

* AGENDA *
LUDINGTON CITY COUNCIL MEETING
Municipal Building
Monday, October 10, 2022
6:00 p.m.
www.ludington-mi.gov

- 1.) Roll Call
- 2.) Invocation
- 3.) Pledge of Allegiance
- 4.) Meeting Open for Public Comments
- 5.) Approval Consent Agenda
 - Approve September 26, 2022 Regular Meeting Minutes
 - Payment of Bills
 - Adopt Agenda
- 6.) Deer Cull
 - a.) Adopt Ordinance No. 494-22 3-Year Cooperative Services Agreement with APHIS-WS – Deer Removal
- 7.) Committee/Staff Reports
 - A.) Finance/Personnel
 - 1.) Report
 - 2.) Action Item
 - B.) Public Safety/Public Utilities
 - 1.) Report
 - 2.) Action Items
 - a.) Adopt Ordinance No. 487-22 – Amendment to the Animal Nuisance Ordinance
 - C.) Buildings & Licenses / Long Range Planning & Industrial Development
 - 1.) Report
 - 2.) Action Items
 - D.) Cemetery, Parks, and Recreation / Waterfront
 - 1.) Report
 - 2.) Action Items
 - E.) Marijuana Ad-Hoc Committee
 - 1.) Report
 - 2.) Action Items
- 8.) City Council
- 9.) City Manager
 - A.) Report
 - B.) Action Items
- 10.) Mayor
 - A.) Report
 - B.) Action Item
- 11.) Meeting Open for Public Comment – 2 Minute Limit
- 12.) Miscellaneous Business
- 13.) Adjournment

September 26, 2022

Regular meeting of the Ludington City Council held in the Council Chambers of the Municipal Building on Monday, September 26, 2022, at 6:00 o'clock p.m.

Present: His Honor Mayor Steve Miller and Councilors John Terzano, Ted May, Kathy Winczewski, Les Johnson, Cheri Stibitz, Wally Cain and Jack Bulger.

Absent: None.

Also present were City Attorney Ross Hammersley, Interim Police Chief Steve Wietrzykowski, Assistant to City Manager Jackie Steckel and City Clerk Deborah Luskin.

In lieu of an invocation His Honor Mayor Miller asked for twenty seconds of silence.

Pledge to the Flag was given.

The meeting was opened for public comment.

Susan Davidson, City of Ludington, thanked the City for the Beach Patrol Officers Noah Noble and Jacob Wagner. She then spoke in support of the deer cull and supports the ban on feeding wild animals in the city.

Mary McVicker, City of Ludington, commented on the deer in her yard and the work she has to do to clean up after them. She then stated that she would love to see control over the feeding of the animals.

Cheryl Whitehead, City of Ludington, spoke on chickens and stated that she has not heard any noise from the chickens in her neighborhood. She stated that within three houses of her house there are seventeen dogs. She has recently been bitten by a dog. She said chickens do not leave a mess, they do not bite and they take care of ticks. She stated she cannot see why the chickens would be a public safety issue.

Terry Grams, City of Ludington, spoke against the deer cull stating that he has spent a lot of time researching the deer cull and its effectiveness. He stated the deer cull does not work, it is expensive and has little or no effect on the deer. He read a quote from Mark Gifford, City Manager of Big Rapids, on the deer cull and provided other information from the City of Grand Haven. He stated that the funds allocated for deer cull would be better served for increasing security in the public schools.

Michael Whitehead, City of Ludington, stated that the chickens in the neighborhood are well behaved. He stated that it is not right for council to say you cannot have chickens anywhere.

Chris Simpler, City of Ludington, commented that the city might be better to manage the verbs such as the behavior, the challenges and problems and not the nouns the chickens. He stated the city policies should be around behaviors and not pick one issue such as chickens. He asked council to put policies in place to deal with the verbs and leave the chickens alone.

Claudia Myers, City of Ludington, spoke in favor of allowing chickens in the city.

Josh Wickham, City of Ludington, commented on the text change to the Sign Ordinance No. 490-22. He stated that the ordinance does include some important things but the changes made missed the mark regarding the DDA and the buildings with multiple businesses in them. It also does not address corners or alleys. The new ordinance would cut 80% of signage on his building. He is asking that council not approve the portion of Ordinance No. 490-22 that addresses the DDA and downtown.

Tom Rotta, City of Ludington, thanked Councilor Stibitz on compiling the results of the survey of citizens for deer cull. He stated the survey results indicate a majority of citizens are not comfortable with a deer cull. He noted that one in six respondents do not enjoy seeing deer in the community. He then referred to the four categories that municipal ARPA spending could fit into for ARPA grant funds and he stated that funding a deer cull does not fit into these categories or subcategories. He stated that the cost of this five year contract will fall on the citizens as the use of ARPA funds for a deer cull will be challenged.

Angie Beyer, City of Ludington, stated that she is a deer culling advocate. She referred to the overall cost of damage that is done by deer and potential harm to human lives. She thanked Council for stepping forward with the deer cull.

After no further comments were received, the regular order of business was resumed.

Moved by Councilor Terzano, seconded by Councilor Cain, to approve the consent agenda as presented (September 12, 2022 regular minutes, September 19, 2022 special meeting minutes, payment of bills in the amount of \$2,138,271.42 and the consent agenda, as presented). Motion Carried.

Discussion by Council on the Proposed Deer Cull in the City Limits

Councilor May began the discussion and stated the deer cull came to the Public Safety Public Utilities Committee a year ago. He stated that it was brought up during discussions on what to spend the ARPA grant funds on and the council decided to allocate \$50,000 to the deer cull. The projected three year deer cull would be \$58,500. He stated that he lives in the 1st Ward and has spoken with many residents for and against the cull. He stated he is in favor of the deer cull.

Councilor Winczewski commented on research that has been done on deer cull which shows that the deer cull does not work well. The city would have to perform the cull every year forever. The surrounding townships would also have to have a cull in order for there to be an impact on the deer in the city. She stated that nature will take care of the deer problem if there is not enough food. She stated that a big challenge is what to do to not provide the food, what plants to plant, fences, netting, etc. She stated that the immediate gratification of a deer cull is not going to be seen and she does not know whether the solution the city is offering will be beneficial.

Councilor Stibitz stated that she tabulated the deer cull surveys. There were a total 72 surveys with 65% of the people (42 respondents) stated that they enjoyed seeing the deer in the community. She stated that the number one complaint is deer browsing on plants and shrubs. Residents in 4th Ward, 38 total collected and 13% reported not liking the cull in the community. She stated that education is key and research what each individual can do to curb the deer population in the city. She stated that she agrees there is a deer problem in the city but she does not think that the deer cull will make a difference because the city is not doing it the right way.

Councilor Terzano read from the DNR website on the deer management unit in Mason County including the Quality Deer Management and maintaining deer numbers and striving for an equal buck to doe population. He stated that in Mason County is out of whack and one way to control this is through a deer cull. He then reminded the council that the city received a petition with 81 residents who signed in support of the deer cull.

Councilor Johnson stated that the DNR will not come into neighborhoods to take the deer out. It will be out by First Street and Bryant Road. He stated that he is not sold on the deer cull. He stated that it is a lot of money and is hoping the city could come up with an alternative solution.

Councilor Cain stated that we do have a problem with deer in the city and he stated that he supports the cull.

Councilor Bulger stated that he is torn with logic that he used at the last council meeting on the gun buy-back program which is maybe doing something is better than not doing anything at all as he is looking at the deer cull situation. He stated that there is still time to comment on the deer cull as no decision will be made tonight and this ordinance will come back to council at the next council meeting.

Councilor May concluded that all of the meat from the deer cull will go to designated recipients such as food banks and people who are in need of meat. Deer is the number one carrier of lime disease and ticks. He stated that to refuse to address this is very wrong.

Ordinance No. 494-22, an ordinance to enter into a 3-year Cooperative Services Agreement with the United States Department of Agriculture Animal and Plant Health Inspection Service Wildlife Services to provide lethal removal of white-tailed deer in areas with high numbers of complaints and damage was presented for the first reading. Councilor Bulger asked that the ordinance be amended to show three years rather than five years. Moved by Councilor Bulger, seconded by Councilor May, to amend Ordinance No. 494-22 to change the term from five years to three year cooperative service agreement consistent with the language of the contract. Councilor Stibitz expressed her concern over the number of deer that will be culled each year for a cost of \$19,500 a year. Councilor May stated that the city is paying the DNR per night and not per deer. It was noted that City Manager Foster will be at the next meeting to clear up some of the questions before the contract is acted on. Motion Carried.

Ordinance No. 494-22 shall be presented for adoption on 10/10/22 and is available for public inspection in the City Clerk's office during regular business hours.

Finance and Personnel Committee: No report at this time.

ORDINANCE NO. 493-22

An Ordinance to Approve a Contract, Agreement or Lease.

THE CITY OF LUDINGTON ORDAINS:

Section 1: APPROVAL. Pursuant to Section 8.10 of the Charter of the City of Ludington, the City Council hereby approves the City Manager and City Clerk to sign a multi-year Agreement between the City of Ludington and Hafeli Staran & Christ to assist the Ludington City Charter Commission in its efforts in the charter review process and to guide the City Charter Commission in the creation of its charter revision.

Section 2: Severability: Should any provisions of this ordinance or any part thereof be held unconstitutional or invalid, such holding shall not be construed as affecting the validity of any of the remaining provisions hereof or of any other provisions of the City Code.

Section 3: Repeal: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4: Effective date: This ordinance shall be effective 20 days after publication.

Moved by Councilor Johnson, seconded by Councilor Winczewski, to adopt Ordinance No. 493-22.

Roll Call: Ayes: Councilors May, Bulger, Johnson, Terzano, Cain, Stibitz, Winczewski.

Nays: None. Motion Carried.

Moved by Councilor Johnson, seconded by Councilor Stibitz, to approve the Change Order 2 for the Municipal Marina F Dock Replacement. This change order adjusts the completion dates to account for delays receiving materials and industry wide supply issues as well as adjusts the contract price to reimburse the contractor for costs associated with providing temporary power to F-Dock to facilitate usage by the marina while waiting for critical power supply equipment in the amount of \$5,200. Motion Carried.

Public Safety/Public Utilities Committee: No report at this time.

Ordinance No. 487-22, an ordinance to amend Chapter 34, Article IV, Section 34-99 of the Code of Ordinances of the City of Ludington to Provide Further Protections Against Certain Animals Creating Disturbances or Nuisances was presented for the first reading.

Discussion by Council on the amendment to the Animal Nuisance Ordinance.

Councilor Johnson questioned how is the city going to react when a resident would like to put a number of animals such as goats in their backyard and how will the city put a stop to this if the city allows chickens. City Attorney Hammersley referred Council to Section 34-99 (h) where it says it shall be unlawful for any person to keep live farm animals (including, but not necessarily limited to, chickens, goats, sheep, swine, fowl, cows, or other livestock) on any premises with the city. Councilor Terzano asked how is the placement of the bird feeders of 5 ft off the ground determined. Councilor May explained that this is the standard measurement for feeders for wild birds and restricts the feeding to birds only. Councilor Winczewski asked about the TNR program for cats and the feeding of cats. She asked if the feeding of feral cats would be against the ordinance. Councilor May confirmed that this practice would be against the ordinance under Section 34-99. Councilor Winczewski asked about compost bins and asked if this is considered a feeding opportunity. Councilor May stated that compost piles are not part of the coverage in this ordinance. Councilor Winczewski stated that she is not opposed to the chicken issue but she respects the city's enforcement and the Public Safety Public Utility Committee's recommendation to not allow chickens in the city. She said that the lots in the city are not large. She said she is willing to listen and talk more with the code enforcement issue. Councilor Cain stated that he is in favor of chickens in the city. He stated that the decision is based on chickens versus dogs and he has never heard a complaint on chickens. He would like to see limits placed on the number of chickens. If it does not work out council can then come back and address this. Councilor Winczewski asked if this ordinance could be sent back to committee. The question was asked if the council decided to adopt the ordinance with removing the chickens at the next meeting if this changes the ordinance enough to not allow action but to take the ordinance back to a first reading. City Attorney Hammersley stated that yes this would be enough of a change to the intent of the ordinance to warrant another first reading. He stated that council could adopt the ordinance at the next meeting and then proceed in the future to amend the ordinance to only allow chickens in the city. Councilor Bulger asked if the ordinance should be amended to include an exception for compost piles.

Moved by Councilor Bulger, seconded by Councilor Cain, to amend the proposed ordinance to include an exception for compost materials under the exceptions under Section 34-99 (g)(1). Councilor Stibitz asked why does the city have to put compost in this ordinance if it is already agreed that compost is allowed. City Attorney Hammersley stated that because a compost has some food and it makes it different from a wood pile and someone may make a complaint to the city about the food content of a compost pile which may be perceived as attracting deer, the ordinance now will provide an exception for compost piles as a valid argument. Motion Carried.

Ordinance No. 487-22 shall be presented for adoption on 10/10/22 and is available for public inspection in the City Clerk's office during regular business hours.

ORDINANCE NO. 488-22

AN ORDINANCE TO AMEND CHAPTER 62 OF THE LUDINGTON CITY CODE BY ADDING NEW DEFINITIONS TO SECTION 62-226 AND BY ADDING A NEW DIVISION 3. "LEAD SERVICE LINE REPLACEMENT.", WITH SECTIONS 62-270 THROUGH 62-276 TO ARTICLE IV (WATER SERVICE) TO PROVIDE FOR THE REPLACEMENT OF PRIVATELY-OWNED LEAD WATER SERVICE LINES

THE CITY OF LUDINGTON ORDAINS:

Section 1. Findings.

The City Council of the City of Ludington hereby finds and determines the following:

- That a review of scientific and professional resource materials supports the conclusion that disturbance of lead water service lines, particularly partial lead water service line replacement and/or the reconnection of existing lead water service lines to new copper water service lines have been shown to increase lead levels in drinking water, while full replacement of lead service lines (as opposed to partial replacement) can reduce exposure to lead in drinking water;
- That numerous communities throughout the state and the country have experienced adverse impacts and significant risks to public health and safety posed by the disturbance of lead water service lines and/or the reconnection of lead to copper service lines,
- That lead service lines pose a threat to the public health based on the potential for leeching of lead into drinking water;
- That, because of the significant risks to public health and safety posed by lead water service lines, there is a strong public interest for the City to establish a comprehensive program providing for the removal, replacement, and remediation of privately-owned lead water service lines in use within the City water utility system under certain circumstances;
- That the State of Michigan issued a "lead and copper rule" in 2018 (Michigan Administrative Code Rule 604f; codified at R325.10604f) that places new requirements upon water supply and distribution systems, including requirements to complete a Distribution System Material Inventory (DSMI) and to replace lead water service lines on a set schedule such that all lead service lines must be replaced at an average rate of five (5%) percent per year; and
- That the adoption and implementation of the added provisions set forth below will comply with state and federal law and improve the City's municipal infrastructure and water lines throughout the City which will better serve the citizens and residents of Ludington, the business community, property owners, and the community as a whole.

Section 2. Amendment of Section 62-226. Definitions. Under Division 1 of Article IV (Water Service) of Chapter 62 of the Ludington City Code.

Section 62-226 of Division 1 of Article IV ("Water Service") of the Code of Ordinances of the City of Ludington is hereby amended to include the following new definitions, which are inserted in alphabetical order and which read as follows:

Sec. 62-226. Definitions.

...

Department-owned portion of a lead water service line means the section of lead water service piping from the discharge of the corporation fitting on the water main to, but not including, the outlet joint of the curb stop.

EPA means the United States Environmental Protection Agency.

Federal Safe Drinking Water Act means the Safe Drinking Water Act of 1974, 42 U.S.C. §300f *et seq.* and the state and local assistance set forth in 40 C.F.R. part 35, §35.600 to §35.630; national primary drinking water regulations set forth in 40 C.F.R. part 141; and national primary drinking water regulations implementation set forth in 40 C.F.R. part 142, promulgated by EPA (2014) under the federal act.

Lead water service line means either a service line made of lead or any lead pigtail, lead gooseneck, or other lead fitting that is connected to the service line, or both.

Privately-owned portion of a lead water service line means the section of lead water service piping from the outlet joint of the curb stop to customer site piping or building plumbing at the first shot-off valve inside the building or 18 inches inside the building.

Service connection means a direct connection from a distribution water main to a living unit or other site to provide water for drinking or household purposes.

Service line means the pipe from the discharge of the corporation fitting to customer site piping or to the building plumbing at the first shut-off valve inside the building, or 18 inches inside the building, whichever is shorter.

Section 3. Addition of new Division 3. Lead Service Line Replacement and its Sections 62-270 through 62-276 to Article IV (Water Service) of Chapter 62 of the Ludington City Code.

The following provisions are hereby adopted as "Chapter 62 Utilities., Article IV. Water Service, Division 3. Lead Service Line Replacement." and are hereby added to the Ludington City Code as follows:

DIVISION 3. – Lead Service Line Replacement.

Section 62-270. Title and Purpose.

This ordinance shall be known and may be cited as the "Lead Service Line Replacement Ordinance." The City of Ludington declares the purposes of this ordinance to be as follows:

- (a) To ensure that the water quality at every tap of city water utility customers meets the water quality standards specified under the federal Safe Drinking Water Act (e.g. 42 U.S.C. §300g);
- (b) To reduce the lead in city drinking water to meet EPA standards in city drinking water for the health of city residents;
- (c) To ensure the city's compliance with the Michigan Safe Drinking Water Act (Public Act 399 of 1976; MCL 325.1001 *et seq.*); and
- (d) To provide for the removal and replacement of privately-owned portion(s) of "lead service lines" in use within the city water utility system while protecting the public health, safety, and welfare:
 - (i) Whenever a leak or failure has been discovered on either the privately-owned or Department-owned portion of the service line; or
 - (ii) When any portion of the Department-owned lead water service line is replaced on either a planned or emergency basis.

Section 62-271. Survey and Self-inspections. Upon notice from the Department, any person who owns, manages or otherwise exercises control over a property within the city water utility system shall allow the Department to inspect the customer-side, privately-owned water service line or have the customer-side, privately-owned water service line inspected by a licensed plumber to determine whether the service line is lead, copper, cast iron, galvanized steel, plastic, or other material.

Section 62-272. Replacement Requirement. The Department shall, at its cost and at no cost to the property owner, replace the privately-owned portion of a lead water service line whenever:

- (a) A leak or failure has been discovered on either the privately-owned or Department-owned portion of the service line; or
- (b) Any portion of the Department-owned portion of the service line is replaced on either a planned or an emergency basis.

In the event that a non-Department project creates a disturbance of an existing lead service line, the party creating the disturbance shall be responsible for the replacement of the full lead service line and its associated costs.

Section 62-273. Repair or reconnection prohibited; exception. Repair of an existing lead water service line, or reconnection of a privately-owned lead water service line to the City's water distribution system is prohibited by Michigan Administrative Code Rule 604f (R325.10604f; entitled "Treatment techniques for lead and copper" promulgated pursuant to Public Act 399 of 1976 (MCL 325.1001 *et seq.*; "Safe Drinking Water Act") as amended. The City Manager or his/her designee may grant a temporary exception to the replacement requirement or the repair or reconnection prohibition if he/she determines that doing so will not create an imminent threat to the health, safety or welfare of the public.

Section 62-274. Notice.

- (a) **Leak or Emergency Replacement.** In the event of a lead water service line leak or failure or an emergency replacement of the Department-owned portion of the lead water service line, the City Manager or his/her designee shall promptly provide written notice to the property owner (1) of the replacement requirement; (2) explaining that residents may experience a temporary increase of lead levels in their drinking water due to the replacement, information about the health effects of lead, and actions residents can take to minimize their exposure to lead in drinking water; and (3) providing a copy of a standard water service line replacement agreement for their review (the property owner shall sign and provide the City with a water service line replacement agreement as hereinafter provided for the privately-owned portion of the lead water service line before replacement can begin).
- (b) **Planned Replacement.** In the event of a planned replacement of a Department-owned portion of a lead water service line, the City Manager and/or his/her designee shall provide at least forty-five (45) days written notice prior to the commencement of the planned replacement and the property owner shall sign and provide the City with a water service line replacement agreement as hereinafter provided for the privately-owned portion of the lead water service line before replacement can begin.

Section 62-275. Water Service Line Replacement Agreement. Before a privately-owned lead water service line can be replaced, the property owner shall sign and provide the city with a "Water Service Line Replacement Agreement" on a form provided by the City which:

- (a) Acknowledges ownership of the property being served by the lead water service line;
- (b) Permits access to the City or its contractor to replace the privately owned lead water service line and any related testing and adjustments during any contractor guarantee period;
- (c) Retains full ownership, maintenance, repair, and replacement responsibility for that portion of the privately-owned service line and related appurtenances that are not replaced; and

- (d) Agrees to assume ownership of the water service line that replaces the privately-owned lead water service line, and to further be fully responsible for its ownership and, after the expiration of any guarantee period, its maintenance, repair, and replacement.

Section 62-276. Failure to Sign Water Service Line Replacement Agreement. If the City Manager or his/her designee has determined, in accordance with this Ordinance, to replace a privately-owned lead water service line and the property owner of the affected property and/or dwelling has declined or failed to respond to requests to sign a water service replacement agreement, the following provisions apply:

- (a) the city may, upon notice to the property owner, discontinue water service if the city determines there is a threat to the health, safety or welfare of the public or of the residents or other persons who use or consume water at the affected property; or
- (b) the City Manager may request that the City Attorney or special counsel apply for and obtain an appropriate court-issued order authorizing replacement in accordance with the terms in the water service replacement agreement.

Section 3. Severability

If any section, clause, or provision of this Amendment to Section 62-226 and Addition of Division 3. Lead Service Line Replacement (Sections 62-270 to 62-276) is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, such declaration shall not affect the remainder of the Article. The City Council hereby declares that it would have adopted this Article and each part, section, subsection, phrase, sentence, and clause irrespective of the fact that any one or more parts, sections, subsections, phrases, sentences, or clauses is declared invalid.

Section 4. Repealer.

All ordinances heretofore established and effective on the effective date of this code that are in conflict herewith shall be and hereby are repealed to the extent of the conflict.

Section 5. Effective Date

This Ordinance shall become effective 20 days following its introduction, adoption and publication as required by law.

Moved by Councilor May, seconded by Councilor Johnson, to adopt Ordinance No. 488-22, an Ordinance to Amend Chapter 62 of the Ludington City Code by Adding New Definitions to Section 62-226 and by Adding a New Division 3. "Lead Service Line Replacements.", with Sections 62-270 Through 62-276 to Article IV (Water Service) To Provide for the Replacement of Privately-Owned Lead Water Service Lines. This ordinance allows the city to replace lead lines where they cannot get a hold of a property owner or the property owner will not cooperate and respond to desires of the city to get on to their property for the lead line replacement.

Roll Call: Ayes: Councilors Bulger, Cain, Stibitz, Winczewski, Johnson, Terzano and May.

Nays: None. Motion Carried.

Building & Licenses Committee: No report and no action items at this time.

Cemetery Parks Waterfront: No report and no action items at this time.

Marijuana Ad Hoc Committee: Councilor Terzano stated the next meeting will be Tuesday, September 27, 2022, at 3:00 p.m. The agenda includes finalizing the zoning ordinance and addressing the police power ordinance. After these ordinances are complete the Committee will address the application process.

City Council: Councilor Terzano updated council on the four ordinances that have come out of the Planning Commission.

ORDINANCE NO. 489-22

Short Title: An ordinance to amend the City of Ludington Zoning Ordinance No. 23-00, as amended.

ARTICLE 500.20 MOBILE FOOD VENDORS (MFV)

Section 1: The following changes have been recommended by the Planning Commission to the City Council for their consideration regarding the current Mobile Food Vendor Ordinance.

SECTION 500.20 Intent.

The intent is to recognize that mobile food vending, such as mobile food trucks, can add vitality to the commercial districts and the street environment, encourage walking and promote local economic development. (Ord. No. 439-20 , § 2, 1-10-2021)

SECTION 500.21 [Mobile Food Vendors Allowed with Requirements.]

Mobile food vendors may be allowed on private property in the CBD (Central Business District), MC (Maritime Commercial District), WCB (Waterfront Central Business District), WM1 (Waterfront Maritime 1 District), W (Waterfront), and WS (Waterfront Shipping) subject to the following requirements:

- a) The MFV is a licensed, wheeled vehicle and the wheels will not be removed.
- b) The MFV is self-contained with no plumbing connections.
- c) The MFV will not be used for drive-thru service.
- d) The MFV and any associated seating or tables shall not be located in any vision triangle, block any driveway or occupy any handicap accessible parking space.
- e) Trash receptacles must be provided for use by the customers of the MFV. The property and all adjacent streets and sidewalks shall be kept free and clear of refuse generated by the operations of the MFV.
- f) No liquid waste or grease shall be disposed of or released into any sanitary sewer or storm drains, sidewalks or other public places or municipal waste receptacle.
- g) If more than one MFV is on a lot it requires a Site Plan Review. (See Chapter XI)
- h) The property owner of a lot that has MFV must supply power, other than a generator.
- i) The MFV must have access to a restroom facility within 300 feet of the MFV with matching hours of operation.

