehall, MI

Attest:

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

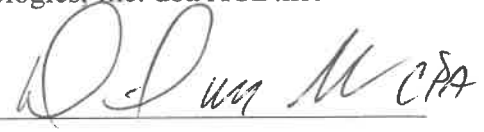
By: \_\_\_\_\_

Its: \_\_\_\_\_

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

“Company accepts the Permit granted by Municipality upon the terms and conditions contained therein.”

KEPS Technologies, Inc. dba ACD.net

By: 

Its: CHIEF FINANCIAL OFFICER

Date: 1.8.19

::ODMA\PCDOCS\GRR\759319\6

**Exhibit A**

**Public Right-of-Way to be Used by Telecommunication Facilities**

**Exhibit B**

**Bond**

CITY OF WHITEHALL  
RESOLUTION 19-03  
Granting & Removing Real Property Exemptions

WHEREAS, the Michigan State Tax Commission in Bulletin 26 of 2017 recommends a procedure when granting and removing real property exemptions.

WHEREAS, the following procedure is for the **initial request**: taxpayers who wish to apply for a real property exemption must first complete and submit an application adopted by the office of the Assessor. The completed application will be scanned and retained on file and will include all documents submitted by the taxpayer to support the request for exemption. The Assessor shall review the application and either approve or deny the application. The application notice will reflect whether the exemption has been approved.

WHEREAS, the following procedure is for **existing exemptions**: the existing exemptions shall be reviewed periodically by visiting a property and reviewing the exemption file. Adjustments to the status of the exemption may be made by the Assessor following review. The Assessor may request that a new application be completed as part of the review process if he/she believes that the exemption status of an applicant has changed.

WHEREAS, the following procedure is for **removing exemptions**: if the assessor has sufficient evidence that the taxpayer no longer qualifies for the real property exemption, the Assessor will immediately remove the exemption and send proper notification on the assessment notice to the taxpayer.

WHEREAS, if the Assessor does not receive sufficient supporting documentation accompanying the application, the Assessor will not grant the exemption.

NOW, THEREFORE, LET IT BE RESOLVED

Muskegon County Equalization Department, as Assessor of The City of Whitehall will abide by the recommendations made by the State Tax Commission in Bulletin 26 of 2017 stated above

Moved by: \_\_\_\_\_ Seconded by: \_\_\_\_\_, and thereafter

adopted by the City Council of the City of Whitehall, at a regular meeting held January

22, 2019 at 6:00 p.m. ( \_\_\_ yes, \_\_\_ no, \_\_\_ absent)

\_\_\_\_\_  
Debra Hillebrand, Mayor

\_\_\_\_\_  
Brenda Bourdon, City Clerk

**Whitehall City Council  
Agenda Report – Street Lights**

Howmet has requested that the three street lights on Misco Drive be changed from High Pressure Sodium to LED. The cost, to be reimbursed by Howmet, is \$2,730. The attached resolutions to “remove” and “install” are attached.

**RECOMMENDATION**

Motion to adopt Resolutions 4 and 5 to amend the Consumers Energy Street lighting contract as submitted.

**City of Whitehall**  
**Resolution 19-04**  
Consumers Contract Change/Removal of Fixture

Form 547 11-2014

**RESOLUTION**

RESOLVED, that it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the lighting service as provided in the Standard Lighting Contract between the Company and the City of WHITEHALL, dated 8/26/1977, in accordance with the Authorization for Change in Standard Lighting Contract dated 1/3/2019,

heretofore submitted to and considered by this  commission  council  board ;and

RESOLVED, further, that the City Clerk be and are authorized to execute such authorization for change on the behalf of the City.