(Ord. No. 439-20 , § 2, 1-10-2021)

Section 2: Severability - Should any provisions of this ordinance or any part thereof be held unconstitutional or invalid, such holding shall not be construed as affecting the validity of any of the remaining provisions hereof or of any other provisions of the City of Ludington Zoning Ordinance.

Section 3: Repeal: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4: Effective date: This ordinance shall be effective 20 days from the date hereof.

Moved by Councilor Terzano, seconded by Councilor Stibitz, to adopt Ordinance No. 489-22.

Roll Call: Ayes: Councilors Cain, May, Terzano, Stibitz, Johnson, Winczewski and Bulger.

Nays: None. Motion Carried.

Councilor Terzano moved to adopt Ordinance No. 490-22, Text Changes to Signs. Councilor Terzano stated that the signage ordinance is under constant review as this has been a principal focus of the Text Committee. Councilor Johnson asked if council were to adopt this ordinance would the Text Committee continue to look into the concerns of Mr. Wickham. Councilor Terzano confirmed this. Councilor Stibitz stated that if Council approves this ordinance would Mr. Wickham's current signage be in violation of this then adopted ordinance. Councilor Stibitz expressed her concern about adopting an ordinance that could negatively impact businesses in the downtown. The City Center Building has signage on the building and this ordinance would put this signage in violation and the existing sign would have to be removed. Zoning Official Shaun Reed explained that Mr. Wickham owner of the City Center building would be able to keep the signs and is grandfathered in upon adoption of this ordinance. Mr. Wickham would have to keep the signs the way they currently exist. Any changes to the size of the signs would then fall under this ordinance and would have to be removed. Shaun Reed stated that the current zoning ordinance for nonconforming signs stated that if you alter the structural integrity of the sign then it goes away. Councilor Terzano stated that this is an issue that the Text Committee is looking into to address these nonconforming signs. Councilor Stibitz stated that this ordinance needs to go back to the Text Committee to be revised. Councilor Cain agreed. Councilor Winczewski also agreed to sending this ordinance back to the Text Committee. No second was made to this motion so the ordinance will be sent back to Text Committee for review.

ORDINANCE NO. 491-22

Short Title: An ordinance to amend the City of Ludington Zoning Ordinance 23-00, as amended.

THE CITY OF LUDINGTON ORDAINS:

Section 1: The following changes have been recommended by the Planning Commission to the City Council for their consideration regarding the current fence ordinance with regards to corner lots.

ARTICLE 500.6 FENCES, WALLS, AND HEDGES ON RESIDENTIAL PROPERTY

Section 500.6 Fences, Walls and Hedges on Residential Property

(1) The erection, construction, or alteration of any fence in a residential zone shall conform to the requirements below. For purposes of this section, the term fences shall include walls and/or similar structures or hedges.

(2) Definitions.

- (a) An "open fence" is defined as one with at least 50% open spaces uniformly distributed along its surface.
- (b) A "solid fence" is defined as one with less than 50% open spaces uniformly distributed along its surface.
- (c) A "combination fence" is defined as one being 48" (4') or less in height with 50% open spaces uniformly distributed along its surface above the height of 30".
- (d) A "secondary street" is defined as the longer street frontage of a parcel.

(3) General.

- (a) No fence shall be erected prior to the issuance of a zoning permit by the City of Ludington's building inspector. The permit application shall describe the fence and include the height, length, location, opacity (open space percentage), material, and general type of fence. The distance from the face to the nearest property line is also required.
- (b) The fence shall be residential in nature and intent and includes, but is not limited to chain link, picket, western rail stockade, stockade, wood slat, shadow box, and wrought iron. Woven wire fences, such as poultry netting, field fences, cattle fences and similar fences, or snow fences are not permitted except to enclose gardens or protect shrubs or trees. No fence shall be constructed of corrugated metal or corrugated plastic or similar materials, or include old doors, or other discarded materials.
- (c) No fence shall contain barbed wire, electrical current, broken glass, sharp edges, or other dangerous elements.
- (d) No fence shall exceed 72" (6') in height except as noted below.
- (e) Height of fence shall be measured from the ground elevation prior to any filling, berming, or excavation.
- (f) The finished side of a fence shall be oriented towards the closest adjacent property line. Fences constructed of alternating boards on opposite sides of the supporting structure are considered as finished on both sides.
- (g) Fences shall be maintained to retain their original appearance, shape, and configuration. If the "fence" is a hedge, the height shall be maintained as noted above or below. Any fence that deteriorates due to lack of repair or type of construction shall be deemed a nuisance and be repaired or removed. The building inspector shall notify the owner of the property on which such a fence is located and specify the time period in which required repairs shall be made or the fence removed.

(4) Fences for Interior Lots. In the area between any street right of way and the principal use or building (which excludes porches or enclosed porches), a solid fence may not exceed 36" (3') in height or an open fence or combination fence may not exceed 48" (4') in height.

(5) Fences for Corner Lots.

- (a) The standard for interior lots above applies except that at street right of way intersections only an open or combination fence up to 48" (4') in height may be located in the triangle formed by measuring 20' along each street right of way from the intersection of the right of way lines and a straight line drawn between those two end points.
- (b) A 6' tall solid fence may be installed up to 2' from the property line on the secondary street frontage, behind the principal structure.

(6) Fences for Lots with Alley Corners. The standard for the corner lot 20 ft. vision triangles also apply at alley and street intersections.

(7) Miscellaneous. Fences which enclose public or institutional parks, playgrounds, or schoolyards in residential areas shall be of open type not exceeding 6' in height except as required for recreational purposes such as baseball backstop when a limited section(s) of open fence up to 10' in height is allowed, where necessary to provide for such backstop or similar purposes.

(8) Safety fences for pools and hot tubs shall comply with all applicable codes, including required height.

Section 2: Severability - Should any provisions of this ordinance or any part thereof be held unconstitutional or invalid, such holding shall not be construed as affecting the validity of any of the remaining provisions hereof or of any other provisions of the City of Ludington Zoning Ordinance.

Section 3: Repeal: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4: Effective date: This ordinance shall be effective 20 days from the date hereof.

Moved by Councilor Terzano , seconded by Councilor Bulger, to adopt Ordinance No. 491-22
 Roll Call: Ayes: Councilors Stibitz, Johnson, Cain, Winczewski, May, Bulger and Terzano.
 Nays: None. Motion Carried.

ORDINANCE NO. 492-22

An Ordinance to Amend the City of Ludington Zoning Ordinance No. 23-00, as amended.

THE CITY OF LUDINGTON ORDAINS:

Section 1: The following described area of the zoning map of the city of Ludington is hereby rezoned from R2A (General Single-Family Residential District) to R3A (Multi-Family Residential District).

504 E Foster – Resseguie’s Addition Entire Block 14 and Original Plat That Par of Block 64 Lying N of the Alley
 507 E Foster – Resseguie’s Addition Entire Bock 11

Section 2: Severability – Should any provisions of this ordinance or any part thereof be held unconstitutional or invalid, such holding shall not be construed as affecting the validity of any of the remining provisions hereof or of any other provisions of the City of Ludington Zoning Ordinance.

Section 3: Repeal: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4: Effective date: This ordinance shall be effective 20 days from the date hereto.

Moved by Councilor Terzano, seconded by Councilor Stibitz, to adopt Ordinance No. 492-22. Councilor Terzano stated there is another parcel, Longfellow Towers, located in the middle of a residential area that was rezoned years ago to allow a multi-family unit. Councilor Bulger stated that all councilors received an email from a resident who had concerns over density, more cars and more people. This resident felt that this would be spot zoning. Councilor Bulger commented after receiving this email he reviewed the Master Plan and considered this as well as the fact that there is a housing shortage, he is comfortable supporting this ordinance.

Roll Call: Ayes: Councilors Terzano, Winczewski, May, Bulger, Johnson, Stibitz and Cain.

Nays: None. Motion Carried.

City Manager: No report.

Moved by Councilor Winczewski, seconded by Councilor May, to approve the Parade Application for the Pep Parade to be held by Ludington High School on Thursday, September 29, 2022 at 12:25 p.m. from Ludington High School to Oriole Field and return. Motion Carried.

Moved by Councilor Winczewski, seconded by Councilor May, to approve the Parade Application for the Homecoming Parade to be held by Ludington High School on Friday, September 30, 2022 at 6 p.m. travelling from Longfellow Towers to Oriole Field. Motion Carried.

Mayor: His Honor Mayor Miller reminded Council about the photo that will be taken at the October 10th meeting.

The meeting was opened for the second public comment period.

Terry Gram, City of Ludington, asked the city to take into consideration the following items before any contract or agreement is entered into for a deer cull. The State of Michigan has a law that prohibits the discharge of a firearm or hunting within 400 feet of a private residence without the resident’s written permission. The City has an ordinance that prohibits firearms in the cemetery and adjacent property, with adjacent property meaning Cartier

Park. The deed for Cartier Park which specifies that the property is to be used for park purposes only and if this is violated, the property reverts back to the family or its heirs.

Mary McVicker, City of Ludington, stated that she is against chickens. She stated that she would hope the City would not consider doing nothing regarding the deer issue and suggested that the ARPA money could be used for health education on ticks or other diseases.

Cheryl Whitehead, City of Ludington, commented that she is pro chicken. Four chickens do not create an odor issue. Chickens eat ticks and Japanese beetles. She stated that she is impressed as to the fact that council has listened.

Tom Rotta, City of Ludington, commented on the selection of the new treasurer and stated that the public was not made aware of the qualifications of the candidates before this decision and councilors were not given this information until the day of the meeting. He asked why an experienced city treasurer was not selected over an someone who has no municipal finance experience.

After no further comments were received, the regular order of business was resumed.

Miscellaneous Business. Councilor Winczewski stated homecoming week.

Moved by Councilor May, seconded by Councilor Winczewski, that the meeting be adjourned. So carried at 7:50 o'clock p.m.


Deborah L. Luskin, City Clerk

"Resolution For Payment of Bills"

TO HIS HONOR THE MAYOR AND MEMBERS OF THE CITY COUNCIL

THE FOLLOWING ACCOUNTS HAVE BEEN EXAMINED BY YOUR FINANCE COMMITTEE
AND PAYMENT IS HEREBY RECOMMENDED.

TOTAL ACCOUNTS PAYABLE FOR THE PERIOD:	<u>\$ 336,736.11</u>
TOTAL PREPAID EXPENDITURES SINCE 09/26/2022, ARE	<u>\$ 322,070.67</u>

THERE FORE THE FINANCE REPORT WITH TOTAL EXPENDITURES IN THE AMOUNT OF FOR THIS PERIOD CAN BE APPROVED AND ORDERS DRAWN ACCORDING TO THE CITY CHARTER AND I SO MOVE.	<u>\$ 658,806.78</u>
--	----------------------

INVOICE DISTRIBUTION REPORT FOR THE CITY OF LUDINGTON
CHECKS DATED FROM 09/27/2022 TO 10/10/2022
GENERAL FUND

FOR THE CITY COUNCIL MEETING TO BE HELD ON OCTOBER 10, 2022

Dept	Account	Payee	Description	Amount
FUND: 101 GENERAL FUND				
000	002-100	CITY OF LUDINGTON	IN LIEU PAYMENT - J CHRISTENSEN	2,952.81
000	002-100	CITY OF LUDINGTON	PAYROLL WEEK ENDING - FIREMEN	35,262.10
000	002-100	CITY OF LUDINGTON	FIREMAN PAYROLL	1,089.96
000	002-100	CITY OF LUDINGTON	PAYROLL WEEK ENDING 09/24/2022	38,374.42
000	002-100	CITY OF LUDINGTON	PAYROLL WEEK ENDING 10/01/2022	35,779.67
000	355-300	BAYER, CODY	REFUND GAZEBO RENTAL	100.00
101	802-000	FIRST NATIONAL BANK OF OMAHA	ZOOM MEETING	44.97
101	864-000	FIRST NATIONAL BANK OF OMAHA	MML CONFERENCE - K WINCZEWSKI	520.00
101	864-000	FIRST NATIONAL BANK OF OMAHA	MML CONFERENCE - S MILLER	216.22
101	864-000	FIRST NATIONAL BANK OF OMAHA	VANDERHAAG - VAN RENTAL	145.55
172	860-000	FIRST NATIONAL BANK OF OMAHA	WESCO - TRANSPORTATION	45.50
172	860-000	FOSTER, MITCH	TRAVEL GRAND RAPIDS	127.50
172	864-000	FIRST NATIONAL BANK OF OMAHA	MML CONFERENCE - M FOSTER	(27.15)
172	864-000	FIRST NATIONAL BANK OF OMAHA	MML CONFERENCE - M FOSTER	(96.21)
172	956-000	FIRST NATIONAL BANK OF OMAHA	RETIREMENT	50.43
215	820-000	FIRST NATIONAL BANK OF OMAHA	MGFOA - MEMBERSHIP DUES D LUSKIN	120.00
215	853-000	CHARTER COMMUNICATIONS	TELEPHONE	399.92
257	860-000	REED, SHAUN	CE CLASSES IN GAYLORD	20.00
262	956-000	FIRST NATIONAL BANK OF OMAHA	ELECTION SUPPLIES	484.76
268	921-000	CONSUMERS ENERGY	UTILITIES - ELECTRIC	30.12
268	921-000	CONSUMERS ENERGY	UTILITIES - ELECTRIC	29.69
268	921-000	CONSUMERS ENERGY	UTILITIES - ELECTRIC	29.27
276	853-000	CHARTER COMMUNICATIONS	TELEPHONE	49.16
276	864-000	FIRST NATIONAL BANK OF OMAHA	CONFERENCE - K CAITHAMER	130.29
276	930-000	FIRST NATIONAL BANK OF OMAHA	EBAY - CABLE TIES	10.76
301	740-000	FIRST NATIONAL BANK OF OMAHA	AXON - TRAINING SUIT	958.23
301	744-000	FIRST NATIONAL BANK OF OMAHA	GLENDALE - UNIFORM CLOTHING	1,421.65
301	802-000	FIRST NATIONAL BANK OF OMAHA	MRWA - HELP WANT AD POSTING	100.00
301	853-000	FRONTIER	TELEPHONE	337.59
301	864-000	HAVEMAN, MICHAEL	TRAINING - LASER	44.00
301	864-000	MILLER, JACOB	TRAINING GRAND RAPIDS	79.00
301	880-000	MORRIS, AUSTIN	REIMBURSE - JOB FAIR SUPPLIES	237.66
336	740-000	FIRST NATIONAL BANK OF OMAHA	THEVESTGUY - REFLECTIVE VESTS	1,446.49
336	740-000	FIRST NATIONAL BANK OF OMAHA	FAMILY - INSECT SPRAY	12.49
336	740-000	FIRST NATIONAL BANK OF OMAHA	EAST COAST - PAGER PARTS	251.35
336	853-000	CHARTER COMMUNICATIONS	TELEPHONE	108.06
336	874-000	LARSEN, MRS JANE	ANNUAL FIREMAN PENSION	320.00
336	874-100	CITY OF LUDINGTON	RETIREMENT-DEFERRED COMP.	1,637.81
336	874-100	CITY OF LUDINGTON	RETIREMENT - DEFERRED COMP	50.61
441	740-000	FIRST NATIONAL BANK OF OMAHA	AMANO - TIME LOCK CARDS	62.40
448	910-000	CONSUMERS ENERGY	UTILITIES - ELECTRIC	1,533.85
751	740-000	FIRST NATIONAL BANK OF OMAHA	EBAY - CLEANSER DISPENSER REFILL	140.08
751	740-600	FIRST NATIONAL BANK OF OMAHA	SWANK - ENCANTO	360.00
751	921-000	CONSUMERS ENERGY	UTILITIES - ELECTRIC	745.52
751	921-000	CONSUMERS ENERGY	UTILITIES - ELECTRIC	40.40
751	921-000	CONSUMERS ENERGY	UTILITIES - ELECTRIC	330.73
751	921-000	CONSUMERS ENERGY	UTILITIES - ELECTRIC	32.23
751	921-000	CONSUMERS ENERGY	UTILITIES - ELECTRIC	120.64
751	930-000	FIRST NATIONAL BANK OF OMAHA	EBAY - TOWEL DISPENSER	111.22
751	930-000	FIRST NATIONAL BANK OF OMAHA	EBAY - U-BOLTS	52.60

Dept	Account	Payee	Description	Amount
753	853-000	FRONTIER	TELEPHONE	53.08
756	921-000	CONSUMERS ENERGY	UTILITIES - ELECTRIC	29.27
756	921-000	CONSUMERS ENERGY	UTILITIES - ELECTRIC	225.79
Total for fund 101 GENERAL FUND				<u>126,732.49</u>
FUND: 202 MAJOR STREETS FUND				
000	002-100	CITY OF LUDINGTON	PAYROLL WEEK ENDING 09/24/2022	300.43
000	002-100	CITY OF LUDINGTON	PAYROLL WEEK ENDING 10/01/2022	583.23
Total for fund 202 MAJOR STREETS FUND				<u>883.66</u>
FUND: 203 LOCAL STREETS FUND				
000	002-100	CITY OF LUDINGTON	PAYROLL WEEK ENDING 09/24/2022	1,931.63
000	002-100	CITY OF LUDINGTON	PAYROLL WEEK ENDING 10/01/2022	1,800.53
Total for fund 203 LOCAL STREETS FUND				<u>3,732.16</u>
FUND: 208 RECREATION FUND				
000	002-100	CITY OF LUDINGTON	PAYROLL WEEK ENDING 09/24/2022	616.29
000	002-100	CITY OF LUDINGTON	PAYROLL WEEK ENDING 10/01/2022	683.05
Total for fund 208 RECREATION FUND				<u>1,299.34</u>
FUND: 211 SENIOR CENTER FUND				
000	002-100	CITY OF LUDINGTON	PAYROLL WEEK ENDING 09/24/2022	3,196.68
000	002-100	CITY OF LUDINGTON	PAYROLL WEEK ENDING 10/01/2022	3,281.41
000	740-000	FIRST NATIONAL BANK OF OMAHA	AMAZON - COFFEE FILTERS/SUNDAE CUPS	85.96
000	741-700	FIRST NATIONAL BANK OF OMAHA	FAMILY FARE - ICE CREAM SOCIAL	44.29
000	802-000	FIRST NATIONAL BANK OF OMAHA	EXPERTRATING SOLUTIONS - TRAINING	69.99
000	802-000	FIRST NATIONAL BANK OF OMAHA	EXPERTRATING SOLUTIONS - TRAINING	69.99
000	802-000	FIRST NATIONAL BANK OF OMAHA	EXPERTRATING SOLUTIONS - TRAINING	69.99
000	802-000	FIRST NATIONAL BANK OF OMAHA	EXPERTRATING SOLUTIONS - TRAINING	69.99
000	802-000	FIRST NATIONAL BANK OF OMAHA	EXPERTRATING SOLUTIONS - TRAINING	69.99
000	802-000	FIRST NATIONAL BANK OF OMAHA	EXPERTRATING SOLUTIONS - TRAINING	69.99
000	802-000	FIRST NATIONAL BANK OF OMAHA	EXPERTRATING SOLUTIONS - TRAINING	69.99
000	853-000	CHARTER COMMUNICATIONS	TELEPHONE	130.48
000	860-000	FIRST NATIONAL BANK OF OMAHA	LULLOFF - VAN RENTAL WISCONSIN TRIP	400.00
000	860-000	FIRST NATIONAL BANK OF OMAHA	LULLOFF - VAN RENTAL WISCONSIN TRIP	(53.50)
000	860-000	FIRST NATIONAL BANK OF OMAHA	HOTEL - WISCONSIN TRIP	1,419.00
000	860-000	GEITZEN, PAT	CANCELED TRIP - NEW ORLEANS	879.00
000	860-000	WEBER, KATHY	CANCELED TRIP - NEW ORLEANS	879.00
000	921-000	CONSUMERS ENERGY	UTILITIES - ELECTRIC	346.87
Total for fund 211 SENIOR CENTER FUND				<u>11,029.13</u>
FUND: 493 DDA OPERATING FUND				
000	272-000	EVERGREEN NATURAL FOODS MARKET	GIFT CERTIFICATES PAYABLE	10.00
000	272-000	JAMESPORT BREWING CO	GIFT CERTIFICATES PAYABLE	120.00
000	272-000	KILWINS LUDINGTON	GIFT CERTIFICATES PAYABLE	30.00
000	272-000	LUDINGTON BAY BREWING COMPANY	GIFT CERTIFICATES PAYABLE	80.00
000	272-000	LUDINGTON PUB	GIFT CERTIFICATES PAYABLE	10.00
000	272-000	OLD HAMLIN RESTAURANT	GIFT CERTIFICATES PAYABLE	20.00
000	272-000	RED ROOSTER COFFEE & COMMUNITY	GIFT CERTIFICATES PAYABLE	10.00
000	272-000	SNYDERS SHOES	GIFT CERTIFICATES PAYABLE	160.00
000	272-000	SPORTSMANS RESTAURANTS	GIFT CERTIFICATES PAYABLE	30.00
000	272-000	THE Q SMOKEHOUSE	GIFT CERTIFICATES PAYABLE	40.00
000	272-000	GLIKS	GIFT CERTIFICATES PAYABLE	60.00
000	802-000	FIRST NATIONAL BANK OF OMAHA	GOOGLE STORAGE	1.99
000	853-000	FRONTIER	TELEPHONE	44.63
Total for fund 493 DDA OPERATING FUND				<u>616.62</u>

Dept	Account	Payee	Description	Amount
FUND: 508 CARTIER PARK CAMPGROUND FUND				
000	002-100	CITY OF LUDINGTON	PAYROLL WEEK ENDING 09/24/2022	2,652.37
000	002-100	CITY OF LUDINGTON	PAYROLL WEEK ENDING 10/01/2022	2,682.49
000	853-000	CHARTER COMMUNICATIONS	TELEPHONE	49.99
Total for fund 508 CARTIER PARK CAMPGROUND FUND				<u>5,384.85</u>
FUND: 542 RENTAL INSPECTION FUND				
000	002-100	CITY OF LUDINGTON	PAYROLL WEEK ENDING 09/24/2022	664.36
000	002-100	CITY OF LUDINGTON	PAYROLL WEEK ENDING 10/01/2022	640.62
000	040-000	LONEY, JAMIE	SHORT TERM INSPECTION/LICENSE REFUND	1,600.00
Total for fund 542 RENTAL INSPECTION FUND				<u>2,904.98</u>
FUND: 591 WATER MAINTENANCE & WATER FUND				
000	002-100	CITY OF LUDINGTON	PAYROLL WEEK ENDING 09/24/2022	13,757.50
000	002-100	CITY OF LUDINGTON	PAYROLL WEEK ENDING 10/01/2022	14,980.07
000	041-000	RYAN, JAMES T	FINAL CHARGES	6.43
000	041-000	RYAN, JAMES T	WATER SERVICE CHARGE	2.86
000	802-000	FIRST NATIONAL BANK OF OMAHA	MRWA - HELP WANT AD POSTING	49.00
000	864-000	FIRST NATIONAL BANK OF OMAHA	MRWA - CONFERENCE/TRAINING M COMSTOCK	320.00
000	864-000	FIRST NATIONAL BANK OF OMAHA	MRWA - CONFERENCE/TRAINING J LENIO	320.00
000	864-000	FIRST NATIONAL BANK OF OMAHA	EGLE - TRAINING M COMSTOCK	70.00
000	864-000	FIRST NATIONAL BANK OF OMAHA	EGLE - TRAINING E BROOKS	70.00
000	864-000	FIRST NATIONAL BANK OF OMAHA	EGLE - TRAINING J LENIO	70.00
556	853-000	FRONTIER	TELEPHONE	65.86
556	864-000	FIRST NATIONAL BANK OF OMAHA	AWWA - TRAINING - J HOCKEMEYER	130.00
556	930-000	FIRST NATIONAL BANK OF OMAHA	EMEDCO - SIGNAGE	63.91
556	930-000	FIRST NATIONAL BANK OF OMAHA	LOWES - A/C FOAM REPLACEMENT	31.92
Total for fund 591 WATER MAINTENANCE & WATER FUND				<u>29,937.55</u>
FUND: 592 SEWER MAINTENANCE & WASTEWATER FUND				
000	002-100	CITY OF LUDINGTON	PAYROLL WEEK ENDING 09/24/2022	10,100.00
000	002-100	CITY OF LUDINGTON	PAYROLL WEEK ENDING 10/01/2022	10,074.77
000	042-000	RYAN, JAMES T	SEWER SERVICE CHARGE	5.01
527	853-000	FRONTIER	TELEPHONE	42.63
527	853-000	FRONTIER	TELEPHONE	76.86
527	853-000	FRONTIER	TELEPHONE	39.18
527	921-000	CONSUMERS ENERGY	UTILITIES - ELECTRIC	123.09
527	921-000	CONSUMERS ENERGY	UTILITIES - ELECTRIC	40.97
527	921-100	CONSUMERS ENERGY	UTILITIES - ELECTRIC - WWTP	22,844.25
Total for fund 592 SEWER MAINTENANCE & WASTEWATER FUND				<u>43,346.76</u>
FUND: 594 MUNICIPAL MARINA FUND				
000	002-100	CITY OF LUDINGTON	PAYROLL WEEK ENDING 09/24/2022	3,885.71
000	002-100	CITY OF LUDINGTON	PAYROLL WEEK ENDING 10/01/2022	3,816.28
000	921-000	CONSUMERS ENERGY	UTILITIES - ELECTRIC	119.43
000	970-802	MEECO SULLIVAN LLC	DOCK IMPROVEMENTS F DOCK	61,861.00
Total for fund 594 MUNICIPAL MARINA FUND				<u>69,682.42</u>
FUND: 595 HARBOR VIEW MARINA FUND				
000	002-100	CITY OF LUDINGTON	PAYROLL WEEK ENDING 09/24/2022	4,192.92
000	002-100	CITY OF LUDINGTON	PAYROLL WEEK ENDING 10/01/2022	4,652.88
000	355-300	SPECTRUM HEALTH LUDINGTON	REFUND DEPOSIT	100.00
000	853-000	CHARTER COMMUNICATIONS	TELEPHONE& TELEVISION	234.32
000	921-000	CONSUMERS ENERGY	UTILITIES - ELECTRIC	4,794.89
Total for fund 595 HARBOR VIEW MARINA				<u>13,975.01</u>

Dept	Account	Payee	Description	Amount
FUND: 650 TECHNOLOGY FUND				
000	802-100	SYNCWAVE LLC	INTERNET CONNECTIONS	59.45
000	802-100	CHARTER COMMUNICATIONS	INTERNET CONNECTIONS	224.98
000	802-100	CHARTER COMMUNICATIONS	INTERNET CONNECTIONS	329.98
000	802-100	CHARTER COMMUNICATIONS	INTERNET CONNECTIONS	109.99
000	802-100	CHARTER COMMUNICATIONS	INTERNET CONNECTIONS	134.98
000	802-100	CHARTER COMMUNICATIONS	INTERNET CONNECTIONS	134.98
000	802-100	CHARTER COMMUNICATIONS	INTERNET CONNECTIONS	124.98
000	802-100	CHARTER COMMUNICATIONS	INTERNET CONNECTIONS	104.98
000	802-100	CHARTER COMMUNICATIONS	INTERNET CONNECTIONS	89.99
000	802-100	CHARTER COMMUNICATIONS	INTERNET CONNECTIONS	69.99
000	802-100	CHARTER COMMUNICATIONS	INTERNET CONNECTIONS	147.98
000	802-100	CHARTER COMMUNICATIONS	INTERNET CONNECTIONS	199.99
Total for fund 650 TECHNOLOGY FUND				<u>1,732.27</u>
FUND: 661 MOTOR POOL FUND				
000	002-100	CITY OF LUDINGTON	PAYROLL WEEK ENDING 09/24/2022	5,071.90
000	002-100	CITY OF LUDINGTON	PAYROLL WEEK ENDING 10/01/2022	4,617.67
000	921-000	CONSUMERS ENERGY	UTILITIES-ELECTRIC	1,123.86
Total for fund 661 MOTOR POOL FUND				<u>10,813.43</u>
TOTAL PREPAID EXPENDITURES:				322,070.67

INVOICE DISTRIBUTION REPORT FOR THE CITY OF LUDINGTON
 INVOICES DATED FROM 09/27/2022 TO 10/10/2022
 GENERAL FUND

FOR THE CITY COUNCIL MEETING TO BE HELDON OCTOBER 10, 2022

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount
Fund 101 GENERAL FUND				
Dept 000				
101-000-111-000	SUPPLY INVENTORY	NICHOLS PAPER & SUPPLY COMPANY	TOWELS	190.83
101-000-111-000	SUPPLY INVENTORY	NICHOLS PAPER & SUPPLY COMPANY	DISINFECTANT CLEANER/WIPERS/CLEANER	657.57
101-000-123-000	PREPAID EXPENSE	MICHIGAN MUNICIPAL RISK MANAGEMENT	INSURANCE	8,876.00
Total For Dept 000				9,724.40
Dept 101 CITY COUNCIL & MAYOR				
101-101-853-000	TELEPHONE	TERZANO, JOHN	TELEPHONE REIMBURSEMENT	270.00
Total For Dept 101 CITY COUNCIL & MAYOR				270.00
Dept 172 MANAGER'S OFFICE				
101-172-728-000	SAFETY COMM./SUPPLIES	WAL-MART COMMUNITY	SAFETY MEETING SUPPLIES	161.00
Total For Dept 172 MANAGER'S OFFICE				161.00
Dept 215 CLERK'S OFFICE				
101-215-719-100	HEALTH INSURANCE REIMBURSE	HANSEN, GERRY L	HEALTH INSURANCE REIMBURSE	250.00
101-215-727-000	OFFICE SUPPLIES	8X8 INC	PHONE SYSTEM	6,629.99
101-215-727-000	OFFICE SUPPLIES	INTEGRITY BUSINESS SOLUTIONS	COPY PAPER	429.90
101-215-727-000	OFFICE SUPPLIES	INTEGRITY BUSINESS SOLUTIONS	PENS	5.99
101-215-727-000	OFFICE SUPPLIES	JACKPINE BUSINESS CENTER	ENVELOPES	57.00
101-215-802-000	CONTRACTUAL SERVICES	JOURNEY RETIREMENT PLAN SERVICES	PLAN ADMINISTRATION	600.00
101-215-802-000	CONTRACTUAL SERVICES	MICHIGAN OFFICE SOLUTIONS	COPIER MAINTENANCE	1,132.71
Total For Dept 215 CLERK'S OFFICE				9,105.59
Dept 253 TREASURER'S OFFICE				
101-253-719-100	HEALTH INSURANCE REIMBURSE	REEDS MORTENSEN, MARY	HEALTH INSURANCE REIMBURSE	250.00
101-253-802-000	CONTRACTUAL SERVICES	ALL ACCESS CARE	PRE EMPLOYMENT PHYSICAL - V DIDUR	110.00
Total For Dept 253 TREASURER'S OFFICE				360.00
Dept 257 ASSESSOR & BUILDING INSPECTOR'S OFFICE				
101-257-802-200	CONTRACTUAL SERVICES-ASSESSING	DARWIN APPRAISAL SERVICE INC	ASSESSING SERVICES	5,782.00
Total For Dept 257 ASSESSOR & BUILDING INSPECTOR'S OFFICE				5,782.00
Dept 262 ELECTIONS				
101-262-740-000	OPERATING SUPPLIES	PERE MARQUETTE CHARTER TOWNSHIP	RECLOSABLE POLY BAGS	33.00
Total For Dept 262 ELECTIONS				33.00
Dept 265 CITY HALL & GROUNDS				
101-265-740-000	OPERATING SUPPLIES	ORCHARD MARKET	LANDSCAPING	14.99
101-265-802-000	CONTRACTUAL SERVICES	CINTAS	REPLACE W/CLEAN MATS/RUNNERS	61.92
101-265-802-000	CONTRACTUAL SERVICES	GREENE ELECTRIC INC	REPLACE PARKING LOT LIGHTS	3,900.00
101-265-930-000	REPAIR MAINTENANCE SUPPLIES	LARSON'S ACE HARDWARE	CLEANER/BATTERIES	24.00
101-265-930-000	REPAIR MAINTENANCE SUPPLIES	LUDINGTON PAINT & GLASS	PAINT	88.04
101-265-930-000	REPAIR MAINTENANCE SUPPLIES	MEDLER ELECTRIC COMPANY	LIGHTS	6.79
101-265-930-000	REPAIR MAINTENANCE SUPPLIES	MEDLER ELECTRIC COMPANY	LIGHTS	13.57
Total For Dept 265 CITY HALL & GROUNDS				4,109.31
Dept 266 CITY ATTORNEY				
101-266-801-200	PROFESSIONAL SERVICES - CRIM	MASON COUNTY	PROSECUTOR SERVICES OCT-DEC	3,935.50
Total For Dept 266 CITY ATTORNEY				3,935.50

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	PAGE 2
Dept 268 CITY PROPERTY-DOWNTOWN					
101-268-802-000	CONTRACTUAL SERVICES	ICS DATA	WAGES - CAMERA INSTALLATION	927.29	
101-268-930-000	REPAIR MAINTENANCE SUPPLIES	HOME DEPOT CREDIT SERVICES	RATCHET STRAPS	19.94	
101-268-930-000	REPAIR MAINTENANCE SUPPLIES	LARSON'S ACE HARDWARE	ELECTRICAL TAPE	5.10	
101-268-930-000	REPAIR MAINTENANCE SUPPLIES	LARSON'S ACE HARDWARE	BOLTS	8.07	
Total For Dept 268 CITY PROPERTY-DOWNTOWN				960.40	
Dept 276 CEMETERY					
101-276-740-000	OPERATING SUPPLIES	COLD SPRING GRANITE COMPANY	PLAQUE - R TORREY	254.70	
101-276-927-000	UTILITIES - WATER	CITY OF LUDINGTON	WATER	991.20	
101-276-927-000	UTILITIES - WATER	CITY OF LUDINGTON	WATER	931.68	
101-276-927-000	UTILITIES - WATER	CITY OF LUDINGTON	WATER	1,898.88	
101-276-970-000	CAPITAL IMPROVEMENT	ZUPIN CRANE LLC	UNLOAD/SET COLUMBARIUM	2,575.00	
Total For Dept 276 CEMETERY				6,651.46	
Dept 301 POLICE DEPARTMENT					
101-301-719-100	HEALTH INSURANCE REIMBURSE	CASTONIA, GARY	HEALTH INSURANCE REIMBURSE	200.00	
101-301-719-100	HEALTH INSURANCE REIMBURSE	DVORAK, STEVE	HEALTH INSURANCE REIMBURSE	200.00	
101-301-719-100	HEALTH INSURANCE REIMBURSE	GRAMS, DENNIS	HEALTH INSURANCE REIMBURSE	200.00	
101-301-719-100	HEALTH INSURANCE REIMBURSE	HARPER, JACK	HEALTH INSURANCE REIMBURSE	100.00	
101-301-719-100	HEALTH INSURANCE REIMBURSE	HARRIE, MICHAEL	HEALTH INSURANCE REIMBURSE	200.00	
101-301-719-100	HEALTH INSURANCE REIMBURSE	KRIEG, JAMES	HEALTH INSURANCE REIMBURSE	200.00	
101-301-719-100	HEALTH INSURANCE REIMBURSE	MALTBIE, DAVID	HEALTH INSURANCE REIMBURSE	200.00	
101-301-719-100	HEALTH INSURANCE REIMBURSE	PRUNEAU, RICHARD	HEALTH INSURANCE REIMBURSE	200.00	
101-301-719-100	HEALTH INSURANCE REIMBURSE	SCHULTZ, DEAN	HEALTH INSURANCE REIMBURSE	200.00	
101-301-719-100	HEALTH INSURANCE REIMBURSE	TARANKO, SALLY	HEALTH INSURANCE REIMBURSE	200.00	
101-301-740-000	OPERATING SUPPLIES	GALLS LLC	FLASH LIGHTS	623.38	
101-301-740-100	SERT-OPERATING SUPPLIES	PHOENIX DISTRIBUTORS	POLICE GEAR / RIFLE	875.00	
101-301-744-000	CLOTHING ALLOWANCE	NYE UNIFORM COMPANY	UNIFORM SUPPLIES	115.02	
101-301-744-000	CLOTHING ALLOWANCE	NYE UNIFORM COMPANY	UNIFORM SUPPLIES	85.36	
101-301-802-000	CONTRACTUAL SERVICES	TKS SECURITY	WEBSITE MAINTENANCE	120.00	
101-301-802-000	CONTRACTUAL SERVICES	TRANSUNION RISK & ALTERNATIVE	COMPUTER CHECKS	75.00	
101-301-821-200	SOR FEES	STATE OF MICHIGAN	COMPUTER CHECKS	30.00	
101-301-853-000	TELEPHONE	CENTURYLINK	LONG DISTANCE PHONE USAGE	2.49	
101-301-860-000	TRANSPORTATION	WEX BANK	TRANSPORTATION	61.04	
Total For Dept 301 POLICE DEPARTMENT				3,887.29	
Dept 336 FIRE DEPARTMENT					
101-336-802-000	CONTRACTUAL SERVICES	TNT ENTERPRIZE	FACILITY CLEANING	100.00	
101-336-864-000	CONFERENCES & WORKSHOPS	LEXIPOL	TRAINING	1,835.10	
101-336-880-000	COMMUNITY PROMOTIONS	ALERT-ALL CORP	FIRE SAFETY PROMOTIONS	680.00	
101-336-927-000	UTILITIES - WATER	CITY OF LUDINGTON	WATER	490.06	
101-336-927-000	UTILITIES - WATER	CITY OF LUDINGTON	WATER	393.73	
Total For Dept 336 FIRE DEPARTMENT				3,498.89	
Dept 441 DPW/MUNICIPAL SERVICES					
101-441-719-100	HEALTH INSURANCE REIMBURSE	LEDGER, JULIE	HEALTH INSURANCE REIMBURSE	150.00	
101-441-719-100	HEALTH INSURANCE REIMBURSE	MCDONALD, SHAWN	HEALTH INSURANCE REIMBURSE	200.00	
101-441-740-000	OPERATING SUPPLIES	HOME DEPOT CREDIT SERVICES	GLOVES	162.00	
Total For Dept 441 DPW/MUNICIPAL SERVICES				512.00	
Dept 728 ECONOMIC & COMMUNITY DEVELOPMENT					
101-728-853-100	CELLULAR PHONE	TYKOSKI, HEATHER L VENZKE	CELL PHONE REIMBURSEMENT	1,800.00	
Total For Dept 728 ECONOMIC & COMMUNITY DEVELOPMENT				1,800.00	

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	PAGE 3
Dept 751 PARKS DEPARTMENT					
101-751-740-000	OPERATING SUPPLIES	FASTENAL COMPANY	CABLE TIES/PAINT	146.49	
101-751-740-000	OPERATING SUPPLIES	LARSON'S ACE HARDWARE	PLIERS	12.34	
101-751-927-000	UTILITIES - WATER	CITY OF LUDINGTON	WATER	579.52	
101-751-927-000	UTILITIES - WATER	CITY OF LUDINGTON	WATER	553.58	
101-751-927-000	UTILITIES - WATER	CITY OF LUDINGTON	WATER	220.57	
101-751-927-000	UTILITIES - WATER	CITY OF LUDINGTON	WATER	19.24	
101-751-927-000	UTILITIES - WATER	CITY OF LUDINGTON	WATER	5,447.76	
101-751-927-000	UTILITIES - WATER	CITY OF LUDINGTON	WATER	35.80	
101-751-927-000	UTILITIES - WATER	CITY OF LUDINGTON	WATER	68.84	
101-751-927-000	UTILITIES - WATER	CITY OF LUDINGTON	WATER	148.20	
101-751-927-000	UTILITIES - WATER	CITY OF LUDINGTON	WATER	2,226.24	
101-751-927-000	UTILITIES - WATER	CITY OF LUDINGTON	WATER	672.90	
101-751-927-000	UTILITIES - WATER	CITY OF LUDINGTON	WATER	827.86	
101-751-927-000	UTILITIES - WATER	CITY OF LUDINGTON	WATER	111.30	
101-751-927-000	UTILITIES - WATER	CITY OF LUDINGTON	WATER	15,115.44	
101-751-930-000	REPAIR MAINTENANCE SUPPLIES	LARSON'S ACE HARDWARE	WIPES/DUCT TAPE	19.64	
101-751-930-000	REPAIR MAINTENANCE SUPPLIES	LARSON'S ACE HARDWARE	WASHERS	10.44	
		Total For Dept 751 PARKS DEPARTMENT		<u>26,216.16</u>	
Dept 753 BEACH SAFETY					
101-753-802-000	CONTRACTUAL SERVICES	COOKS PROPERTY SERVICES	INSTALL/REMOVE SWIM BUOYS	1,000.00	
		Total For Dept 753 BEACH SAFETY		<u>1,000.00</u>	
Dept 756 LAUNCHING RAMPS					
101-756-927-000	UTILITIES - WATER	CITY OF LUDINGTON	WATER	1,062.94	
101-756-927-000	UTILITIES - WATER	CITY OF LUDINGTON	WATER	345.60	
		Total For Dept 756 LAUNCHING RAMPS		<u>1,408.54</u>	
Dept 906 DEBT SERVICE					
101-906-991-000	PRINCIPAL	XEROX CORPORATION	COPIER/PRINTER LEASE	30.58	
		Total For Dept 906 DEBT SERVICE		<u>30.58</u>	
Dept 961 MISCELLANEOUS					
101-961-969-100	CONT. TO M.C. GROWTH ALLIANCE	THE CHAMBER LUDINGTON & SCOTTVILLE	ECONOMIC DEVELOPMENT PROGRAMMING	15,050.00	
		Total For Dept 961 MISCELLANEOUS		<u>15,050.00</u>	
		Total For Fund 101 GENERAL FUND		94,496.12	
Fund 202 MAJOR STREETS FUND					
Dept 451 CONSTRUCTION & SURFACING					
202-451-821-100	ENGINEERING EXPENSES - CAT F	PREIN & NEWHOF INC	WASHINGTON AVE RECONSTRUCTION PROJECT	31,673.20	
		Total For Dept 451 CONSTRUCTION & SURFACING		<u>31,673.20</u>	
		Total For Fund 202 MAJOR STREETS FUND		31,673.20	
Fund 211 SENIOR CENTER FUND					
Dept 000					
211-000-802-000	CONTRACTUAL SERVICES	LITURGICAL PUBLICATIONS INC	ANNUAL HOSTING FEE	540.00	
		Total For Dept 000		<u>540.00</u>	
		Total For Fund 211 SENIOR CENTER FUND		540.00	

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	PAGE 4
Fund 493 DDA OPERATING FUND					
Dept 000					
493-000-802-000	CONTRACTUAL SERVICES	PLUMLEY, SHERYL	MARKET MASTER	3,135.00	
		Total For Dept 000		<u>3,135.00</u>	
		Total For Fund 493 DDA OPERATING FUND		3,135.00	
Fund 508 CARTIER PARK CAMPGROUND FUND					
Dept 000					
508-000-123-000	PREPAID EXPENSE	MICHIGAN MUNICIPAL RISK MANAGEMENT	INSURANCE	2,219.00	
508-000-740-000	OPERATING SUPPLIES	CIS SNOW PLOWING & EXCAVATING INC	DELIVER BLACK DIRT	2,970.00	
508-000-740-300	VENDING SUPPLIES	NORTHERN VACATION SERVICES	CAMPFIRE WOOD BUNDLES	1,125.00	
508-000-927-000	UTILITIES - WATER	CITY OF LUDINGTON	WATER	1,161.22	
508-000-927-000	UTILITIES - WATER	CITY OF LUDINGTON	WATER	2,899.63	
508-000-930-000	REPAIR MAINTENANCE SUPPLIES	LOWES BUSINESS ACCOUNT	LANDSCAPING/GRASS SEED	91.18	
508-000-930-000	REPAIR MAINTENANCE SUPPLIES	MUSTARD, GARRICK	SPREAD TOPSOIL	504.00	
508-000-930-000	REPAIR MAINTENANCE SUPPLIES	THE MARKET	LANDSCAPING	14.00	
508-000-930-000	REPAIR MAINTENANCE SUPPLIES	THE MARKET	LANDSCAPING	7.00	
508-000-930-000	REPAIR MAINTENANCE SUPPLIES	THE MARKET	LANDSCAPING	28.00	
508-000-970-801	CAPITAL IMPROVEMENT-PROF	SPICER GROUP	CARTIER PARK CAMPGROUND IMPROVEMENTS	11,618.00	
		Total For Dept 000		<u>22,637.03</u>	
		Total For Fund 508 CARTIER PARK CAMPGROUND FUND		22,637.03	
Fund 591 WATER MAINTENANCE & WATER FUND					
Dept 000					
591-000-123-000	PREPAID EXPENSE	MICHIGAN MUNICIPAL RISK MANAGEMENT	INSURANCE	6,657.00	
591-000-719-100	HEALTH INSURANCE REIMBURSE	COPENHAVER, DANIEL D	HEALTH INSURANCE REIMBURSE	100.00	
591-000-740-000	OPERATING SUPPLIES	BLACKBURN MANUFACTURING COMPANY	UTILITY FLAGS	246.00	
591-000-740-000	OPERATING SUPPLIES	ETNA SUPPLY COMPANY	SENSUS AUTO GUN	(1,800.00)	
591-000-740-000	OPERATING SUPPLIES	FASTENAL COMPANY	PAINT	13.93	
591-000-782-000	ROAD MATERIAL & SUPPLIES	SRM CONCRETE LLC	CONCRETE MIX	207.59	
591-000-801-000	PROFESSIONAL SERVICES	FISHBECK THOMPSON CARR & HUBER INC	PROFESSIONAL SERVICES	8,114.95	
591-000-802-000	CONTRACTUAL SERVICES	CCRA PROFESSIONAL SERVICES LLC	CROSS CONNECTION INSPECTIONS	6,395.40	
591-000-930-000	REPAIR MAINTENANCE SUPPLIES	ETNA SUPPLY COMPANY	CURB STOP BOXES/FRAMES	3,141.00	
591-000-930-000	REPAIR MAINTENANCE SUPPLIES	ETNA SUPPLY COMPANY	VALVE BOX	201.60	
591-000-930-000	REPAIR MAINTENANCE SUPPLIES	ETNA SUPPLY COMPANY	DROP HEAD	176.00	
591-000-930-000	REPAIR MAINTENANCE SUPPLIES	ETNA SUPPLY COMPANY	METER GASKETS	52.82	
591-000-930-000	REPAIR MAINTENANCE SUPPLIES	FASTENAL COMPANY	HOSE	39.06	
591-000-930-000	REPAIR MAINTENANCE SUPPLIES	GRAINGER	DATA CABLE	123.00	
591-000-930-000	REPAIR MAINTENANCE SUPPLIES	LUDINGTON PAINT & GLASS	FIRE HYDRANT PAINT	1,424.00	
591-000-982-000	METERS & HYDRANTS	ETNA SUPPLY COMPANY	METERS	(9,585.00)	
591-000-982-000	METERS & HYDRANTS	ETNA SUPPLY COMPANY	METERS	10,650.00	
591-000-982-000	METERS & HYDRANTS	ETNA SUPPLY COMPANY	METERS	9,000.00	
		Total For Dept 000		<u>35,157.35</u>	
Dept 556 WATER FUND					
591-556-740-000	OPERATING SUPPLIES	NORTH CENTRAL LABORATORIES	INDICATOR SOLUTION	807.66	
591-556-740-000	OPERATING SUPPLIES	USA BLUE BOOK	LAB SUPPLIES/CHEMICALS	201.00	
591-556-740-000	OPERATING SUPPLIES	USA BLUE BOOK	LAB SUPPLIES/CHEMICALS	971.38	
591-556-740-000	OPERATING SUPPLIES	VWR INTERNATIONAL INC	LAB SUPPLIES/CHEMICALS	1,644.60	
591-556-801-000	PROFESSIONAL SERVICE	FISHBECK THOMPSON CARR & HUBER INC	PROFESSIONAL SERVICES	4,212.50	
591-556-802-000	CONTRACTUAL SERVICES	STAR CRANE & HOIST SERVICE INC	ANNUAL INSPECTION	451.30	
591-556-802-000	CONTRACTUAL SERVICES	TNT ENTERPRIZE	MOWING	80.00	
591-556-802-000	CONTRACTUAL SERVICES	TOBY'S INSTRUMENT SHOP INC	INSTRUMENT CALIBRATION	346.85	
591-556-802-000	CONTRACTUAL SERVICES	TRACE ANALYTICAL LABORATORIES	TESTING	185.25	
591-556-853-000	TELEPHONE	CENTURYLINK	LONG DISTANCE PHONE USAGE	0.22	