STATE OF MICHIGAN  
COUNTY OF Muskegon

I, Brenda Bourdon, Clerk of the City of WHITEHALL, do hereby certify that the foregoing resolution was duly adopted by the  commission  council  board of said municipality, at the meeting held on \_\_\_\_\_.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Municipal Customer Type: City



**AUTHORIZATION FOR CHANGE IN  
STANDARD LIGHTING CONTRACT  
(COMPANY-OWNED) FORM 547**

Contract Number: 100000345890

Consumers Energy Company is authorized as of 1/3/2019, by the City of WHITEHALL, to make changes, as listed below, in the lighting system(s) covered by the existing Standard Lighting Contract between the Company and the City of WHITEHALL, dated 8/26/1977.

Lighting Type:

General Service Unmetered Lighting Rate GUL, Standard High Intensity Discharge

Notification Number(s):

1046784783

Construction Work Order Number(s):

Except for the changes in the lighting system(s) as herein authorized, all provisions of the aforesaid Standard Lighting Contract dated 8/26/1977 shall remain in full force and effect.

City of WHITEHALL

By:

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed)

Its

\_\_\_\_\_  
(Title)

This Agreement may be executed and delivered in counterparts, including by a facsimile or an electronic transmission thereof, each of which shall be deemed an original. Any document generated by the parties with respect to this Agreement, including this Agreement, may be imaged and stored electronically and introduced as evidence in any proceeding as if original business records. Neither party will object to the admissibility of such images as evidence in any proceeding on account of having been stored electronically.



GENERAL SERVICE UNMETERED LIGHTING RATE GUL, STANDARD HIGH INTENSITY DISCHARGE

<i>Number of Luminaires</i>	<i>Nominal Watts</i>	<i>Luminaire Type</i>	<i>Fixture Type</i>	<i>Fixture Style</i>	<i>Install Remove</i>	<i>Location</i>
3	<u>100</u>	<u>HPS</u>	<u>Cobrahead</u>	<u>Non-Cutoff</u>	<u>Remove</u>	1 MISCO DR

**City of Whitehall**  
**Resolution 19-05**  
Consumers Contract Change/Installation of Fixture

Form 547 11-2014

**RESOLUTION**

RESOLVED, that it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the lighting service as provided in the Standard Lighting Contract between the Company and the City of WHITEHALL, dated 8/26/1977, in accordance with the Authorization for Change in Standard Lighting Contract dated 1/3/2019,

heretofore submitted to and considered by this  commission  council  board ;and

RESOLVED, further, that the City Clerk be and are authorized to execute such authorization for change on the behalf of the City.

STATE OF MICHIGAN  
COUNTY OF Muskegon

I, Brenda Bourdon, Clerk of the City of WHITEHALL, do hereby certify that the foregoing resolution was duly adopted by the  commission  council  board of said municipality, at the meeting held on \_\_\_\_\_

Dated:

\_\_\_\_\_  
Municipal Customer Type: City

\_\_\_\_\_



**AUTHORIZATION FOR CHANGE IN  
STANDARD LIGHTING CONTRACT  
(COMPANY-OWNED) FORM 547**

Contract Number: 100000345890

Consumers Energy Company is authorized as of 1/3/2019, by the City of WHITEHALL, to make changes, as listed below, in the lighting system(s) covered by the existing Standard Lighting Contract between the Company and the City of WHITEHALL, dated 8/26/1977.

Lighting Type:  
General Unmetered Experimental Lighting Rate GU-XL

Notification Number(s):  
1046784783

Construction Work Order Number(s):

Except for the changes in the lighting system(s) as herein authorized, all provisions of the aforesaid Standard Lighting Contract dated 8/26/1977 shall remain in full force and effect.

City of WHITEHALL

By:

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed)

Its

\_\_\_\_\_  
(Title)

This Agreement may be executed and delivered in counterparts, including by a facsimile or an electronic transmission thereof, each of which shall be deemed an original. Any document generated by the parties with respect to this Agreement, including this Agreement, may be imaged and stored electronically and introduced as evidence in any proceeding as if original business records. Neither party will object to the admissibility of such images as evidence in any proceeding on account of having been stored electronically.