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount
591-556-853-100	CELLULAR PHONE	HOCKEMEYER, JAMIE	CELL PHONE REIMBURSEMENT	45.00
591-556-930-000	REPAIR MAINTENANCE SUPPLIES	GRAINGER	PRESSURE GAUGE/BOOT DRYER	384.48
591-556-930-000	REPAIR MAINTENANCE SUPPLIES	LARSON'S ACE HARDWARE	GREASE GUN	19.93
591-556-930-000	REPAIR MAINTENANCE SUPPLIES	LARSON'S ACE HARDWARE	GLOVES	53.82
591-556-930-000	REPAIR MAINTENANCE SUPPLIES	LARSON'S ACE HARDWARE	FLASH LIGHT	(12.34)
591-556-930-000	REPAIR MAINTENANCE SUPPLIES	LARSON'S ACE HARDWARE	BATTERY/FLASH LIGHT	33.98
591-556-930-000	REPAIR MAINTENANCE SUPPLIES	LARSON'S ACE HARDWARE	WRENCH/FLASH LIGHT/WIRE CUTTER/PLIERS	525.91
591-556-930-000	REPAIR MAINTENANCE SUPPLIES	MEDLER ELECTRIC COMPANY	LED EMERGENCY LIGHTS	60.74
591-556-930-000	REPAIR MAINTENANCE SUPPLIES	NAPA LUDINGTON	SAWZALL/RATCHET	479.98
591-556-970-802	CAPITAL IMPROVEMENT-CONT	MBA DISTRIBUTING INC	ELECTRIC CHECK VALVE PUMP CONTROL	20,716.00
		Total For Dept 556 WATER FUND		31,208.26

Total For Fund 591 WATER MAINTENANCE & WATER FUND 66,365.61

Fund 592 SEWER MAINTENANCE & WASTEWATER FUND

Dept 000				
592-000-123-000	PREPAID EXPENSE	MICHIGAN MUNICIPAL RISK MANAGEMENT	INSURANCE	6,657.00
592-000-740-000	OPERATING SUPPLIES	BLACKBURN MANUFACTURING COMPANY	UTILITY FLAGS	246.00
592-000-740-000	OPERATING SUPPLIES	LARSON'S ACE HARDWARE	MARKING PAINT	18.98
592-000-740-000	OPERATING SUPPLIES	LARSON'S ACE HARDWARE	SANITIZER/CABLE TIES	18.21
592-000-782-000	ROAD MAINTENANCE	ETNA SUPPLY COMPANY	FRAMES	423.00
592-000-782-000	ROAD MAINTENANCE	RIETH-RILEY CONSTRUCTION CO INC	TRAP ROCK	25.90
592-000-782-000	ROAD MAINTENANCE	SRM CONCRETE LLC	CONCRETE MIX	207.59
		Total For Dept 000		7,596.68

Dept 527 WASTEWATER FUND

592-527-740-000	OPERATING SUPPLIES	BLARNEY CASTLE OIL COMPANY	GREASE	77.48
592-527-740-000	OPERATING SUPPLIES	HACH COMPANY	LAB SUPPLIES/CHEMICALS	156.46
592-527-740-000	OPERATING SUPPLIES	LARSON'S ACE HARDWARE	BALLAST LIGHTS	27.54
592-527-740-000	OPERATING SUPPLIES	LARSON'S ACE HARDWARE	BALLAST LIGHTS	(61.74)
592-527-740-000	OPERATING SUPPLIES	LARSON'S ACE HARDWARE	AIR FILTER BAGS	53.47
592-527-740-000	OPERATING SUPPLIES	THE SHERWIN-WILLIAMS CO	PAINT	69.83
592-527-801-000	PROFESSIONAL SERVICES	FISHBECK THOMPSON CARR & HUBER INC	PROFESSIONAL SERVICES	19,377.70
592-527-801-000	PROFESSIONAL SERVICES	FISHBECK THOMPSON CARR & HUBER INC	PROFESSIONAL SERVICES	8,114.95
592-527-802-000	CONTRACTUAL SERVICES	REPUBLIC SERVICES # 239	REFUSE PICK UP - SEPTEMBER	230.76
592-527-853-000	TELEPHONE	CENTURYLINK	LONG DISTANCE PHONE USAGE	0.13
592-527-930-000	REPAIR MAINTENANCE SUPPLIES	AUTOMATIONDIRECT.COM INC	REPLACEMENT KEY PAD	144.00
592-527-930-000	REPAIR MAINTENANCE SUPPLIES	LARSON'S ACE HARDWARE	BALLAST LIGHTS	70.28
		Total For Dept 527 WASTEWATER FUND		28,260.86

Total For Fund 592 SEWER MAINTENANCE & WASTEWATER FUND 35,857.54

Fund 594 MUNICIPAL MARINA FUND

Dept 000				
594-000-123-000	PREPAID EXPENSE	MICHIGAN MUNICIPAL RISK MANAGEMENT	INSURANCE	2,219.00
594-000-123-000	PREPAID EXPENSE	WATERWAY GUIDE	ADVERTISING	558.50
594-000-751-000	GASOLINE MOTOR OIL	BLARNEY CASTLE OIL COMPANY	GASOLINE PURCHASED	8,869.96
594-000-751-100	DIESEL	BLARNEY CASTLE OIL COMPANY	DIESEL PURCHASED	4,631.80
594-000-802-000	CONTRACTED SERVICES	OLSON IRRIGATION INC	REPAIR IRRIGATION SYSTEM	1,263.74
594-000-927-000	UTILITIES - WATER	CITY OF LUDINGTON	WATER	3,808.18
594-000-927-000	UTILITIES - WATER	CITY OF LUDINGTON	WATER	5,404.11
594-000-930-000	REPAIR MAINTENANCE SUPPLIES	X-CEL CHEMICAL SPECIALTIES NORTH LL	FOAMING HAIR/BODY SHAMPOO	82.06
594-000-930-000	REPAIR MAINTENANCE SUPPLIES	X-CEL CHEMICAL SPECIALTIES NORTH LL	PAPER LINERS	57.49
594-000-930-000	REPAIR MAINTENANCE SUPPLIES	X-CEL CHEMICAL SPECIALTIES NORTH LL	BATH TISSUE	188.63

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	PAGE 6
594-000-970-801	CAPITAL IMPROVEMENT-PROF	PREIN & NEWHOF INC	MUNICIPAL MARINA F DOCK IMPROVEMENTS	141.00	
594-000-970-801	CAPITAL IMPROVEMENT-PROF	PREIN & NEWHOF INC	MUNICIPAL MARINA E DOCK IMPROVEMENTS	1,015.90	
594-000-970-802	CAPITAL IMPROVEMENT-CONT	J RANCK ELECTRIC INC	MUNICIPAL MARINA F DOCK IMPROVEMENTS	26,673.80	
		Total For Dept 000		54,914.17	
		Total For Fund 594 MUNICIPAL MARINA FUND		54,914.17	
Fund 595 HARBOR VIEW MARINA					
Dept 000					
595-000-123-000	PREPAID EXPENSE	MICHIGAN MUNICIPAL RISK MANAGEMENT	INSURANCE	2,219.00	
595-000-123-000	PREPAID EXPENSE	WATERWAY GUIDE	ADVERTISING	558.50	
595-000-740-000	OPERATING SUPPLIES	LARSON'S ACE HARDWARE	AIR FILTERS	27.98	
595-000-802-000	CONTRACTUAL SERVICES	C & I ELECTRIC INC	CHANGE BREAKER	72.00	
595-000-802-000	CONTRACTUAL SERVICES	OLSON IRRIGATION INC	REPAIR IRRIGATION SYSTEM	352.14	
595-000-930-000	REPAIR MAINTENANCE SUPPLIES	AMAZON CAPITAL SERVICES	POWER BOAT ADAPTER	239.30	
595-000-930-000	REPAIR MAINTENANCE SUPPLIES	GRAND RENTAL STATION	BREAKER	117.60	
595-000-930-000	REPAIR MAINTENANCE SUPPLIES	HOME DEPOT CREDIT SERVICES	CONCRETE MIX	50.16	
595-000-930-000	REPAIR MAINTENANCE SUPPLIES	HOME DEPOT CREDIT SERVICES	CONCRETE MIX	(58.97)	
595-000-930-000	REPAIR MAINTENANCE SUPPLIES	HOME DEPOT CREDIT SERVICES	CONCRETE MIX	136.91	
595-000-930-000	REPAIR MAINTENANCE SUPPLIES	LARSON'S ACE HARDWARE	SAW BLADE	37.99	
595-000-930-000	REPAIR MAINTENANCE SUPPLIES	LARSON'S ACE HARDWARE	PAINT/PAINT ROLLERS	124.18	
595-000-930-000	REPAIR MAINTENANCE SUPPLIES	LARSON'S ACE HARDWARE	CLEANER	18.99	
595-000-930-000	REPAIR MAINTENANCE SUPPLIES	NICHOLS PAPER & SUPPLY COMPANY	TOWELS	132.44	
595-000-930-000	REPAIR MAINTENANCE SUPPLIES	X-CEL CHEMICAL SPECIALTIES NORTH LL	PAPER LINERS	57.49	
595-000-930-000	REPAIR MAINTENANCE SUPPLIES	X-CEL CHEMICAL SPECIALTIES NORTH LL	BATH TISSUE	188.64	
595-000-956-000	MISCELLANEOUS EXPENSES	SPARTAN STORES LLC	END OF YEAR	89.27	
595-000-970-801	CAPITAL IMPROVEMENT-PROF	WADE TRIM	HARBOR VIEW FUEL DOCK/SIDEWALK UPGRADES	412.78	
		Total For Dept 000		4,776.40	
		Total For Fund 595 HARBOR VIEW MARINA		4,776.40	
Fund 644 SITE ASSESSMENT FUND					
Dept 000					
644-000-801-000	PROFESSIONAL SERVICES	OTWELL MAWBY PC	EGLE GRANT - JAMES	106.25	
		Total For Dept 000		106.25	
		Total For Fund 644 SITE ASSESSMENT FUND		106.25	
Fund 650 TECHNOLOGY FUND					
Dept 000					
650-000-802-000	CONTRACTUAL SERVICES	ICS DATA	DARK WEB MONITORING	150.00	
		Total For Dept 000		150.00	
		Total For Fund 650 TECHNOLOGY FUND		150.00	
Fund 661 MOTOR POOL FUND					
Dept 000					
661-000-123-000	PREPAID EXPENSE	MICHIGAN MUNICIPAL RISK MANAGEMENT	INSURANCE	15,533.00	
661-000-740-000	OPERATING SUPPLIES	BEAVER RESEARCH COMPANY	CLEANER/DEGREASER	97.40	
661-000-740-000	OPERATING SUPPLIES	LINDE GAS & EQUIPMENT INC	GAS CYLINDERS	96.66	
661-000-740-000	OPERATING SUPPLIES	X-CEL CHEMICAL SPECIALTIES NORTH LL	VEHICLE CLEANER/WAX/TOWELS	324.09	
661-000-802-000	CONTRACTUAL SERVICES	ALLIED UNIVERSAL TECHNOLOGY SERVICE	REPAIR ALARM SYSTEM	469.09	
661-000-802-000	CONTRACTUAL SERVICES	AMERICAN SAFETY AND FIRST AID	FIRST AID SUPPLIES	58.06	
661-000-802-000	CONTRACTUAL SERVICES	CINTAS	REPLACE W/CLEAN MATS/RUNNERS	61.24	
661-000-802-000	CONTRACTUAL SERVICES	STAR CRANE & HOIST SERVICE INC	ANNUAL INSPECTION	225.70	
661-000-802-000	CONTRACTUAL SERVICES	VESCO OIL CORPORATION	USED OIL	75.00	

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount
661-000-853-000	TELEPHONE	CENTURYLINK	LONG DISTANCE PHONE USAGE	0.88
661-000-930-000	REPAIR MAINTENANCE SUPPLIES	BELL EQUIPMENT COMPANY	BROOM TUBE	626.68
661-000-930-000	REPAIR MAINTENANCE SUPPLIES	FASTENAL COMPANY	PAINT	205.88
661-000-930-000	REPAIR MAINTENANCE SUPPLIES	FREEMAN CREEK EQUIPMENT INC	OIL	27.98
661-000-930-000	REPAIR MAINTENANCE SUPPLIES	GRAINGER	CLAMPS	67.84
661-000-930-000	REPAIR MAINTENANCE SUPPLIES	GRAINGER	UBOLTS/PLATES	76.92
661-000-930-000	REPAIR MAINTENANCE SUPPLIES	HOME DEPOT CREDIT SERVICES	BLACK PIPE/PLUGS/TEES	131.83
661-000-930-000	REPAIR MAINTENANCE SUPPLIES	LARSON'S ACE HARDWARE	CONNECTOR WIRE	7.57
661-000-930-000	REPAIR MAINTENANCE SUPPLIES	NAPA LUDINGTON	FILTERS	319.40
661-000-930-000	REPAIR MAINTENANCE SUPPLIES	NAPA LUDINGTON	ELECTRONICS CLEANER	12.58
661-000-930-000	REPAIR MAINTENANCE SUPPLIES	NAPA LUDINGTON	OIL FILTERS/PENETRATING LUBRICANT	273.79
661-000-930-000	REPAIR MAINTENANCE SUPPLIES	NAPA LUDINGTON	TUBING	36.00
661-000-930-000	REPAIR MAINTENANCE SUPPLIES	NAPA LUDINGTON	OIL FILTERS	10.66
661-000-930-000	REPAIR MAINTENANCE SUPPLIES	NAPA LUDINGTON	GLOVES/OIL FILTERS	126.78
661-000-930-000	REPAIR MAINTENANCE SUPPLIES	NAPA LUDINGTON	OIL	33.95
661-000-930-000	REPAIR MAINTENANCE SUPPLIES	NAPA LUDINGTON	TRANSMISSION OIL FILTER	79.85
661-000-930-000	REPAIR MAINTENANCE SUPPLIES	NAPA LUDINGTON	WIPERS	(1.76)
661-000-930-000	REPAIR MAINTENANCE SUPPLIES	NAPA LUDINGTON	GREASE/WIPERS	158.86
661-000-930-000	REPAIR MAINTENANCE SUPPLIES	O'REILLY AUTO PARTS	WIPER BLADES	22.38
661-000-930-000	REPAIR MAINTENANCE SUPPLIES	ROAD EQUIPMENT PARTS CENTER	DRYER CARTRIDGE	119.38
661-000-930-000	REPAIR MAINTENANCE SUPPLIES	ROAD EQUIPMENT PARTS CENTER	DRYER CARTRIDGE	177.82
661-000-930-000	REPAIR MAINTENANCE SUPPLIES	ROAD EQUIPMENT PARTS CENTER	DUST SHIELD	209.96
661-000-930-000	REPAIR MAINTENANCE SUPPLIES	ROAD EQUIPMENT PARTS CENTER	DRYER CARTRIDGE	58.44
661-000-930-000	REPAIR MAINTENANCE SUPPLIES	THE GOODYEAR TIRE & RUBBER COMPANY	TIRES	2,311.40
661-000-930-000	REPAIR MAINTENANCE SUPPLIES	WEST MICHIGAN INTERNATIONAL LLC	SURGE TANK	49.48
		Total For Dept 000		22,084.79
		Total For Fund 661 MOTOR POOL FUND		22,084.79

TOTAL FOR ALL FUNDS:

Fund 101 GENERAL FUND	94,496.12
Fund 202 MAJOR STREETS FUND	31,673.20
Fund 211 SENIOR CENTER FUND	540.00
Fund 493 DDA OPERATING FUND	3,135.00
Fund 508 CARTIER PARK CAMPGROUND FUND	22,637.03
Fund 591 WATER MAINTENANCE & WATER FUND	66,365.61
Fund 592 SEWER MAINTENANCE & WASTEWATER FUND	35,857.54
Fund 594 MUNICIPAL MARINA FUND	54,914.17
Fund 595 HARBOR VIEW MARINA	4,776.40
Fund 644 SITE ASSESSMENT FUND	106.25
Fund 650 TECHNOLOGY FUND	150.00
Fund 661 MOTOR POOL FUND	22,084.79
TOTAL FOR ALL FUNDS:	336,736.11


Summary

PREPAID EXPENDITURES

All Funds	\$	322,070.67	
Building Rehab Fund 422	\$	-	
Building Authority Fund 371	\$	-	
Fire Station Debt Retirement Fund 372	\$	-	
Police Pension Fund 732	\$	-	
Tax Distributions (4473 - 4479)	\$	2,274,824.02	
TOTAL EXPENDITURES SINCE 09/26/2022:			\$ 2,596,894.69
LESS TAX DIST., TRANSFERS & CD PURCHASES:			\$ 2,274,824.02
TOTAL PREPAID EXPENDITURES SINCE 09/26/2022:			\$ 322,070.67

ACCOUNTS PAYABLE

All Funds	\$	336,736.11	
TOTAL ACCOUNTS PAYABLE FOR THE PERIOD:			\$ 336,736.11
TOTAL PREPAID EXPENDITURES:			\$ 322,070.67
TOTAL EXPENDITURES SINCE 09/26/2022:			\$ 658,806.78



Deborah L. Luskin, City Clerk

ORDINANCE NO. 494-22

An Ordinance to Approve a Contract, Agreement or Lease.

THE CITY OF LUDINGTON ORDAINS:

Section 1: APPROVAL. Pursuant to Section 8.10 of the Charter of the City of Ludington, the City Council hereby approves the City Manager and City Clerk to sign a three (3) year Cooperative Service Agreement between the City of Ludington and United States Department of Agriculture Animal and Plant Health Inspection Service Wildlife Services to provide lethal removal of white-tailed deer in areas with high numbers of complaints and damage.

Section 2: Severability: Should any provisions of this ordinance or any part thereof be held unconstitutional or invalid, such holding shall not be construed as affecting the validity of any of the remaining provisions hereof or of any other provisions of the City Code.

Section 3: Repeal: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4: Effective date: This ordinance shall be effective 20 days after publication.

Dated: _____

Ayes: _____

Nays: _____

Deborah Luskin, CMC
City Clerk

Certification

I, Deborah Luskin, being the Clerk of the City of Ludington, certify that the above is a true and accurate copy of the Ordinance adopted by the City Council at their regular meeting on the _____ day of _____ 2022.

WS Agreement Number: _____-RA

WBS: _____

[optional] Cooperator PO: _____

COOPERATIVE SERVICE AGREEMENT
between
CITY OF LUDINGTON
and
UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE (APHIS)
WILDLIFE SERVICES (WS)

ARTICLE 1 – PURPOSE

The purpose of this Cooperative Service Agreement is to assist the City of Ludington by providing lethal removal of white-tailed deer in areas with high numbers of complaints and damage.

ARTICLE 2 – AUTHORITY

APHIS-WS has statutory authority under the Acts of March 2, 1931, 46 Stat. 1468-69, 7 U.S.C. §§ 8351-8352, as amended, and December 22, 1987, Public Law No. 100-202, § 101(k), 101 Stat. 1329-331, 7 U.S.C. § 8353, to cooperate with States, local jurisdictions, individuals, public and private agencies, organizations, and institutions while conducting a program of wildlife services involving mammal and bird species that are reservoirs for zoonotic diseases, or animal species that are injurious and/or a nuisance to, among other things, agriculture, horticulture, forestry, animal husbandry, wildlife, and human health and safety.

ARTICLE 3 - MUTUAL RESPONSIBILITIES

The cooperating parties mutually understand and agree to/that:

1. APHIS-WS shall perform services set forth in the Work Plan, which is attached hereto and made a part hereof. The parties may mutually agree in writing, at any time during the term of this agreement, to amend, modify, add or delete services from the Work Plan.
2. The Cooperator certifies that APHIS-WS has advised the Cooperator there may be private sector service providers available to provide wildlife damage management (WDM) services that the Cooperator is seeking from APHIS-WS.
3. There will be no equipment with a procurement price of \$5,000 or more per unit purchased directly with funds from the cooperator for use on this project. All other equipment purchased for the program is and will remain the property of APHIS-WS.
4. The cooperating parties agree to coordinate with each other before responding to media requests on work associated with this project.

ARTICLE 4 - COOPERATOR RESPONSIBILITIES

Cooperator agrees:

1. To designate the following as the authorized representative who shall be responsible for collaboratively administering the activities conducted in this agreement.
City of Ludington
Mitchell W. Foster
400 S. Harrison St
Ludington, MI
(231) 690-7609
mfoster@ci.ludington.mi.us
2. To authorize APHIS-WS to conduct direct control activities as defined in the Work Plan. APHIS-WS will be considered an invitee on the lands controlled by the Cooperator. Cooperator will be required to exercise reasonable care to warn APHIS-WS as to dangerous conditions or activities in the project areas.
3. To reimburse APHIS-WS for costs, not to exceed the annually approved amount specified in the Financial Plan. If costs are projected to exceed the amount reflected in the Financial Plan, the agreement with amended Work Plan and Financial Plan shall be formally revised and signed by both parties before services resulting in additional costs are performed. The Cooperator agrees to pay all costs of services submitted via an invoice from APHIS-WS within 30 days of the date of the submitted invoice(s). Late payments are subject to interest, penalties, and administrative charges and costs as set forth under the Debt Collection Improvement Act of 1996.
4. To provide a Tax Identification Number or Social Security Number in compliance with the Debt Collection Improvement Act of 1996.
5. As a condition of this agreement, the Cooperator ensures and certifies that it is not currently debarred or suspended and is free of delinquent Federal debt.
6. To notify APHIS-WS verbally or in writing as far in advance as practical of the date and time of any proposed meeting related to the program.
7. The Cooperator acknowledges that APHIS-WS shall be responsible for administration of APHIS-WS activities and supervision of APHIS-WS personnel.
8. To obtain the appropriate permits for removal activities for species listed in the Work Plan and list USDA, APHIS, Wildlife Services as subpermittees.

ARTICLE 5 – APHIS-WS RESPONSIBILITIES

APHIS-WS Agrees:

1. To designate the following as the APHIS-WS authorized representative who shall be responsible for collaboratively administering the activities conducted in this agreement.
APHIS-WS State Director:
Anthony G. Duffiney
2803 Jolly Rd, Suite 100
Okemos, MI 48864
(517) 336-1928
anthony.g.duffiney@usda.gov
2. To conduct activities at sites designated by Cooperator as described in the Work and Financial Plans. APHIS-WS will provide qualified personnel and other resources necessary to implement the approved WDM activities delineated in the Work Plan and Financial Plan of this agreement.
3. That the performance of wildlife damage management actions by APHIS-WS under this agreement is contingent upon a determination by APHIS-WS that such actions are in compliance with the National Environmental Policy Act, Endangered Species Act, and any other applicable federal statutes. APHIS-WS will not make a final decision to conduct requested wildlife damage management actions until it has made the determination of such compliance.
4. To invoice Cooperator for actual costs incurred by APHIS-WS during the performance of services agreed upon and specified in the Work Plan. Authorized auditing representatives of the Cooperator shall be accorded reasonable opportunity to inspect the accounts and records of APHIS-WS pertaining to such claims for reimbursement to the extent permitted by Federal law and regulations.

Select billing frequency: Monthly or Quarterly

(Quarterly billing will be default)

ARTICLE 6 – CONTINGENCY STATEMENT

This agreement is contingent upon the passage by Congress of an appropriation from which expenditures may be legally met and shall not obligate APHIS-WS upon failure of Congress to so appropriate. This agreement may also be reduced or terminated if Congress only provides APHIS-WS funds for a finite period under a Continuing Resolution.

ARTICLE 7 – NON-EXCLUSIVE SERVICE CLAUSE

Nothing in this agreement shall prevent APHIS-WS from entering into separate agreements with any other organization or individual for the purpose of providing wildlife damage management services exclusive of those provided for under this agreement.

ARTICLE 8 – CONGRESSIONAL RESTRICTIONS

Pursuant to Section 22, Title 41, United States Code, no member of or delegate to Congress shall be admitted to any share or part of this agreement or to any benefit to arise therefrom.

ARTICLE 9 – LAWS AND REGULATIONS

This agreement is not a procurement contract (31 U.S.C. 6303), nor is it considered a grant (31 U.S.C. 6304). In this agreement, APHIS-WS provides goods or services on a cost recovery basis to nonfederal recipients, in accordance with all applicable laws, regulations and policies.

ARTICLE 10 – LIABILITY

APHIS-WS assumes no liability for any actions or activities conducted under this agreement except to the extent that recourse or remedies are provided by Congress under the Federal Tort Claims Act (28 U.S.C. 1346(b), 2401(b), and 2671-2680).

ARTICLE 11 – NON-DISCRIMINATION CLAUSE

The United States Department of Agriculture prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. Not all prohibited bases apply to all programs.

ARTICLE 12 - DURATION, REVISIONS, EXTENSIONS, AND TERMINATIONS

This agreement shall become effective on October 1, 2022 and shall continue through April 1, 2025 not to exceed five years. This Cooperative Service Agreement may be amended by mutual agreement of the parties in writing. The Cooperator must submit a written request to extend the end date at least 10 days prior to expiration of the agreement. Also, this agreement may be terminated at any time by mutual agreement of the parties in writing, or by one party provided that party notifies the other in writing at least 60 days prior to effecting such action. Further, in the event the Cooperator does not provide necessary funds, APHIS-WS is relieved of the obligation to provide services under this agreement.

In accordance with the Debt Collection Improvement Act of 1996, the Department of Treasury requires a Taxpayer Identification Number for individuals or businesses conducting business with the agency.

Cooperator's Tax ID No.: 38-6004706

APHIS-WS's Tax ID: 41-0696271

Cooperator:

Mitchell W. Foster
City of Ludington, City Manager
400 S. Harrison Street
Ludington, MI 49431

Date

**UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE
WILDLIFE SERVICES**

Anthony G. Duffiney, State Director
USDA, APHIS, WS
2803 Jolly Rd, Suite 100
Okemos, MI 48864

Date

Willie D. Harris, Eastern Regional Director
USDA, APHIS, WS
920 Main Campus Drive, Suite 200
Raleigh, NC 27606

Date

Prepared by (APHIS-WS employee): David Madrigal

WORK PLAN

In accordance with the Cooperative Service Agreement between the City of Ludington and the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Wildlife Services (WS), this Work Plan sets forth the objectives, activities and budget of this project during the period of this agreement.

Program Objective

The U.S. Department of Agriculture (USDA) is authorized to protect American agriculture and other resources from damage associated with wildlife. Wildlife Services activities are conducted in cooperation with other Federal, State and local agencies, private organizations and individuals.

The APHIS WS program uses an Integrated Wildlife Damage Management (IWDM) approach (sometimes referred to as IPM or "Integrated Pest Management") in which a series of methods may be used or recommended to reduce wildlife damage. These methods include the alteration of cultural practices as well as habitat and behavioral modification to prevent damage. However, controlling wildlife damage may require that the offending animal(s) are killed or that the populations of the offending species be reduced.

Plan of Action

At the request of the City of Ludington, Wildlife Services will lethally remove white-tailed deer under permits issued by the Michigan Department of Natural Resources. Wildlife Services may utilize suppressed firearms from vehicles, ground blinds, elevated stands, and/or baiting. Wildlife Services will prepare deer for processing in a secured building provided by the City of Ludington.

FINANCIAL PLAN FY 23

Cost Element		Full Cost
Personnel Compensation		\$11,032
Travel		\$1,825
Vehicles		\$1,000
Other Services		-
Supplies and Materials		\$750
Equipment		\$730
Subtotal (Direct Charges)		\$15,337
Pooled Job Costs	11.00%	\$1,687
Indirect Costs	16.15%	\$2,476
Aviation Flat Rate Collection		-
Agreement Total		\$19,500
The distribution of the budget from this Financial Plan may vary as necessary to accomplish the purpose of this agreement, but may not exceed: \$19,500		

FINANCIAL PLAN FY 24

Cost Element		Full Cost
Personnel Compensation		\$11,032
Travel		\$1,825
Vehicles		\$1,000
Other Services		-
Supplies and Materials		\$750
Equipment		\$730
Subtotal (Direct Charges)		\$15,337
Pooled Job Costs	11.00%	\$1,687
Indirect Costs	16.15%	\$2,476
Aviation Flat Rate Collection		-
Agreement Total		\$19,500
The distribution of the budget from this Financial Plan may vary as necessary to accomplish the purpose of this agreement, but may not exceed: \$19,500		

FINANCIAL PLAN FY 25

Cost Element		Full Cost
Personnel Compensation		\$11,032
Travel		\$1,825
Vehicles		\$1,000
Other Services		-
Supplies and Materials		\$750
Equipment		\$730
Subtotal (Direct Charges)		\$15,337
Pooled Job Costs	11.00%	\$1,687
Indirect Costs	16.15%	\$2,476
Aviation Flat Rate Collection		-
Agreement Total		\$19,500
The distribution of the budget from this Financial Plan may vary as necessary to accomplish the purpose of this agreement, but may not exceed: \$19,500		

Cooperator Financial Point of Contact:
Deb Luskin, City Clerk

400 S. Harrison Street

Ludington, MI 49431

(231) 845-6237

dluskin@ci.ludington.mi.us

APHIS-WS State Financial Point of Contact:
Mandy Hight, Budget Analyst

2803 Jolly Rd, Suite 100

Okemos, MI 48864

(517) 318-3462

mandy.hight@usda.gov

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0335. The time required to complete this information collection is estimated to average 5 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

OMB Approved
0579-0335
EXP: 09/2022

**UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE
WILDLIFE SERVICES**

**WORK INITIATION DOCUMENT FOR
WILDLIFE DAMAGE MANAGEMENT**

SECTION 1	1. WORK INITIATION DOCUMENT NUMBER				2. STATUS <input type="checkbox"/> NEW <input type="checkbox"/> RENEWAL			
	3A. TYPE OF WORK INITIATION DOCUMENT (mark all that apply)						3B. ASSIGN TO THESE SPECIAL GROUPS	
<input type="checkbox"/> PRIVATE PROPERTY <input type="checkbox"/> NON-PRIVATE PROPERTY <input type="checkbox"/> TEMPORARY/CIVIL <input type="checkbox"/> ADJACENT LANDOWNER <input type="checkbox"/> AMENDMENT TO AN EXISTING WORK INITIATION DOCUMENT						(1)		
						(2)		
						(3)		
						(4)		
SECTION 2	4. COOPERATOR NAME (last, first, MI)							
	5. COOPERATOR MAILING ADDRESS							
	6. COMMON NAME				7. COOPERATOR TELEPHONE NUMBER			
	8. OWNER OR REPRESENTATIVE NAME (if different from Cooperator)				9. OWNER OR REPRESENTATIVE TELEPHONE NUMBER			
	10. OWNER OR REPRESENTATIVE ADDRESS (if different from Cooperator)							
SECTION 3	11. PROPERTY / LAND CLASS INFORMATION				12. ADJOINING		13. TARGETED SPECIES	
	COUNTY	PROPERTY	LAND CLASS	ACRES	PROPERTY WID NO.'s			
	A.				A.		A. Deer, White-tailed	F.
	B.				B.		B.	G.
	C.				C.		C.	H.
	D.				D.		D.	I.
	E.				E.		E.	J.
STATE	TOTAL ACRES					<input type="checkbox"/> 14. There are additional targeted species (complete and attach WS Form 12 Addendum)		
SECTION 4	15. In consideration of the benefits to be derived from the proper management of damage caused by those species listed in Item 13 (and Item 14 if applicable), I, the undersigned Cooperator or Cooperator's representative, do hereby give my consent and concurrence to the Animal and Plant Health Inspection Service (APHIS) (to include its officials, employees, and agents) to use, upon lands owned, leased, or otherwise controlled by me, and identified by this Work Initiation Document, the following methods and devices (COMPONENTS):							
	A. Firearms		B. Nightvision/Infrared Equipment			C. Prebait		
	D. Monitoring Camera		E. ATV/UTV			F. Car/Truck		
	<input type="checkbox"/> 16. There are additional components (complete and attach WS Form 12 Addendum)							
SECTION 5	17. I, the Cooperator or Cooperator's representative, have been informed of the methods and the manner in which the control materials and devices listed in Section 4 will be used, and of the possible hazards associated with their use. I understand that APHIS (to include its officers, employees, and agents) will exercise reasonable precautions to safeguard all persons to prevent injury to animal life other than those listed in Section 3, Item 13 (and Item 14, if applicable); guard against the mishandling of control devices and materials; and exercise due caution and proper judgment in all wildlife damage management operations. I understand that APHIS WS will maintain restricted use pesticide application records on applications made under the Work Initiation Document, and that APHIS WS will provide copies of the records or record information promptly upon the property owner's or cooperator's request. I understand that APHIS WS may collect Global Positioning System (GPS) coordinates at the project site as part of component or activity tracking or as wildlife disease monitoring or research data. As a Lessee, the Cooperator agrees that the lease is current and will remain so while APHIS WS conducts operational activities on the property, and will notify WS if the lease expires or is canceled. The Lessee agrees to notify the landowner about any methods or devices (components) in use by APHIS WS on the property.							
	18. In consideration of these understandings and of the benefits to be derived, I, the Cooperator or Cooperator's representative, agree to take reasonable precautions to prevent injury to livestock and other domestic animals; assume responsibility for injury to my property under my control when said injury is not the result of negligence on the part of APHIS; assist in maintaining such warning signs as APHIS may place for the purpose of notifying persons entering onto such lands of the possible hazards associated with wildlife damage management measures in use thereon; and to give adequate warning of these possible hazards to persons I authorize to enter onto such lands. Further, in recognition of the benefits to be derived from the use of specified methods and devices authorized by this Work Initiation Document, I, the cooperator or cooperator's representative, agree not to concurrently use or allow to be used upon lands covered by this Work Initiation Document any toxic material that might reasonably be expected to take a species listed above in Section 3, Item 13 (and Item 14, if applicable), unless such use of said toxicant is agreed to by APHIS in writing.							
19. SPECIAL CONSIDERATIONS <small>The cooperator agrees that it has reviewed the area where the activities will be conducted and certifies that either 1) the area where activities will be conducted contains no school zones, as defined by 18 U.S.C. 921(a)(25) and 922(q); or 2) that all schools that have a school zone within the area where activities will be conducted have approved the program activities as described in this Agreement and Work Plan, in accordance 18 USC 922(q).</small>								
20A. LANDOWNER, LESSEE, OR ADMINISTRATOR NAME AND TITLE				20B. SIGNATURE		20C. DATE		
21A. APHIS REPRESENTATIVE NAME				21B. SIGNATURE		21C. DATE		
21D. APHIS REPRESENTATIVE TELEPHONE NUMBER				21E. STATE OFFICE ADDRESS 2803 Jolly Rd Suite 100 Okemos, Mi 48864				

PRIVACY ACT NOTICE

5 U.S.C. 552a(e)(3) requires that each agency that maintains a system of records provide each individual from whom the agency solicits information with the following information.

AUTHORITY FOR REQUESTING INFORMATION

7 U.S.C. 8351 to 8353, and 16 U.S.C. 667, authorizes officers, agents, and employees of the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Wildlife Services (WS) to conduct a program of wildlife services and to enter into agreements with States, local jurisdictions, individuals, and public and private agencies, organizations, and institutions for the purpose of conducting such services.

NATURE OF YOUR DISCLOSURE OF INFORMATION

Disclosure of information solicited by USDA, APHIS, Wildlife Services is voluntary.

PRINCIPLE PURPOSE FOR WHICH THE INFORMATION IS SOLICITED

Information is solicited from you for the purpose of executing and implementing agreements for control of wildlife damage.

ROUTINE USES WHICH MAY BE MADE OF THE INFORMATION

- (1) To cooperative Federal, State, Tribal, and local government officials, employees, or contractors and other parties as necessary to carry out the program; and other parties engaged to assist in administering the program. Such contractors and other parties will be bound by the nondisclosure provisions of the Privacy Act. This routine use assists the agency in carrying out the program, and thus is compatible with the purpose for which the records are created and maintained;
- (2) To the appropriate agency, whether Federal, State, local, Tribal, or foreign, charged with responsibility of investigating or prosecuting a violation of law or of enforcing, implementing, or complying with a statute, rule, regulation, or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and either arising by general statute or particular program statute, or by rule, regulation, or court order issued pursuant thereto;
- (3) To the Department of Justice when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or the United States, in litigation, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected;
- (4) For use in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the court is a use of the information contained in the records that is compatible with the purpose for which the records were collected;
- (5) To appropriate agencies, entities, and persons when the agency suspects or has confirmed that the security or confidentiality of information in the system of records has been compromised; the agency has determined that as a result of the suspected or confirmed compromise, there is a risk of harm to economic or property interests, a risk of identity theft or fraud, or a risk of harm to the security of integrity of this system or other systems or programs (whether maintained by the agency or another agency or entity) that rely upon the compromised information; and the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the agency's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm;
- (6) To USDA contractors, partner agency employee or contractors, or private industry employed to identify patterns, trends, or anomalies indicative of fraud, waste, or abuse;
- (7) To land management agencies, such as the Bureau of Land Management and the U.S. Fish and Wildlife Service, relating to wildlife damage on grazing allotments;
- (8) To consumer reporting agencies in accordance with 31 U.S.C. 3711(e);
- (9) To Federal, State, Tribal, and local regulatory agencies and their employees and contractors who collaborate with Wildlife Services in implementation of, or agencies that regulate, wildlife management projects or programs, or who have an interest in, or regulate, animal or public health, or national security;
- (10) To Federal or State Government-level representatives of the U.S. Environmental Protection Agency, in compliance with the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) mandate in 7 U.S.C. 136(f, and i thru l), of the location on a cooperator's property where certain regulated pesticide devices are deployed or regulated pesticides are applied; and
- (11) To the National Archives and Records Administration (NARA) or to the General Services Administration for records management inspections conducted under 44 U.S.C. 2904 and 2906.

EFFECTS OF FAILURE TO FURNISH INFORMATION

Failure to provide the solicited information will not subject you to penalties or adverse consequences.

Instructions for Completing WS Form 12A, Work Initiation Document For Wildlife Damage Management

NOTE: A WS Form 12A Work Initiation Document (WID) is required to be signed by a Cooperator for all properties worked by Wildlife Services (WS). The WID and the WID agreement in WS Management Information System (MIS) expire 5 years after the Cooperator signature date. To renew a WID agreement for another 5 years, a new WS Form 12A is required to be signed by the Cooperator, and everything on the WID agreement in MIS must match the corresponding items on the WS Form 12A.

NOTE: An expanded and detailed set of instructions for the WID is available in MIS. Employees should study the detailed version until familiar with completing the WID.

SECTION 1 – Basic WID Identification and Type

1. Entering the WID document number is optional. Contact your MIS Data Technician to obtain this number if one is needed.
2. Mark only one box, selecting New (agreement) or Renewal (of existing agreement).
3. A WID may have more than one type of work characteristic. Mark all applicable boxes indicating this WID's type of work.

SECTION 2 – Cooperator Information

4. Enter the name of the Cooperator as it appears on the Cooperative Service Agreement, Cooperative Service Field Agreement, Memorandum of Agreement or Understanding, or as it appears in the Cooperator's business references.
5. Enter the Cooperator's mailing address with street or P.O. box, city, state, and ZIP code. This may be the permanent address, mailing address, home address, or business/office address.
6. Enter the common name of the Cooperator's business, farm, or ranch, if applicable.
7. Enter the Cooperator's telephone number including the area code. It may be a landline or mobile telephone number.
8. Enter the name of the owner or Cooperator's representative if it is different from the Cooperator's name.
9. Enter the property owner's or property owner representative's telephone number including area code.
10. Enter the property owner's address (or property owner representative's work address if this is a business or a non-private agreement), including the ZIP code. If the Cooperator's address in Item 5 is also the owner's address, skip this step.

SECTION 3 – Property Information, Location of Work, and Species Being Addressed

11. In this subsection, record the state and counties for the site(s) where the work is being performed for the cooperator. Include for each property the land class being worked on and the number of acres for the land class. Usually, only one land class can be recorded per property. If there is more than one land class on a property, identify each of them separately (e.g. Property: Smith #1, Land Class Private; Smith #2, Land Class County/City). Record the total acres by summing all entries in the "Acres" column.
12. If the WID allows work on an adjoining property as part of the project, additional WIDs signed by the adjoining landowners/ managers must be obtained. The WID document numbers for the adjoining properties go in this subsection. If WID numbers are not assigned, list the name of the other land owners/managers instead of numbers.
13. List the full common names of the targeted species as found in MIS. Review MIS Reference Files for accuracy.
14. If more than 10 species are targeted, mark this box and list the additional species on WS Form 12 Addendum. The WS Form 12A also requires an original signature. Ensure the WS Form 12 Addendum is attached to this WS Form 12A.

SECTION 4 – Component Use Information

15. List the components that will be used in the project. They must be annotated exactly as they appear in the MIS component list. Do not list any activities (e.g., shooting, trapping, etc.).
16. If more than six components are entered, mark this box and list the additional components on WS Form 12 Addendum. The WS Form 12 Addendum also requires an original signature. Ensure the addendum is attached to this WS Form 12A.

Section 5 – Work Initiation Considerations, WS Responsibilities

17. The Cooperator is required to read this section, or alternatively have it read to him/her, before signatures are affixed to the WID.

Section 6 – Work Initiation Considerations, Cooperator Responsibilities

18. The Cooperator is required to read this section, or alternatively have it read to him/her, before signatures are affixed to the WID.
19. **Special Considerations** - If any special considerations are agreed to for this project, enter them in Item 19. They may also be entered in the MIS in the Agreement Remarks or the Property Comments fields.
- 20, 21. **Signatures/Dates** – To complete the form, both the Cooperator's authorized signer and the APHIS Representative (WS employee) print their names, sign in ink, and date the WS Form 12A. The WS employee also enters a contact telephone number and the State Office's address.

The WS employee is responsible for ensuring the Cooperator or authorized representative receives a copy of the WS Privacy Act Notice.

Petition to Ludington City Council

Presenter Name: Christopher Burns
Email: Burnsie922@gmail.com
Address: 301 N William St., Ludington, MI 49431
Phone Number: 330-219-4289

LUDINGTON CITY COUNCIL
 400 S HARRISON ST
 LUDINGTON, MI 49431

Dear City Council Members,

We, the undersigned, hereby respectfully lodge the following petition to Ludington City Council.

PETITION SUBJECT:

We believe that there are far too many deer in the city limits and that they are wreaking havoc on people's landscaping, with deer ticks and subsequent disease being a real possibility and potential health issue. It is our understanding that prior plans to have a deer cull were cancelled in 2020. In our opinion, the problem has not improved and may have gotten worse. *We request that the Ludington City Council approve and provide funding for a deer cull within the city limits for this year and subsequent years as needed, to address this issue.*

Name	Address	Signature	Date Signed
1. Chris Burns	301 N William St, Ludington, MI	<i>Chris Burns</i>	6/11/22
2. Nancy Burns	301 N. William St, Ludington MI	<i>Nancy Burns</i>	6/11/22
3. Sarah Clark	302 N. Lewis St, Ludington	<i>Sarah Clark</i>	6-12-22
4. David Clark	302 N Lewis St Ludington	<i>David Clark</i>	6-12-22
5. Brian Koblinski	210 N. Lewis St Ludington	<i>Brian Koblinski</i>	6-12-22
6. Barbara Koblinski	210 N. Lewis St, Ludington	<i>Barbara Koblinski</i>	6-12-22
7. Amanda St. Hill	210 N. William St. Ludington	<i>Amanda St Hill</i>	6-12-22
8. Renee Gill	209 N. William ²² Ludington	<i>Renee Gill</i>	6-12-22
9. Honora Bernstein	209 N. William - Ludington	<i>Honora Bernstein</i>	6.12.22
10. WA SHERLOCK	209 N. WILLIAM -	<i>William L. Sherlock</i>	6-17-22
11. Tina Godbold	305 N. WILLIAM	<i>Tina Godbold</i>	6-13-22
12. Nore Buchert	107 W. PM St Ludington	<i>Nore Buchert</i>	6-15-22
13. Bob Buchert	107 W. PM St. Ludington	<i>Bob Buchert</i>	6/15/22
14. Bob Dentz	305 N. William	<i>Bob Dentz</i>	6/16/22
15. Theodore Weeks	503 G ²¹ St.	<i>Theodore Weeks</i>	6/16/22
16. Kevin Motyka	371 N. William St.	<i>Kevin Motyka</i>	6.25.22
17.			
18.			
19.			
20.			

PETITION SUBJECT:

We believe that there are far too many deer in the city limits and that they are wreaking havoc on people's landscaping, with deer ticks and subsequent disease being a real possibility and potential health issue. It is our understanding that prior plans to have a deer cull were cancelled in 2020. In our opinion, the problem has not improved and may have gotten worse. *We request that the Ludington City Council approve and provide funding for a deer cull within the city limits for this year and subsequent years as needed, to address this issue.*

Name	Address	Signature	Date Signed
17. Fred W Jamieson	207 N. William St	Fred W Jamieson	6-12-22
18. Mary Katherine Jamieson	207 N. William	Mary Katherine Jamieson	6/12/22
19. Robert Baker	710 N James St.	Robert Baker	6-12-22
20. Theresa R. Baker	710 N. James St.	Theresa R Baker	6-12-2022
21. Joan A. Killian	206 N. Lewis St.	Joan A Killian	6-12-2022
22. David Killian	206 N Lewis St	David Killian	6-12-22
23. Joe B. Skelton	401 N. ^{PARK} Ridgeway ST	Joe B. Skelton	6-12-22
24. Susan Wodka	317 Lewis	Susan Wodka	6-12-22
25. Teri Nedderman	319 Lewis	Teri Nedderman	6-12-22
26. Larrie McKay	321 N Lewis	Larrie McKay	6-12-22
27. Bonnie G. Gorzynski	323 N. Lewis	Bonnie Gorzynski	6-12-22
28. Nancy K Fife	317 N. Harrison St	Nancy K Fife	6-13-22
29. Shirley Gregory	302 N Lewis	Shirley Gregory	6-13-22
30. Penny Vost	204 N Lewis ST	Penny Vost	6-13-22
31. Jill Kaines	303 N Gaylord Ave	Jill Kaines	6-13-22
32. Sheila Skull	718 N. Delia St.	Sheila Skull	6-15-22
33. Donna Skull	718 N. Delia St.	Donna Skull	6-15-22
34. Macayla Cole	507 E. Filer St	Macayla Cole	6-15-22
35. Penny Pace	605 N. Emily St.	Penny Pace	6-15-22
36. Lori Holmes	506 E Loomis St	Lori Holmes	6-15-22
41.			
42.			
43.			
44.			
45.			
46.			
47.			
48.			
49.			
50.			

PETITION SUBJECT:

We believe that there are far too many deer in the city limits and that they are wreaking havoc on people's landscaping, with deer ticks and subsequent disease being a real possibility and potential health issue. It is our understanding that prior plans to have a deer cull were cancelled in 2020. In our opinion, the problem has not improved and may have gotten worse. *We request that the Ludington City Council approve and provide funding for a deer cull within the city limits for this year and subsequent years as needed, to address this issue.*

Name	Address	Signature	Date Signed
77. Brian Krotz	914 Woodlawn St.	Brian Krotz	6/16/2022
78. Carol Peterson	301 N. Gaylord Ave	Carol Peterson	6/16/22
79. Patrick Sybert	205 N. Gaylord Ave.	Patrick Sybert	6/16/22
80. Jan Perry	206 N. FERRY	Jan Perry	6/16/22
81. Dawn Plaisier	702 W Court St	Dawn Plaisier	6/16/22
82. Shelly Plaisier	702 W Court St.	Shelly Plaisier	6/16/22
83. Linda Gundow	709 W Pete Hoag St	Linda Gundow	6/16/22
84. Penny Russell	109 N. Gaylord Ave Ludington	Penny Russell	6/16/2022
85. Les Russell	109 N. Gaylord Ave Ludington	Les Russell	6/16/2022
86. MARIANNE TERZANO	608 W. COURT ST	Marianne Terzano	6/16/22
87. Angelina Terzano	608 W. COURT ST	Angelina Terzano	6-16-22
88. JOHN TERZANO	608 W COURT ST	John Terzano	6-16-22
89. DREW PERSON	301 N. GAYLORD AVE	Drew Person	6/16/22
90. Sonya Camilli	205 N. Gaylord Ave	Sonya Camilli	6/16/22
91. JAN STREETER	301 N. FERRY, HUD.	Jan Streeter	6/16/22
92. Shelly Bradshaw	206 N. Ferry	Shelly Bradshaw	6-19-22
93. GREG ANDERSON	302 N. FERRY	Greg Anderson	6-19-22
94. Judith B. Stouder	311 N. Ferry St	Judith B. Stouder	6/24/22
95. SUSAN DAVIDSON	420 N. FERRY	Susan Davidson	6/24/22
96. Sally Grimm	608 W. WOODMIS	Sally Grimm	6/24/22
101.			
102.			
103.			
104.			
105.			
106.			
107.			
108.			
109.			
110.			