GENERAL UNMETERED EXPERIMENTAL LIGHTING RATE GU-XL

<i>Number of Luminaires</i>	<i>Nominal Watts</i>	<i>Luminaire Type</i>	<i>Fixture Type</i>	<i>Fixture Style</i>	<i>Install Remove</i>	<i>Location</i>
3	<u>54</u>	<u>LED</u>	<u>Cobrahead</u>	<u>Cutoff</u>	<u>Install</u>	1 MISCO DR

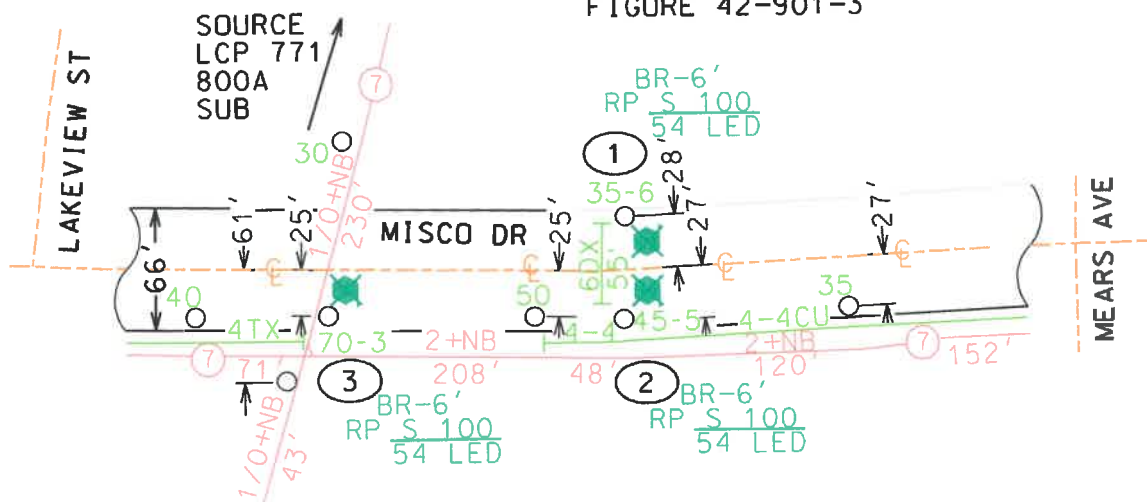
HPS STREETLIGHTS UPGRADE TO LED STREETLIGHTS



CONSUMERS ENERGY CONTACTS			
DEPARTMENT	NAME	NUMBER	ALTERNATE
COORDINATOR	DOUGLAS HOGAN	231-332-2666	
DESIGNER	WILLIAM COLON	231.332.2613	

MUSKEGON CO  
MONTAGUE TWP  
T12 R17 SEC.33

①, ②, ③ REMOVE  
100W HPS  
INSTALL  
54W LED  
FIGURE 42-901-3



NOTIFICATION#1046784783

ORDER NUMBER
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<p>A CMS Energy Company ELECTRIC</p>	DESIGNED BY WCOLON DATE 12/13/18	1 MISCO DR whitehall - 3 STLTS				
	APPROVED BY DATE	For: CITY OF WHITEHALL 1 MISCO DR - 3 ST LIGHTS				
SHEET 1 OF 1		SCALE NTS				
-CONSTRUCTION CERTIFICATION- Work was constructed as Engineered or Changed as Indicated. All Salvageable Material Was Returned to Stores. Signed _____ in Direct Charge of Work Dates: Started _____ Completed _____ MISS DIG NUMBER: _____ DATE: _____	TLM NUMBER	# OF RODS	OHMS	CONSTRUCTION MEASURE NUMBER		
	1217332103/1217332201			100005126907		
	SUBSTATION	WD NO.		ORDER TYPE	MAINTENANCE ACTIVITY TYPE	DESIGN NUMBER
	WHITEHALL	0520		ECNC	STL	10999832
CIRCUIT	CKT NO.	LCP NO.	STAKED	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
ALICE	02	0774	TREES	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	