PETITION SUBJECT:

We believe that there are far too many deer in the city limits and that they are wreaking havoc on people's landscaping, with deer ticks and subsequent disease being a real possibility and potential health issue. It is our understanding that prior plans to have a deer cull were cancelled in 2020. In our opinion, the problem has not improved and may have gotten worse. We request that the Ludington City Council approve and provide funding for a deer cull within the city limits for this year and subsequent years as needed, to address this issue.

Name + Debra	Address	Signature	Date Signed
79 81. Robert Busselle	401 N. Ferry St. Ludington	Robert Busselle	6/16/22
8 82. Richard St John	708 W. Haight - Ludington MI	Richard St John	6-16-22
9 83. Debra Hill Busselle	401 N. Ferry St Ludington MI	Debra Hill Busselle	6/16/22
10 84. KATHY BROMBY	312 N. GAYLORD LUDINGTON, MI	Kathy Bromby	6/16/22
11 85. Tom Podszidlik	321 N. Ferry Ludington, MI	Tom Podszidlik	6/17/22
12 86. John Spreeman	605 W Haight	John Spreeman	6-17-22
13 87. Becky Bruett	319 N. Ferry St	Becky Bruett	6-18-22
14 88. Shelly Cranck	420 N. Lewis St. Ludington	Shelly Cranck	6-19-22
15 89. Mike CRANICK	1120 Lewis Ludington	Mike Cranick	6/19/22
16 90. MIKE UTZ	464 N. Ferry Ludington	Mike Utz	6/19/22
17 91. LARRY FLEE	607 W Haight St	Larry Flee	6/20/22
18 92. Anne F. Luster	704 Lakeshore	Anne F. Luster	6-21-22
19 93. Shirley Peterson	205 N. Ferry St. Ludington, MI	Shirley Peterson	6/22/22
20 94. Donald Josephson	606 W. Haight St Ludington	Donald Josephson	6/22/22
21 95. Carol Sanders	317 N. Ferry Ludington	Carol Sanders	6/22/22
22 96. Laura Beckman	406 N. Park St Ludington	Laura Beckman	6/22/22
23 97. DOUGLAS KENZEL	403 N FERRY ST 49431	Douglas Kenzel	06/22/22
24 98. PAUL SIMON	402 N FERRY St. 49431	Paul Simon	6/25/22
25 99. CHRISTIE HANCOCK	320 N FERRY ST 49431	Christie Hancock	6-26/22
26 100. Scott Bruett	319 N Ferry St 49431	Scott Bruett	6-26-22
27 101. JACI BECKMAN	406 N Ferry St 49431	Jaci Beckman	6-26-22
28 102. TIM HANSEN	409 N. PARK ST. LUDINGTON 49431	Tim Hansen	06/26/22
29 103. JAN HANSEN	409 N PARK ST Ludington 49431	Jan Hansen	6-26-22
30 104. Ralph Patterson	401 N. Lavinia St Ludington MI	Ralph Patterson	6-26-22
31 105. Sheridan Patterson	401 N. Lavinia St Ludington MI	Sheridan Patterson	6-26-22
32 106. ERIC ZILNER	407 N. FERRY, LUDINGTON	Eric Zilner	6-26-22
33 107. Mike Heaton	405 N. Ferry, Ludington	Mike Heaton	6-26-22
108.			
109.			
110.			

Recently we polled several citizens of the City of Ludington regarding the deer cull idea brought to City Council up for discussion at the September 26, 2022 City Council meeting. Citizens were able to fill out a survey by contacting their counselor, or dropping them off at City Hall. Below is a tabulation of the results. The actual Deer Cull Surveys can be found at City Hall if anyone wishes to look at them. Cheri Stibitz

Total Surveys Collected: 72

Question 1: Do you enjoy seeing deer in the community?

Yes = 49

No= 12

Sometimes = 5

In the community, but not in my yard = 9

Question 2: Are you experiencing any deer issues currently?

Yes = 33

No = 42

Question 3: What deer-related issues are you / have you experienced in the past year?

Deer auto collision = 5

Browsing of vegetable gardens = 23

Browsing on ornamentals / flowers = 40

Browsing of crops = 7

Human-habituated "too tame" deer = 24

Neighbor feeding deer and attracting them to my yard = 11

Other/Comments:

I do not mind them eating flowers

The deer have a path across my yard heading to neighbors yard eating my bushes on their way

No problem

In the beginning of year they do eat my flowers

No deer killing

Sen others hit deer with their cars, just not myself

Every night, a neighbor puts corn out

Male deer rubbing on young trees

They like eating stuff, we put fencing up for it

Poop piles

Constant deer droppings all over

Question 4: Rate the level of severity of any deer issue you've experienced in the past year. 1 being low impact and 5 being high impact

Question	0	1	2	3	4	5
Deer- Car collision	3	30	2	3	0	2
Browsing on vegetable garden	3	28	2	2	4	¹⁰
Browsing on ornamentals / flowers	2	27	4	3	5	₇
Browsing of crops	3	26	1	1	2	4
Human - Habituated "too tame" deer	3	30	4	7	2	6
Neighbor feeding deer	3	25	0	0	2	6
Other: no deer killing, defecating in yard, tick dropping Birdfeeders - knocking them out of my tree						

Question 5: Have you taken any actions to alleviate the deer issue?

Yes= 24

No = 47

Comments:

No but i would like to shoot them

I put up net's to protect but don't have a problem

I've planted extra plants for them to browse

Tried various repellents with no results

Fenced in backyard

I had put up a fence but took it down lately to put in a driveway

We use deer scam applications, but they don't care anymore

We use deer scam repellent but it doesn't bother or stop them anymore

Too many 10-12 in yard everyday

Question 6: What actions have you taken (survey results were hard to interpret and record as some people only circled the item they tried and others ranked them on a number scale. If a person choose that response or ranked it I included it in this number)

Tolerance / no action = 28

Switched to planting deer-resistant flower/plant varieties = 21

Used fencing /netting/barriers= 25

Used repellents = 25

Scare devices = 15

Hazing using scare tactics= 9

Comments:

I have no issues

I have issues

Joined P.M. twp efforts

Cayenne Pepper Powder on my hostas stopped ALL browsing at my residence

Question 7: What kind of deer conflict management program is acceptable to you?

Prefer non lethal (no killing of deer) options only = 31

Prefer lethal (killing of deer) options only = 8

Combination of both options above for managing issues = 16

No opinion/Don't care = 2

Comments:

IF they are that bothersome relocate them with babies

I like the deer

Get rid of them

Leave them here

We need a cull

NO action is needed OR residential education (Coexist, the deer are NOT an issue.

Question 8: What specific actions are acceptable to you?

Do nothing/leave deer alone = 37

Non-lethal population control measures - dart deer with contraception vaccine or use surgical sterilization = 15

Non-lethal conflict mitigation measures - public education and workshops on deer resistant gardening, prevention of Lyme disease, preventing deer - vehicle collisions, etc = 5

Lethal measures - archery hunting = 19

Lethal measures - shotgun hunting = 14

Lethal measures - sharpshooting program = 27

Comments:

Controlled by professionals only

No, no no! Funs or arrows humans more dangerous than deer

Relocate them

Dart them and relocate them

Thin them by culling every few years - this should not keep coming up be proactive

Open to options to lower the population to lesser accidents and loss of vegetables and flowers.

Question 9: How do you feel about the deer?

I enjoy the presence of deer = 47

I enjoy the presence of deer, BUT I am experiencing some conflicts = 11

I do not enjoy the presence of deer and regard them as nuisances = 12

I'm concerned about collisions = 9

I'm concerned about Lyme disease = 12

Comments:

I enjoy the presence of deer when they are outside the city

Concerned about ticks

I am concerned about ticks and diseases in my pets.

I enjoy the deer in the wild

Question 10: Please provide additional comments

The reported cost of removing the deer is my concern

They have eaten my flowers but allowing 10ft link fencing solves all these issues!

I like seeing them

I like seeing the deer in the morning by my apartment

We are in a situation where something must be done!

Please leave deer alone

Leave the deer alone

Leave the deer alone

Pole the people in city

They are wild animals and do not belong in a city where homeowners cannot leave shrubs, plants, trees, etc on their property. Do they spread diseases, tickets, etc with their feces?

I enjoy seeing the deer you just have to watch out for them

Please to not kill the deer !!!

No Deer Kill!

Waste of taxpayers money to do deer cull

I would love to have a conversation with someone about this issue. Ticks, lyme disease, defecation etc. I spend 30 minutes everyday picking up droppings etc. I have some thoughts.

Living in nature is one of of the beautiful things about Ludington! Deer are a part of that - they were here before us and we must learn to balance our priorities. If someone does not want deer - please move back to a larger city - otherwise learn to live as part of a healthy environment. Thank you.

Is there a way for homeowners to recover the cost of changing flowers and crops as well as the cost for other deterrent measures?

On the peninsula, the habitat cannot sustain health - they are underweight and a nuisance. It would be human to cull the herds.

Something must be done as they continue to multiply

Something must be done - as they're getting worse every year, causing more problems

They have destroyed my yard - garden and shrubs

Population is definitely increasing (Sept 2 doe with 5 fawns) and they continue to eat vegetables and flowers even though our fence has gone from 3', 5' to 7'

Please use tax dollars on other areas like our law enforcement, emergency services, education, public infrastructure, etc...NOT deer...

This shouldn't be a hard/expensive issue.

So much deer manure in my yard! (Daily) Have actually begun climbing up 4 steps and standing on small porch to eat potted plants.

I believe the volume of deer is too high. I moved here twenty years ago and since COVID I feel roads are full of deers. I have had four car accidents (maybe supposed to be accidents) in the last year and a half.

Streets where the surveys were completed

First Street - 2

Second Street - 4

Third Street - 8

Fourth Street - 7

Fifth Street - 4

Sixth Street - 2

Seventh Street - 3

Adams Street - 3

Melendy Street - 1

Danaher Street - 1

West Court Street - 1

West Ludington Avenue - 1

East Ludington Avenue - 2

North Gaylord Avenue - 5

South Gaylord Avenue - 1

North Lakeshore Drive - 3

Vogel Street - 1

North Rowe Street - 1

North Robert Street - 1

North Rath Avenue - 1

St. Paul Street - 1

Harbor Drive - 2

Delia Street - 2

North Washington Avenue - 1
South Madison Street - 1
West Tinkham Avenue - 2
East Tinkham Avenue - 1
North William Street - 1
New William Street - 3
North Lewis Street - 2
West Pere Marquette Street - 1
North Lavinia Street - 2
Kenowa Drive - 1
Not Listed - 1

Mitch Foster

From: Madrigal, David F - APHIS <david.f.madrigal@usda.gov>
Sent: Friday, September 30, 2022 8:31 AM
To: Mitch Foster
Cc: Krom, Earl G - APHIS
Subject: RE: Cooperative Service Agreement

Hey Mitch,

I spoke with Earl regarding your request. USDA is covered under federal tort claim, I have included the link below for you and your lawyers to review. We cannot add outside agencies or employees to this policy. If you would like to add any language or change language regarding the city, it will have to be done in the work plan of the agreement. Please let me know if this helps at all.

"The Federal Tort Claims Act (FTCA) sets forth procedures for presenting and resolving administrative monetary claims for personal injury, property damage, or death arising from the alleged negligence of officers and employees of the Office of Personnel Management acting in the scope of their official duties."

[Federal Tort Claims Act \(opm.gov\)](https://www.opm.gov)

Thanks,

*David Madrigal
Wildlife Biologist
USDA Wildlife Services Michigan
(517) 331-0375
David.f.madrigal@usda.gov*

From: Mitch Foster <mfoster@ci.ludington.mi.us>
Sent: Tuesday, September 27, 2022 11:18 AM
To: Madrigal, David F - APHIS <david.f.madrigal@usda.gov>
Subject: RE: Cooperative Service Agreement
Importance: High

David –

On the contract, is there any chance to add language indemnifying the City and holding us harmless as well as naming us as an additional insured for this project?

Thanks!

Mitch

Mitchell W. Foster
City Manager
City of Ludington
(231) 845-6237
mfoster@ci.ludington.mi.us

- [Small Business Program](#)
- [Vendors](#)
- [Contact Us](#)
- [Budget & PerformanceToggle submenu](#)
 - [Strategic Plans and Learning Agendas](#)
 - [Budgets](#)
 - [Performance](#)
 - [Evidence Building](#)
 - [Other Reports](#)
- [Open GovernmentToggle submenu](#)
 - [Open Data](#)
 - [Digital Government Strategy](#)
 - [Financial Transparency](#)
 - [Accountability](#)
 - [Reference Materials](#)
 - [Contact Us](#)
- [Get Help](#)
- [Contact Us](#)

ABOUT US OUR PEOPLE & ORGANIZATION OVERVIEW

The Federal Tort Claims Act (FTCA) sets forth procedures for presenting and resolving administrative monetary claims for personal injury, property damage, or death arising from the alleged negligence of officers and employees of the Office of Personnel Management acting in the scope of their official duties.

Under the FTCA, 28 U.S.C. §§ 2671-2680, individuals who are injured or whose property is damaged by the wrongful or negligent act of a federal employee acting within his or her official duties may file a claim with the government for reimbursement for that injury or damage. To state a valid claim, the claimant must demonstrate that:

- 1. he or she was injured, or his or her property was damaged by a federal government employee;**
- 2. the employee was acting within the scope of his or her official duties;**
- 3. the employee was acting negligently or wrongfully; and**
- 4. the negligent or wrongful act proximately caused the injury or damage of which he or she complains.**

The claimant must also provide documentation establishing that his claim satisfies all the elements of the FTCA. The procedures laid out here apply only to claims arising from alleged conduct of officers and employees of the Office of Personnel Management.

Mitch Foster

From: Matt Coulson <mcoulson@mmrma.org>
Sent: Friday, September 30, 2022 12:46 PM
To: Mitch Foster
Cc: Jackie Steckel
Subject: RE: [EXTERNAL Use Caution] Cooperative Service Agreement

Hi Mitch,

I called and left you a voicemail on this as well, but here are our final thoughts on this: the City of Ludington would have coverage for this activity if something unfortunate were to happen. It doesn't sound like the USDA has the ability/willingness to add Hold Harmless language or Additional Insured. I clicked the link to the Federal Tort Claims Act and, although I am not a lawyer, it does look like there is an option for recourse against the USDA if something happens to someone or their property, but at the same time it doesn't appear to offer any protection to the City of Ludington for example. In the end, it will be a business decision as to if you want to engage in this contract with the USDA.

Let us know if you have any further questions or need anything else from us, thank you and have a great weekend!

Matt Coulson MBA, ARM
Risk Manager
Michigan Municipal Risk Management Authority
14001 Merriman Rd.
Livonia, MI 48154

Cell (616) 540-9259
Main (734) 513-0300
Fax (734) 513-0318
mcoulson@mmrma.org

The contents of this e-mail message and any attachments are confidential and are intended solely for addressee. The information may also be legally privileged. This transmission is sent in trust, for the sole purpose of delivery to the intended recipient. If you have received this transmission in error, any use, reproduction or dissemination of this transmission is strictly prohibited. If you are not the intended recipient, please immediately notify the sender by reply e-mail or phone and delete this message and its attachments, if any.

From: Mitch Foster <mfoster@ci.ludington.mi.us>
Sent: Friday, September 30, 2022 8:33 AM
To: Matt Coulson <mcoulson@mmrma.org>
Cc: Jackie Steckel <JSteckel@ci.ludington.mi.us>
Subject: FW: [EXTERNAL Use Caution] Cooperative Service Agreement

Matt –

This is all a little over my head. Could you help here? This was the USDA's response to the requests.

Mitch

Mitchell W. Foster
City Manager

Mitch Foster

From: Bill Gambill <bgambill@manisteemi.gov>
Sent: Friday, October 7, 2022 9:39 AM
To: Mitch Foster
Subject: RE: Deer Cull
Attachments: Manistee City Deer Cull History 2009 to 2021.docx; 2021 Manistee Deer Cull Council Item.pdf

Hi Mitch,

Attached is some background information. I've attached our 2021 Council Item as well as the summary history . This issue came up again here this year. Long story short, Council voted the 2021 deer cull down because it is not cost effective. Historically our deer culls resulted in 9-16 less deer and the cost is now \$15,500 (up from \$10,000). So with the cost increase, on a good year we would pay ~\$1,000 per deer. That is not mentioning the administrative burden to apply for and implement a deer cull or the filled council meetings with public outcry representing both sides of the issue.

I hope this helps. Let me know if you would like to discuss this in more detail.

Bill Gambill
City Manager
City of Manistee
Ph: 231.398.2801

From: Mitch Foster <mfoster@ci.ludington.mi.us>
Sent: Thursday, October 6, 2022 4:53 PM
To: Bill Gambill <bgambill@manisteemi.gov>
Cc: Josh Glass <jglass@manisteemi.gov>; Kelly McColl <kmccoll@manisteemi.gov>
Subject: RE: Deer Cull

Okay thanks Bill.

Mitch

Mitchell W. Foster
City Manager
City of Ludington
(231) 845-6237
mfoster@ci.ludington.mi.us

P.S. Don't forget to #WashYourHandsAndShopLocal

From: Bill Gambill <bgambill@manisteemi.gov>
Sent: Thursday, October 6, 2022 4:44 PM
To: Mitch Foster <mfoster@ci.ludington.mi.us>
Cc: Chief Josh Glass <jglass@manisteemi.gov>; Kelly McColl <kmccoll@manisteemi.gov>
Subject: Re: Deer Cull



To: Chief Glass

From: Sgt. Bruce

Date: 10-23-20

RE: Deer Cull

Chief,

On 10-20-20 I forwarded you an email send to me by USDA Wildlife Biologist Pat Ryan. Mr. Ryan's email the increase cost from \$10,000 to \$15,500. This increased cost is associated with maintaining the same level of culling operations for 2021 as completed in 2020. Mr. Ryan also indicated if this price is too high, advise him of what the City can afford, and he would respond back what that service could provide to the dollar amount given. The 2021 breakdown (as in last years breakdown) is as follows:

Trip #1 (Setup operations):

- One day
- Two employees
- Equipment organization/programming
- One truck & trailer
- Tree stand, cell camera, feeder deployment – (approximately 5 locations)
- Travel from Gaylord & back

Trip #2 Removal effort includes:

- Three days
- Three employees
- Two trucks
- Two removal day/nights in Manistee
- Hotel rooms for two nights
- Deer handling, tagging & delivery to City Garage
- ~~Stand adjustments & feeder/camera maintenance~~

- Travel from Gaylord & back

Trip #3 Removal effort includes:

- Three days
 - Three employees
 - Two trucks one trailer
 - Two removal day/nights in Manistee
 - Hotel rooms for two nights
 - Deer handling, tagging & delivery to City Garage
 - Stand adjustment & feeder/camera maintenance
 - Removal of gear from field (tree stands, cameras, feeders)
 - Travel from Gaylord & back
-

Manistee City Deer Cull History

(2009-2021)

Summer 2009:

- Deer nuisance investigation began at property owners requested after being brought to city council's attention. Stats reference traffic crashes involving deer were requested and provided.
- Received unfavorable response from other citizens during council meetings & discussions ended.

Summer 2014:

- Deer nuisance again revisited by city council.
- Chief, Bachman assigned Sgt. Bruce to conduct a city-wide deer count.
- Sgt. Bruce assigned deer count task to Ofc. Cook and count estimate completed and forwarded.
- Assigned Sgt. Bruce with developing a potential deer cull plan of operation.
- Assigned Sgt. Bruce to contact D.N.R. (Lansing/Traverse City) for potential deer cull operation.
- Worked with DNR Wildlife biologist (Steve Griffiths) to set up operational plan & submitted to Chief Bachman requesting 50 deer permits.
- Power point presentation completed by Sgt. Bruce and submitted to Chief Bachman for council review and discussion.
- City council declined to initiate culling operations after discussion.

Summer/Fall 2015:

- "Ad Hoc Deer Herd Committee" by Chief Bachman formed by citizens, council members & included Chief Bachman. Internet research completed by members of committee.
- Goals & objectives brought forth and discussions ensued in-regards to deer sterilization as opposed to culling operations. Sterilization deemed not cost effective.
- Requested police department to set up culling operation plan. Original plan revised and submitted again by Sgt. Bruce.
- 50 permits issued by D.N.R. (Steve Griffiths / D.N.R. Wildlife Biologist – Traverse City).
- Plan was approved and culling operational plan set to start at beginning of January 2016.
- New council members elected and requested to immediately halt culling operations.
- New discussion developed and requested to contact USDA and city insurance carrier.

Winter/Summer/Fall 2016:

- USDA & city insurance carrier contacted. Advised by insurance carrier not to have city employees (police) conduct culling operations due to potential liability against city and employees. Advised to have USDA conduct operations if approved.
- USDA contacted and provided plan of operation to conduct culling operations to cost \$10,000.
- Council declined to conduct operations.

Summer/Fall 2017:

- Deer cull operations again revisited and USDA contacted again.
- Plan of operation completed and council approved operation plan to begin winter of 2018 for cost of \$10,000.

Winter 2018:

- USDA conducted deer cull in accordance to operational plan and price agreed upon (\$10,000).
- 75% of deer meat from culling operations went to both food banks in City of Manistee.

Summer 2019:

- Council again approved \$10,000 for deer culling operations with USDA serving as agent.
- USDA set culling operation plan in place.

Winter 2020:

- USDA conducted and completed culling operations.
- 100% of deer meat recovered and supplied to both food banks in City of Manistee.
- Advised by USDA that should additional culling operations be conducted a new price scale would have to be negotiated because they were operating at a loss and were far over the \$10,000 agreed upon price.

Summer/Fall 2020:

- USDA contacted in reference to new cost for culling operations.
- USDA reviewed previous two years of operations and advised new cost was \$15,500.00.
- Price forwarded to Chief Glass.
- Council declined 2021 culling operational plan from USDA due to cost increase & requested to know what \$10,000 would achieve.
- USDA data obtained and forwarded to council for review.
- Council declined USDA deer cull proposal.

REGULAR BI – MONTHLY FINANCE & PERSONNEL COMMITTEE MEETING
Monday, September 26, 2022 @ 5 PM - City Hall 400 S. Harrison Street Ludington

Present were Councilors Les Johnson, Kathy Winczewski and John Terzano, Mayor Steve Miller and City Manager Mitch Foster.

The meeting was called to order by Committee Chairman Les Johnson at 5:00 p.m.

Public Comment - None

Communication - None

Approve Meeting Minutes - September 12, 2022

Moved by John Terzano, seconded by Kathy Winczewski to approve the meeting minutes as presented. Motion carried.

Payment of Bills

Questions and comments regarding invoices;

Lakeshore Land & Title 119 W. Ludington Ave. Rental Rehab (Apts. above Grateful Heart Building.)

Chamber Annual Awards Dinner – City pays for Mayor & City Manager

Attorney Legal Services Kolfage \$131 Still Ongoing.

Attorney Legal Services \$726 - Rotta Lawsuit Charter Commission Issue

Recreation – Girls Basketball Tank Tops

DDA Operating Fund – Run Cat 5 Cable to Legacy Plaza (To install WIFI for cameras.)

State of MI - Returned funds to state that were not used for project.

Rath Avenue Lift Station Upgrade project has about \$500,00 left to be paid. Will be paid off in 2027. City Hall has been paid off.

Physical Noah Laird – New WTP employee.

Motor Pool - \$32,000 Fuel Purchase

DDA – The DDA has contracted with the Chamber.

Moved by Kathy Winczewski, seconded by John Terzano to recommend approving the payment of bills as presented. Motion carried.

Staff Reports - None

Old Business

The Police Chief candidate assessment by EMPCO will be paid for out of the Police Department Budget which is a budget within the General Fund.

Deer Cull Surveys were handed out at Ward Meetings and also were available at the front counter.

New Business

Municipal Marina F Dock Replacement – Change Order #2 \$5,200

Just a few issues that need to be taken care of yet on this project. Contractor was waiting on parts. During that time, MEEDCO Sullivan provided some electrical things at the dock until the new parts came in. Once the Marina closes for the season, the new parts will be installed.

Moved by John Terzano, seconded by Kathy Winczewski to recommend approving Change Order #2 for the Municipal Marina F Dock Replacement project. Motion carried.

OTHER

Councilor Kathy Winczewski stated she had been asked to have the Finance Committee consider not having the items discussed by the committee on the day of the council meeting also on the Council agenda to be voted on that same evening. Topics discussed by the Finance Committee would be put on the following Council meeting agenda so as to allow councilors an opportunity to read the meeting minutes regarding the topics, prior to being asked to vote on them.

It was stated that there have been times when the Finance Committee has reviewed agenda items that would typically go to another committee however, due to timing and the need to get approval they have gone to the Finance Committee and to City Council on the same day.

The Committee understands the concern and whenever possible, Finance Committee agenda items will be placed on the following City Council meeting agenda rather than going to Council for approval on that same day.

The Committee also discussed the idea of work sessions. The Council would meet once a month to discuss various topics but no action would be taken. The Committee will run some ideas by City Manager Mitch Foster about the work sessions and/or try to have more discussion on the various topics at the council level.

Adjournment

Moved by John Terzano, seconded by Kathy Winczewski to adjourn. So carried at 5:32 p.m.

Jackie L. Steckel, Asst. to the City Manager

This is a draft copy of the meeting minutes that will be presented for approval at the next committee meeting.

LUDINGTON POLICE DEPARTMENT
2022
MONTHLY ACTIVITY REPORT

MONTH OF: August	2022	2021	2020
CALLS FOR SERVICE	263	375	540
ARRESTS & APPREHENSIONS	35	39	56
TRAFFIC CITATIONS	21	13	23
PARKING CITATIONS	135	1	122

Offense Count Report

Report Criteria:

Start Offense	End Offense	Officer
01000	99038	ALL
AUGUST 2022	PRIOR 12 MONTHS - 2021	PRIOR 24 MONTHS - 2020
08/01/2022-08/31/2022	08/01/2021-08/31/2021	08/01/2020-08/31/2020

Offense	Description	AUGUST 2022	PRIOR 12 MONTHS - 2021	PRIOR 24 MONTHS - 2020
70000	JUVENILE RUNAWAY	4	0	0
70004	Juvenile Issues	1	6	1
72000	ANIMAL CRUELTY	0	1	0
73000	MISCELLANEOUS CRIMINAL OFFENSE	2	2	2
75000	SOLICITATION	0	0	1
93000	PERSONAL INJURY CRASHES	0	1	0
93001	PROPERTY DAMAGE CRASHES On Roadway	3	6	13
93002	Accident, Non-Traffic Private Property	0	1	3
93004	Parking Violations	0	3	5
93005	IN OPS & ABANDONED AUTOS	7	2	5
94002	False Alarm Activations	1	7	5
95003	Inspection, Fire	0	0	1
95004	Hazardous Condition	0	1	0
97001	Accident, Traffic	0	2	0
980010	Inspections/Investigations- Outstanding Warrants	0	0	1
98003	Inspections/Investigations -Property	2	10	130
98004	Inspections/Investigations- Seasonal/Vacant Property	0	0	2
98006	Inspections/Investigations -Civil	10	31	28
98007	Inspections/Investigations -Suspicious Situations	10	34	45
98008	Inspections/Investigations -Lost/Found Property	3	21	23
98009	Inspections/Investigations -Drug Overdose	0	2	1
99001	Suicide	0	0	1
990011	Hospital Security	0	1	0
990012	MENTAL TRANSPORT	3	2	2
990013	DISCHARGE OF DUTY FIREARM	0	0	1
99002	NATURAL DEATH	1	1	0
99003	Missing Persons	0	2	2
99008	General Assistance	65	96	109
99009	General Non-Criminal	3	11	21
99010	Field Interview	0	1	4
99011	LOCKOUT ASSISTANCE	6	5	0
99031	MARINE- SEARCH AND RESCUE	1	0	0
99034	MARINE- ASSIST OTHER AGENCY	0	2	0
Totals:		263	375	540

Offense Count Report

Report Criteria:

Start Offense	End Offense	Officer
01000	99038	ALL
AUGUST 2022	PRIOR 12 MONTHS - 2021	PRIOR 24 MONTHS - 2020
08/01/2022-08/31/2022	08/01/2021-08/31/2021	08/01/2020-08/31/2020

Offense	Description	AUGUST 2022	PRIOR 12 MONTHS - 2021	PRIOR 24 MONTHS - 2020
11002	SEXUAL PENETR'N PENIS/VAGINA CSC3	0	1	0
11007	SEXUAL CONTACT FORCIBLE CSC2	0	1	0
11008	SEXUAL CONTACT FORCIBLE CSC4	0	1	0
13001	NONAGGRAVATED ASSAULT	9	10	5
13002	AGGRAVATED/FELONIOUS ASSAULT	3	1	2
13003	INTIMIDATION/STALKING	0	3	2
22001	BURGLARY - FORCED ENTRY	1	0	0
22002	BURGLARY - ENTRY W/OUT FORCE(INTENT	0	1	1
22003	BURGLARY - UNLAWFUL ENTRY(NO INTENT	2	1	0
2300	NON-REPORTABLE LARC	6	3	3
23003	LARCENY - THEFT FROM BUILDING	3	2	1
23005	LARCENY - THEFT FROM MOTOR VEHICLE	0	2	2
23007	LARCENY - OTHER	3	6	8
2600	NON REPORTABLE FRAUD	5	2	2
26001	FRAUD - FALSE PRETENSE/SWINDLE/CONF	1	0	2
26002	FRAUD - CREDIT CARD/ATM	1	1	0
26003	FRAUD - IMPERSONATION	1	0	1
26005	FRAUD - WIRE	0	0	1
26007	FRAUD - IDENTITY THEFT	0	0	2
2900	NON REPORTABLE MDOP	6	1	3
29000	DAMAGE TO PROPERTY	3	6	2
30002	RETAIL FRAUD - THEFT	1	1	0
3500	VIOLATION OF CONTROLLED SUBSTANCE - NON REPORTABLE	1	0	0
35001	VIOLATION OF CONTROLLED SUBSTANCE	3	4	3
35002	NARCOTIC EQUIPMENT VIOLATIONS	0	0	2
36004	SEX OFFENSE - OTHER	0	1	0
38001	FAMILY - ABUSE/NEGLECT NONVIOLENT	0	1	0
38003	FAMILY - OTHER	2	0	1
42000	DRUNKENNESS	1	1	0
48000	OBSTRUCTING POLICE	1	0	2
50000	OBSTRUCTING JUSTICE	10	16	17
52001	WEAPONS OFFENSE - CONCEALED	0	1	2
5300	NON REPORTABLE DISORDERLY	46	26	21
53001	DISORDERLY CONDUCT	3	2	8
53002	PUBLIC PEACE - OTHER	0	1	0
54001	HIT & RUN MOTOR VEHICLE ACCIDENT	2	3	2
54002	OUIL OR OUID	1	5	5
540023	D.R.E Investigations O/R to Assist	0	1	0
54003	DRIVING LAW VIOLATIONS	13	7	13
5500	NON REPORTABLE HEALTH & SAFETY	9	11	16
55000	HEALTH AND SAFETY	3	0	4
55001	SECURITY/THREAT ASSESSMENT-INDIVIDUAL	1	0	0
57001	TRESPASS	0	1	0
6200	NON REPORTABLE CONSERVATION	0	0	1

Arrest Code Count Report

Report Criteria:

Start Arrest Code	End Arrest Code	
0101	8278	
AUGUST 2022	PRIOR 12 MONTHS - 2021	PRIOR 24 MONTHS - 2020
08/01/2022-08/31/2022	08/01/2021-08/31/2021	08/01/2020-08/31/2020

Arrest Code	Description	AUGUST 2022	PRIOR 12 MONTHS - 2021	PRIOR 24 MONTHS - 2020
1171	PENIS/VAGINA - CSC 1ST DEGREE	1	0	0
1304	NON-FAMILY - GUN	0	0	1
1305	NON-FAMILY - OTHER WEAPON	1	0	0
1313	A & B/SIMPLE ASSAULT	5	6	2
1381	AGGRAVATED STALKING (FELONY)	0	1	0
1394	ASSAULT, INTENT TO COMMIT FELONY	0	0	1
1399	ASSAULT (OTHER)	2	1	0
2308	FROM BLDG., (LIBRARY, OFFICE, ETC. - USED BY PUBLIC)	0	1	0
2399	LARCENY (OTHER)	1	0	0
2604	IMPERSONATION	0	0	1
2902	PRIVATE PROPERTY	0	1	2
3547	METHAMPHETAMINE - POSSES	1	3	2
4299	DRUNKENNESS (ALL CRIMINAL)	1	1	0
4801	RESISTING OFFICER	1	0	0
4899	OBSTRUCTING POLICE (OTHER)	0	0	2
5005	CONTEMPT OF COURT	1	1	3
5006	OBSTRUCTING JUSTICE	8	2	4
5011	PAROLE VIOLATION	0	2	0
5012	PROBATION VIOLATION	1	0	7
5015	FAILURE TO APPEAR	1	5	1
5099	OBSTRUCT (OTHER)	0	0	1
5202	CARRYING CONCEALED	0	1	1
5289	WEAPONS CONCEALED (OTHER)	0	0	1
5311	DISORDERLY CONDUCT	1	1	10
5312	DISTURBING THE PEACE	0	0	1
5393	DISORDERLY CONDUCT (OTHER)	0	1	0
7399	MISCELLANEOUS ARREST	1	0	0
8027	SUPER DRUNK DRIVING	0	1	2
8028	OPERATING WITH BAC OF .08% OR MORE	0	2	0
8031	OUI OF DRUGS	0	0	2
8041	OUI ALCOHOL	1	2	1
8271	NO OPERATE LICENSE NEVER APPLIED	2	2	4
8273	DROVE WHILE LICENSE SUSPENDED, REVOKED	5	5	7
8277	IMPROPER PLATE ATTACHMENT	1	0	0
Totals:		35	39	56



STEVE MILLER, MAYOR
MITCH FOSTER, CITY MANAGER
DEBORAH LUSKIN, CITY CLERK
VACANT, CITY TREASURER

CITY OF LUDINGTON

400 S HARRISON STREET
LUDINGTON, MI 49431
(231) 845-6237 FX (231) 845-1146
WWW.LUDINGTON-MI.GOV

COUNCIL MEMORANDUM

To: The Honorable Mayor and City Council
From: N/A
Through: Mitch Foster, City Manager
Date: 9/12/2022
Re: Nuisance Animal Ordinance Amendment

BACKGROUND: The City has received multiple complaints from property owners and visitors over the years with regards to the feeding of wildlife and keeping of “farm animals” within the City of Ludington. As we have attempted to address these issues, it was determined that our current definitions and prohibitions do not allow for proper enforcement. The proposed changes through this amendment would allow City personnel the opportunity to address animal concerns in a direct fashion.

COMMUNITY OUTREACH AND INVOLVEMENT: N/A

STAFF ANALYSIS OF IMPACT ON ANNUAL GOALS/MASTER PLAN: The effective use of ordinance enforcement is one of our key goals.

COMMUNITY IMPACT: The community should see animal issues addressed quicker and more directly with this change.

FISCAL IMPACT: There is no direct fiscal impact.

ALTERNATIVES: Without this ordinance, we would still struggle to deal with deer feeding and farm animal raising issues.

CITY MANAGER’S RECOMMENDATION: Approve the nuisance animal ordinance amendment.

CITY OF LUDINGTON

MASON COUNTY

ORDINANCE NO. 487 - 22

AN ORDINANCE TO AMEND CHAPTER 34, ARTICLE IV, SECTION 34-99 OF THE CODE OF ORDINANCES OF THE CITY OF LUDINGTON TO PROVIDE FURTHER PROTECTIONS AGAINST CERTAIN ANIMALS CREATING DISTURBANCES OR NUISANCES

THE CITY OF LUDINGTON ORDAINS:

Section 1. Findings & Purpose.

The City Council of the City of Ludington hereby finds and determines as follows:

- Recreational feeding of deer often causes deer concentrations which develop into depredation and other public safety problems;
- Depredation of garden crops and landscaping plants is increasing as deer habitat decreases and deer populations increase within particular areas and neighborhoods in the city;
- Woodland plant communities within the city where deer concentrations are high are deteriorating as a result of those high deer populations; and
- High deer populations are resulting in increased car/deer crashes within the community, causing public safety concerns and negative economic impacts such as increased car insurance premium costs.

The intent of the city council is not to unreasonably infringe upon the recreational enjoyment of city residents who observe wildlife and enhance wildlife habitat on their property. However, the purpose of this artificial feeding ban is to eliminate these deer attractions which, when combined with other management strategies, should reduce, over time, the depredation impacts to adjacent residents, as well as the safety of the traveling public on city streets and thoroughfares, which the Council deems to be necessary in order to serve the interests of the City and to protect the health, safety, and general welfare of the City's residents, business owners, and the community as a whole.

Section 2. Amendment of the title of Section 34-99(f). Article VI of Chapter 34 ("Offenses and Miscellaneous Provisions") of the Code of Ordinances of the City of Ludington is hereby amended by the amendment of the title of subparagraph 34-99(f), which shall now read as follows:

(f) Feeding of Birds and other Wildlife in City Parks, Marinas and Beaches.

Section 3. Amendment of Section 34-99. Article VI of Chapter 34 (“Offenses and Miscellaneous Provisions”) of the Code of Ordinances of the City of Ludington is hereby amended by the amendment of subparagraph 34-99(g), and the inclusion of the following new subparagraphs 34-99(h) – 34-99(j), all of which shall now read as follows:

Section 34-99(g) *Feeding Deer and other Wildlife.* No person may place or permit placement on the ground or within five feet (5’) of the ground surface within the city any fruit, berries, grain, vegetables, nuts, salt or other edible material, or bait, which may reasonably be expected to attract or feed deer, wild turkeys, or other wild animals.

(1) Exceptions. This prohibition shall not apply to:

- a. The feeding of domesticated pets such as cats or dogs;
- b. Naturally growing materials from fruit trees, trees, shrubs, crops, flowers, grains, seeds, or gardens producing fruit or vegetables for household consumption;
- c. Vegetation and planted materials growing in gardens or beds;
- d. Bird feeders at least five feet (5’) off the ground;
- e. Veterinarians, city animal control officers, or county, state, or federal game officials who are acting in the course of their duties and/or have deer in custody or under their management;
- f. Persons authorized by the city to implement a deer management program approved by the city council;
- g. The keeping of compostable material in a bin, container, or other enclosure surrounding the compostable material on all four sides from the ground, and the use of compost, straw, hay, or straw-related materials for erosion control, mulching, gardening or other landscape purposes; and
- h. Stored crops, provided that the stored crop is not intentionally made available to white-tailed deer.

Section 34-99(h) *Farm Animals.* It shall be unlawful for any person to keep live farm animals (including, but not necessarily limited to, chickens, goats, sheep, swine, fowl, cows, or other livestock) on any premises within the city.

Section 34-99(i) *Violation.* A violation of this section shall constitute a municipal civil infraction.

Section 34-99(j) *Enforcement.*

- (1) **Responsible authority.** The chief of police and the police department, the city manager, or any individual authorized to enforce municipal civil infractions under Chapter 2, Section 2-3 of the Code of Ordinances of the City of Ludington are authorized to enforce the provisions of this article.
- (2) **Remedies.** This article shall be subject to the provisions of Chapter 1, Section 1-7 of the Code of Ordinances of the City of Ludington, and may be enforced by injunction, action for abatement, or other appropriate civil remedy to eliminate a public nuisance. The imposition of a fine or penalty does not prevent injunctive relief or civil or quasi-judicial enforcement.

Section 4. Severability.

If any section, clause or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, such declaration shall not affect the remainder of the Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each part, section, subsection, phrase, sentence, and clause irrespective of the fact that any one or more parts, sections, subsections, phrases, sentences, or clauses is declared invalid.

Section 5. Repealer.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Section 6. Effective Date.

This Ordinance shall become effective twenty-one (21) days following its introduction and publication as required by law.

At a regular meeting of the City Council of the City of Ludington, Mason County, Michigan, held on the ___ th day of _____, 2022, at 6:00 p.m., the votes on this proposed Ordinance were:

AYES:

NAYES:

ABSTAINED:

THE RESOLUTION IS DECLARED ADOPTED / REJECTED.

STATE OF MICHIGAN)

COUNTY OF MASON) ss.

I, Deborah L. Luskin, the duly qualified and acting Clerk of the City of Ludington, County of Mason, State of Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the Ludington City Council at a regular meeting held on the ___th day of _____, 2022, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto set my official signature, this ____ day of _____, 2022.

Deborah L. Luskin, City Clerk
City of Ludington

DRAFT

MARIJUANA AD HOC COMMITTEE MEETING

Tuesday, September 27, 2022 @ 3 PM Ludington City Hall 400 S. Harrison St. Ludington, MI

Present were committee members John Terzano, Ted May, Jack Bulger and Jeff Beilfuss, City Manager Mitch Foster, Building Inspector Shaun Reed, Community Development Director Heather Tykoski, Police Captain Steve Wietrzykowski and City Attorney Ross Hammersley participated via conference call. Committee member Cory Rickett was absent.

The meeting was called to order by Committee Chairman John Terzano at 3:06 p.m.

PUBLIC COMMENTS - None

APPROVE MEETING MINUTES – Moved by Jack Bulger, seconded by Ted May to approve the September 13, 2022 meeting minutes as presented. Motion carried.

OLD BUSINESS

Review Final Draft of Zoning Ordinance

City Attorney Ross Hammersley made the suggested revisions to the zoning ordinance and it was presented to the committee for their review. The committee discussed the following;

*\$5,000 fee. Some communities charge an application fee, a site plan review fee and then the \$5,000 license fee. John Terzano stated the \$5,000 fee is the license fee and does not cover the cost of a site plan review, special land use or building permits. Some communities charge one lump sum and others keep the fees separate. John would prefer to keep the fees separate. Jack asked if the fees charged for site plan review and special land use were adequate or should they be increased. The City's SLU fee is \$200. City Attorney Ross Hammersley stated that the City Council has the authority to set fees by resolution. Ross said the any applications or permits submitted for a marijuana establishment will require a more intense review than your typical permit. The current \$200 fee for a SLU could be increased by City Council at a later date. Jeff stated whatever the fees are set at, the City will need to justify the fees so as not to show any discrimination. Building Inspector Shaun Reed stated SLU and Site Plan reviews for marijuana establishments will take several hours.

Jack expressed concern about duplicating paperwork that has to be submitted for the license and also for the SLU. John recommends keeping the processes separate and have the City Council look at raising those fees. Jack stated the committee made the recommendation of a \$5,000 license fee rather than having the City Council set the fee. Jack stated it makes sense for the Planning Commission to recommend the additional fees as they are able to gage the process much more accurately than the Ad Hoc Committee. It was suggested that the Planning Commission recommend the SLU and Site Plan fees to the City Council and the City Council can amend the Marijuana Zoning Ordinance once the fees are approved by Council. The \$5,000 license fee was acceptable to the committee and the other fees can be set by Council at a later date.

*There were several areas within the ordinance that the City Attorney will make sure the language in both the zoning and police power ordinances are the same or in some cases similar. There were some sections that needed to be re-numbered or re-lettered as a result of some language changes.

*Jack Bulger expressed concern that in neither ordinance is the "due process" adequately explained and feels it needs to be explained better so it is easily understood.

*Discussion took place in regard to not being able to appeal a SLU to the Zoning Board of Appeals and the question was asked if they can appeal to the City Council. Ross stated he felt this was adequately covered from a zoning perspective and was covered under the zoning ordinance. Jack felt the language under the existing zoning

ordinance needs to be better clarified. City Manager Mitch Foster stated under the statute any agreed party can make an appeal to the Zoning Board of Appeals on a Planning Commission decision.

City Manager Mitch Foster stated he had spoken with City Clerk Deb Luskin who told him she would prefer to have the applications go to the City Manager. So the necessary changes need to be made throughout the ordinance changing Clerk to City Manager or designee. Ross stated the City Clerk is responsible for all official documents but the ordinance can be administered through the City Manager's Office. The finalized paperwork would then have to be kept on file and accessible to the City Clerk.

Review Draft of Police Power Ordinance

John Terzano stated the "due process" of suspension / revocation needs to be reviewed by the committee. Discussion took place as to whether to rewrite Sections 32-10 through 32-14, add a new section, etc. It was agreed the language must be easy to read and understand.

Section 32-24 should read clearly that not just sales and retail establishments need to consent to a search of records, person, premises. Jack suggested that it makes most sense to change section 32-24 to make it applicable to all establishments and have it cover disclosure of records for all types of establishments. Ross agreed and will make that change. Police Captain Steve Wietrzykowski stated he feels this change in language adequately provides the Police Department the means to search any establishment.

In discussing "due process" the current provision in the City's ordinance refers to appeals. Under the statute there is language that allows an ordinance to designate that there is a penalty for a violation of the ordinance and the fine can be not more than \$500. The enforcement mechanism comes from the statute. Under zoning it is more of a SLU violation.

Section 32-26 highlights constituting a misdemeanor consistent with the state law. It was stated that if there is a conflict between the City and State laws, the State law prevails.

In some communities, fines are set for 1st, 2nd and 3rd violations. The Police Power Ordinance allows the City Council to set up specific fine amounts. John Terzano stated that if a marijuana establishment has a violation, it would be civil infraction with a \$500 fine and their license can be suspended. City Attorney Ross Hammersley stated that was correct. John then asked the question as to why the City would set different fines for multiple violations? John does not believe multiple violations and increased fines is the way to deal with an establishment that continues to get violations. Jack Bulger stated that the City can charge a \$500 fine however the court has the authority to set the fine to what they feel is appropriate up to \$500. Ross stated there is an entire section of the Michigan Law relating to courts and civil actions that relate specifically to municipal infractions.

Jack Bulger stated he had other questions relating to the "due process". He stated the Traverse City code lists 10 reasons why an application can be denied. The City's ordinance just says denied without any explanation as to why it can be denied. He feels there needs to be language in the ordinance that states why an application could be denied similar to what Traverse City has done. Jack also stated that the same person who reviews the application should not be the person who reviews the appeal. It was agreed that the ordinance needs to spell out the process in more detail so both the City and the applicant/licensee understand what reasons the City can use to take action and what the appeal process looks like, including who would review the appeal. The thought was to allow the City Manager to make the final decision and not to take it to City Council. If the applicant chooses, they can take the decision to court and let the court decide. John Terzano expressed concern that there could be a number of issues as to why an application is denied. It may be something as simple as the application was

incomplete. John feels the applicant should be allowed to have one appeal that may address clerical or simple issues that could be corrected without denying the application.

City Manager Mitch Foster stated you have to be careful that an appeal does not become a political issue. Mitch liked listing the reasons why an application could be denied. A checklist should also be included as the front page of the application including everything that needs to be included on the application, what should be attached and the payment for filing the application. It was agreed that having a list of reasons spelled out in the ordinance would support the City Manager's decision.

Committee Chairman John Terzano asked the committee to review all of the changes in the proposed police power ordinance. City Attorney Ross Hammersley will update the ordinance with the suggestions discussed today and once the application process is agreed upon, it can be inserted into the ordinance.

It was agreed the appeal process has to be clearly spelled out and that appeals will be reviewed by the City Manager. If the first application denial is due to minor issues, the applicant would be given X number of days to correct the paperwork and resubmit it to the City Manager for review.

City Attorney Ross Hammersley will incorporate the appropriate language from the Traverse City ordinance in regard to the application and due process in the updated ordinance that will be reviewed by the committee at its next meeting.

Jack Bulger asked about the numbering in the police ordinance. Ross explained the zoning and police power ordinances are separate and different from each other but similar to the portions of the City Code in sections that are referenced.

Jack Bulger had a question on #6 of the municipal license application requiring the applicant to attach a copy of the SLU permit which they won't have at the time they apply. City Manager Mitch Foster suggested that the language read attach a copy of the SLU application and not the permit. Ross will make this change in both the police power and zoning ordinance.

Should there be specific operational requirements that are generally applicable to all facility types or should they each be separate with supplemental sections for each type of facility. It was stated that everyone has to submit similar information so it makes sense to say generally applicable and subsections that deal with specific establishments as needed.

City Attorney Ross Hammersley will make the proposed changes and include more information in regard to the due process including adding provisions from the Traverse City documents listing why an application may be denied and explain the process in regard to what happens when an application is denied.

It was stated that because of some of the proposed police power changes, there may be sections of the zoning ordinance that will now require some changes. The suggestion was made to wait and approve both the zoning and police power ordinance at the same time.

Committee Chairman John Terzano stated he would like the committee to make a recommendation for approval of both ordinances at the next meeting. The zoning ordinance would then be taken to the Planning Commission for their review and recommendation to City Council. John also asked for input from the Committee in regard to the application scoring method. Jeff Beilfuss stated that he would like a couple of weeks to look over the sample applications and information and then have a discussion about the application process at the next Ad Hoc Committee meeting.

The question was asked if the rubric method is defensible. The City does not want to be in a position that would give the applicant a reason to argue. Most of the parties submitting applications will have already gone through the process. Jeff stated he liked the rubric scoring idea. Is it necessary to ask the applicants if they had done business in the city previously? Does it matter? Would someone contest that question? If the applicant is already a business owner in the city, do they get extra points?

City Attorney Ross Hammersley stated in order to best protect the City from potential lawsuits, the application process must be specific and use a less objective type of rubric. The City should not make its decision based on the applicant's ability to meet the requirements set forth in the law but the applicant's ability to operate the business according to the state law and City's marijuana ordinances. City Manager Mitch Foster stated the maximum score should be 25 points, not 100. Jack Bulger asked if the state had any scoring method they use when reviewing applications and Ross stated he was not aware of any.

NEW BUSINESS

Will be discussed at next meeting – License Application & Scoring Method

OTHER

ADJOURN – Moved by Jack Bulger, seconded by Ted May to adjourn. So carried at 4:45 p.m.

Jackie L. Steckel, Asst. to the City Manager

This is a draft copy of the meeting minutes that will be considered for approval at the next committee meeting.

CITY MANAGER COUNCIL REPORT

OCTOBER 10TH, 2022

- Out of COVID quarantine and regaining my sanity and stamina;
- Virginia Didur has been a great addition to the team and we look forward to her starting full time with us;
- Police Chief search is well underway, and we are beginning to narrow up the candidate pool after the first round of interviews;
- Met with the Ludington Daily News regarding the Boat and RV Show and its future within the City;
- A number of budget meetings to get to our initial draft budget. Working to revise it over the next couple weeks;
- Have already received one bid for the Stearns Park Concessions operations and we anticipate one to two more;
- SEIU Bargaining has begun and we hope to have a tentative agreement soon;
- It seems as though the Short Term Rental bill in the State Senate has stalled, but I will keep everyone updated as it moves forward.



September 22, 2022



724 T4 P1 *****AUTO**ALL FOR AADC 493
City of Ludington
400 South Harrison Street
Ludington, MI 49431-2000

Re: Charter Communications - Upcoming Changes

Dear Franchise Official:

This letter will serve as notice that on or around October 23, 2022, Spectrum Mid-America, LLC ("Spectrum"), will add the following channel to the Ludington, MI channel line-up serving your community.

- **The Word Network HD** on SPP Select Tier, channel 159. **The Word Network HD** is the largest African-American religious network in the world. Over the past twenty years the network has gained recognition as the network of choice by featuring ministries, an informative Christian focused television lineup and gospel music.

To view a current Spectrum channel lineup visit www.spectrum.com/channels.

If you should have any questions about this change, please feel free to contact me at (906) 553-7866.

Sincerely,

Joan Movrich
Manager - State Government Affairs, Michigan
Charter Communications



FYI

September 30, 2022



T4 P1 742 *****AUTO**ALL FOR AADC 493
City of Ludington
400 South Harrison Street
Ludington, MI 49431-2000

Re: Charter Communications - Upcoming Changes

Dear Franchise Official:

At Charter, we work hard to keep prices as low as possible. We value our customers and are committed to providing them with the latest products and technology. Despite our best efforts, due to rising programming fees charged by broadcast TV stations we carry, the Broadcast TV Surcharge price for Spectrum Stream TV and Spectrum TV Choice customers will increase by \$4.01 per month, effective November 1, 2022.

Note, for customers who are paying a promotional price for their Spectrum TV, the regular plan price does not take effect until the end of the promotional period.

We remain committed to providing excellent communications and entertainment services in your community. If you have any questions about this change, please feel free to contact me at (906) 553-7866.

Sincerely,

Joan Movrich
Manager - State Government Affairs, Michigan
Charter Communications

Psychosis, Addiction, Chronic Vomiting: As Weed Becomes More Potent, Teens Are Getting Sick

With THC levels close to 100 percent, today's cannabis products are making some teenagers highly dependent and dangerously ill.



By Christina Caron

Published June 23, 2022 Updated July 20, 2022

Councilor Winczewski asked that this information be given to the Councilors.

Sign up for the Well newsletter, for Times subscribers only. Essential news and guidance to live your healthiest life. [Try the Well newsletter for 4 weeks.](#)

To hear more audio stories from publications like *The New York Times*, download Audm for iPhone or Android.

Elysse was 14 when she first started vaping cannabis.

It didn't smell, which made it easy to hide from her parents. And it was convenient — just press a button and inhale. After the second or third try, she was hooked.

"It was insane. Insane euphoria," said Elysse, now 18, whose last name is being withheld to protect her privacy. "Everything was moving slowly. I got super hungry. Everything was hilarious."

But the euphoria eventually morphed into something more disturbing. Sometimes the marijuana would make Elysse feel more anxious, or sad. Another time she passed out in the shower, only to wake up half an hour later.

This was not your average weed. The oil and waxes she bought from dealers were typically about 90 percent THC, the psychoactive component in marijuana. But because these products were derived from cannabis, and nearly everyone she knew was using them, she assumed they were relatively safe. She began vaping multiple times per day. Her parents didn't find out until about one year later, in 2019.

"We got her in a program to help her with it. We tried tough love, we tried everything, to be honest with you," Elysse's father said of her addiction.

Starting in 2020 she began having mysterious bouts of illness where she would throw up over and over again. At first she and her parents — and even her doctors — were baffled. During one episode, Elysse said, she threw up in a mall bathroom for an hour. "I felt like my body was levitating."

Another time she estimated that she threw up at least 20 times in the span of two hours.

It wasn't until 2021, after a half dozen trips to the emergency room for stomach illness, including some hospital stays, that a gastroenterologist diagnosed her with cannabinoid hyperemesis syndrome, a condition that causes recurrent vomiting in heavy marijuana users.

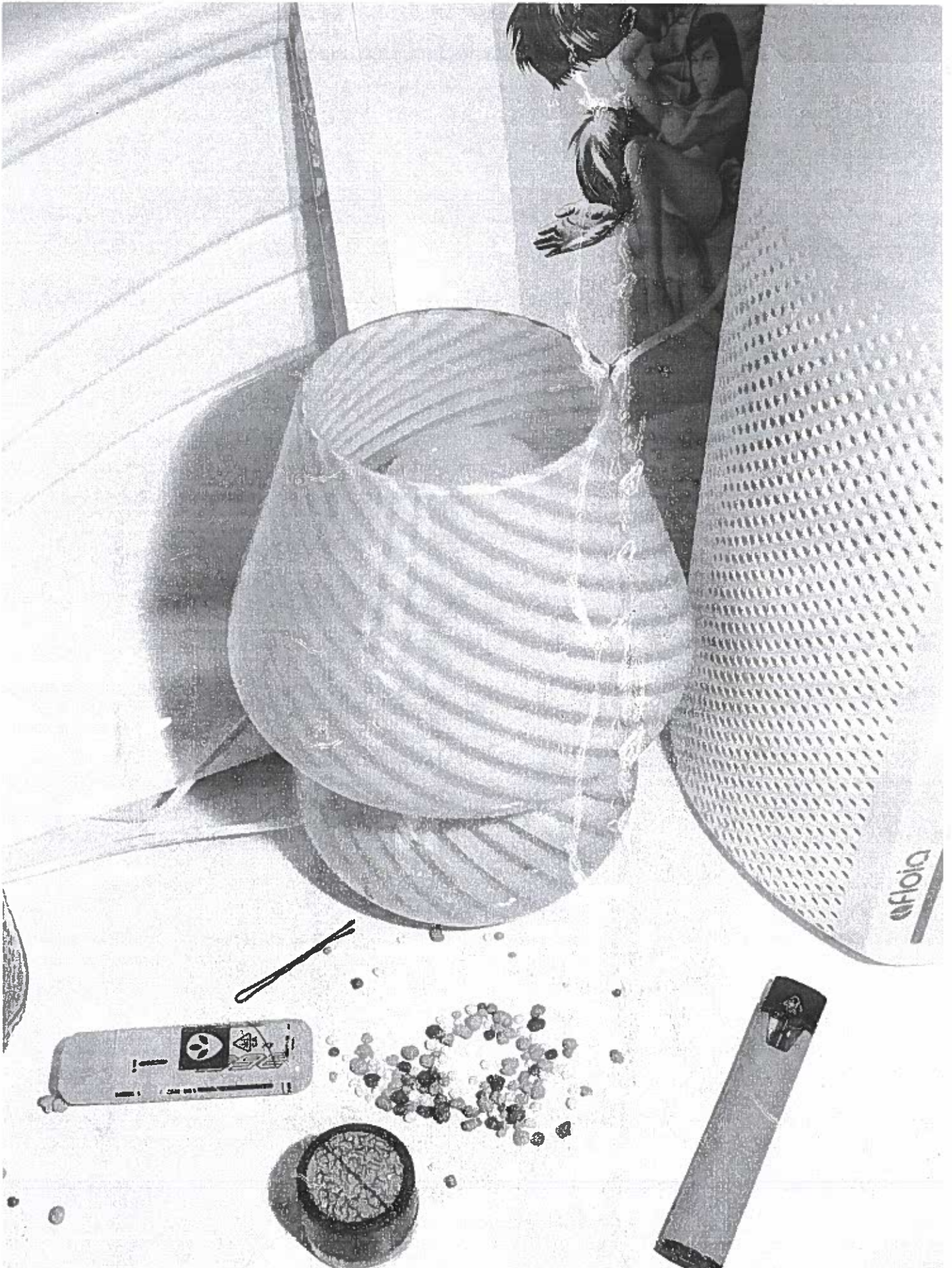
Although recreational cannabis is illegal in the United States for those under 21, it has become more accessible as many states have legalized it. But experts say today's high-THC cannabis products — vastly different than the joints smoked decades ago — are poisoning some heavy users, including teenagers.

Marijuana is not as dangerous as a drug like fentanyl, but it can have potentially harmful effects — especially for young people, whose brains are still developing. In addition to uncontrollable vomiting and addiction, adolescents who frequently use high doses of cannabis may also experience psychosis that could possibly lead to a lifelong psychiatric disorder, an increased likelihood of developing depression and suicidal ideation, changes in brain anatomy and connectivity and poor memory.

But despite these dangers, the potency of the products currently on the market is largely unregulated.

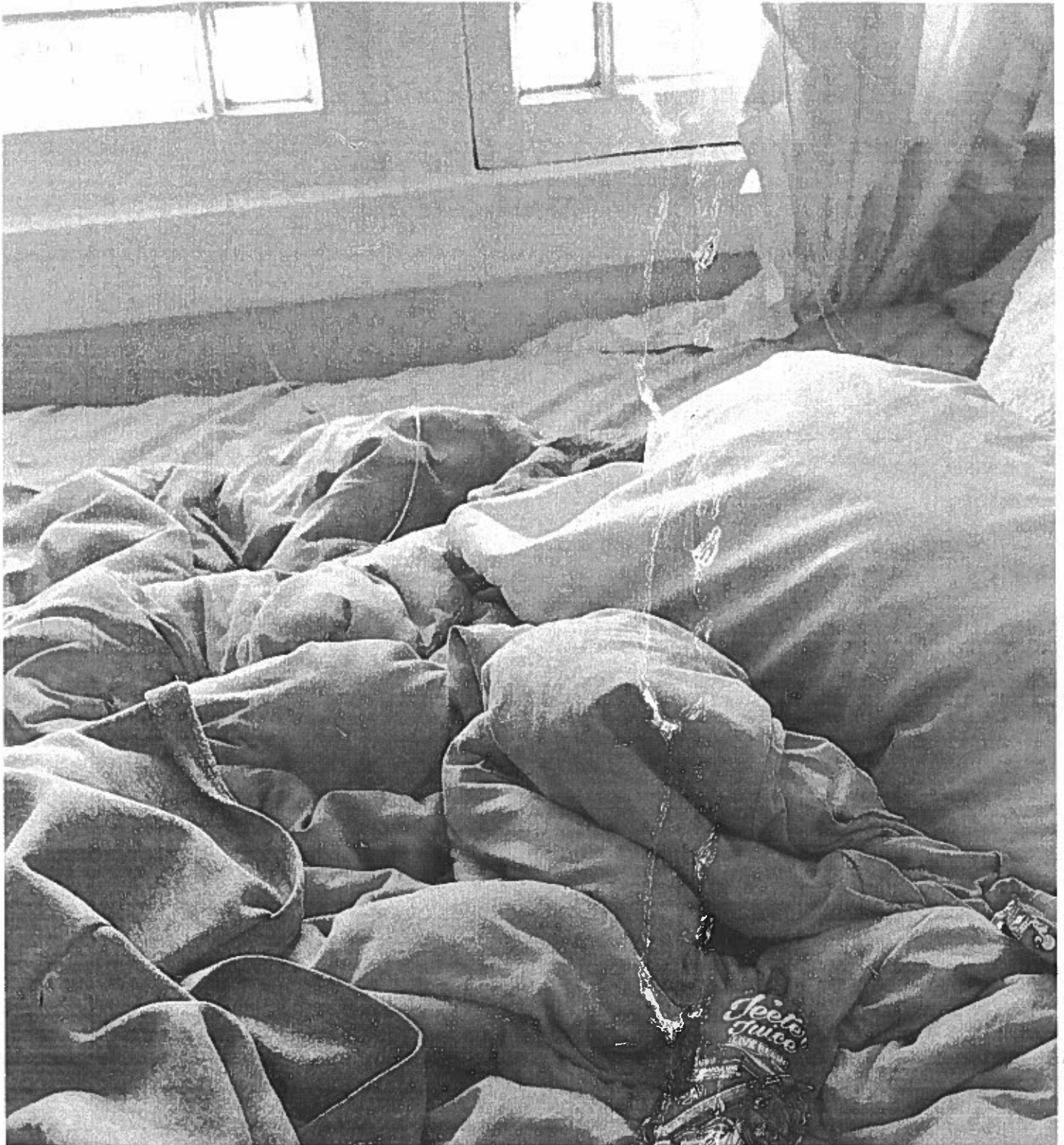
'I felt so trapped.'

In 1995, the average concentration of THC in cannabis samples seized by the Drug Enforcement Administration was about 4 percent. By 2017, it was 17 percent. And now cannabis manufacturers are extracting THC to make oils; edibles; wax; sugar-size crystals; and glass-like products called shatter that advertise high THC levels in some cases exceeding 95 percent.



efloia

Brightly colored vapes alongside a container of cannabis resin wax. In recent years, products like waxes — many containing more than 90 percent THC — have become increasingly popular. Michelle Groskopf for *The New York Times*





A liquid live resin in a girl's bedroom. Some concentrated cannabis products are designed to look like juice boxes to highlight their fruity flavors. Michelle Craddock for The New York Times

Meanwhile, the average level of CBD — the non-intoxicating compound from the cannabis plant tied to relief from seizures, pain, anxiety and inflammation — has been on the decline in cannabis plants.

Studies suggest that lower levels of CBD can potentially make cannabis more addictive.

THC concentrates “are as close to the cannabis plant as strawberries are to frosted strawberry pop tarts,” Beatriz Carlini, a research scientist at the University of Washington’s Addictions, Drug and Alcohol Institute, wrote in a report on the health risks of highly concentrated cannabis.

Although cannabis is legal for recreational use in 19 states and Washington, D.C., and for medical use in 37 states and D.C., only Vermont and Connecticut have imposed caps on THC concentration. Both ban concentrates above 60 percent, with the exception of pre-filled cartridges, and do not permit cannabis plant material to exceed 30 percent THC. But there is little evidence to suggest these specific levels are somehow safer.

“In general, we do not support arbitrary limits on potency as long as products are properly tested and labeled,” Bethany Moore, a spokeswoman for the National Cannabis Industry Association, said in a statement. She added that the best way to keep marijuana away from teens is to implement laws that allow the cannabis industry to replace illegal markets, which do not adhere to age restrictions, state-mandated testing or labeling guidelines.

The Food and Drug Administration has sent warnings about various cannabis products, including edibles, but so far federal regulators haven’t taken action to curb potency levels because cannabis is federally illegal, said Gillian Schauer, the executive director of the Cannabis Regulators Association, a nonpartisan nonprofit organization that convenes government officials involved in cannabis regulation across more than 40 states and territories.

California lawmakers are now considering adding a mental health warning label to cannabis products specifying that the drug may contribute to psychotic disorders

National surveys suggest that marijuana use among 8th, 10th and 12th graders decreased in 2021, a change partly attributed to the pandemic. However, over the two-year interval from 2017 to 2019, the number of kids who reported vaping marijuana over the last 30 days rose among all grades, nearly tripling among high school seniors. In 2020, 35 percent of seniors, and as many as 44 percent of college students, reported using marijuana in the past year.

Elysse got sober before entering college but soon found that seemingly everyone on her dorm floor habitually used weed.

“Not only carts,” she said, referring to the cannabis cartridges used in vape pens, “but bong, pipes, bowls — absolutely everything.” Each morning, she found students washing their bong in the communal bathroom at 8 a.m. to prepare for their “morning smoke.”

After a few weeks, she began vaping concentrated THC again, she said, and also started having dark thoughts, occasionally sitting alone in her room and sobbing for hours.

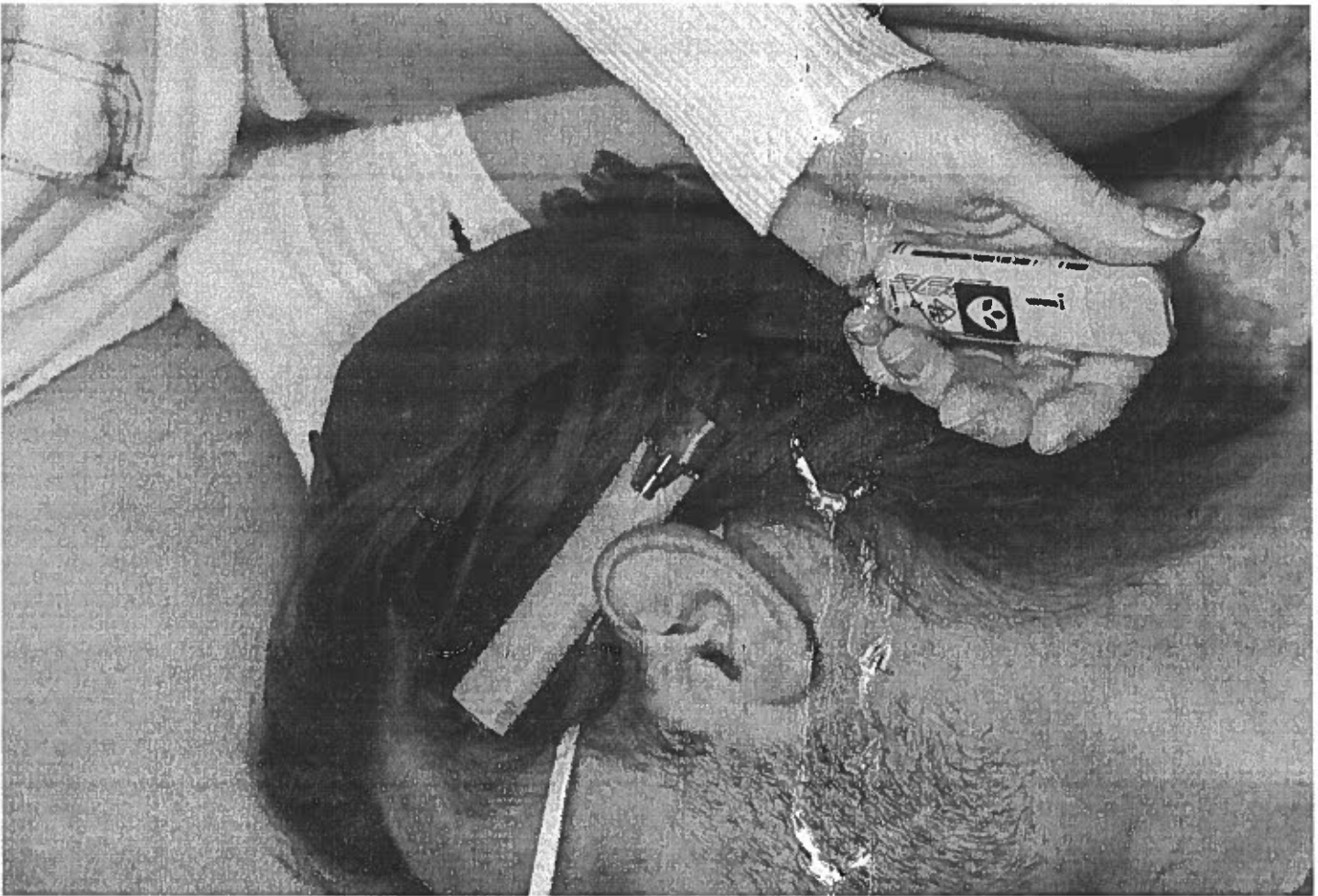
“I felt so trapped,” said Elysse, who has now been clean for nearly two months. “This is not fun in any way anymore.”

Teens are particularly affected by cannabis.

Michael McDonell, an addiction treatment expert at the Washington State University college of medicine, said that more research is needed to better understand how much more prevalent psychosis and cannabinoid hyperemesis syndrome have become among teenagers and others using high potency products.

Even so, he added, “we definitely know that there’s a dose-dependent relationship between THC and psychosis.”

One rigorous study found that the risk of having a psychotic disorder was five times higher among daily high potency cannabis users in Europe and Brazil than those who had never used it.



A couple with cannabis vape pens. In 2020, 35 percent of high school seniors, and as many as 44 percent of college students, reported using marijuana in the past year. Michelle Groskopf for The New York Times

Another study, published in 2021 in *JAMA Psychiatry*, reported that, in 1995, only 2 percent of schizophrenia diagnoses in Denmark were associated with marijuana use, but by 2010 that figure had risen to 6 to 8 percent, which researchers associated with increases in the use and potency of cannabis.

Cannabinoid hyperemesis syndrome, which can often be alleviated by hot baths and showers, is also linked to prolonged, high-dose cannabis use. As with psychosis, it's unclear why some people develop it and others do not.

Dr. Sharon Levy, the director of the Adolescent Substance Use and Addiction Program at Boston Children's Hospital, said there is "no doubt that higher concentration products are increasing the number of people who have bad experiences with cannabis."

When her clinic opened in 2000, marijuana was illegal in Massachusetts. At the time, Dr. Levy said far fewer kids came in with psychotic symptoms "and we almost never saw cannabis hyperemesis syndrome."

Now, she said, those numbers are shooting up. Psychotic symptoms while high can include hallucinations, trouble distinguishing between fantasy and reality, strange behaviors (one young man would spend his days tying plastic bags into knots) or voices talking to them in their head, she added.

If a teenager displays these symptoms, getting that person off cannabis “becomes an emergency,” she said. “Because maybe, just maybe they’ll clear up, and we’re preventing someone from developing a lifelong psychiatric disorder.”

‘Oh well, it’s just weed.’

Laura Stack, who lives in Highlands Ranch, Colo., said that when her son Johnny first confessed to using marijuana at the age of 14, she said to herself, “Oh well, it’s just weed. Thank God it wasn’t cocaine.”

She had used marijuana a couple of times in high school and cautioned him that marijuana would “eat your brain cells.” But at the time she wasn’t overly concerned: “I used it, I’m fine, what’s the big deal?”

“But I had no idea,” she added, referring to how marijuana has changed in recent years. “So many parents like me are completely ignorant.”

Initially, her son did not have any mental health problems and excelled in school. But he eventually started using high potency marijuana products multiple times a day, and this, Ms. Stack said, “made him completely delusional.”

By the time he reached college, he had been through various addiction treatment programs. He had become so paranoid that he thought the mob was after him and his college was a base for the F.B.I., Ms. Stack said. At one point, after he moved out of his childhood home, he threatened to kill the family dog unless his parents gave him money. His mother later discovered that Johnny had obtained his own medical marijuana card when he turned 18 and had begun dealing to younger kids.

After several stays at mental hospitals, the doctors determined that Johnny had a severe case of THC abuse, Ms. Stack said. He was prescribed an anti-psychotic medication, which helped — but then he stopped taking it. In 2019, Johnny died after jumping from a six-story building. He was 19. A few days before his death, Ms. Stack said, Johnny had apologized to her, saying that weed had ruined his mind and his life, adding, “I’m sorry, and I love you.”

A recent study found that people who used marijuana had a greater likelihood of suicidal ideation, plan and attempt than those who did not use the drug at all. Ms. Stack now runs a nonprofit called Johnny’s Ambassadors that educates communities about high-THC cannabis and its effect on the adolescent brain.

There’s ‘no known safe limit.’

It can be difficult to pinpoint exactly how much THC enters someone’s brain when they’re using cannabis. That’s because it’s not just the frequency of use and THC concentration that affect dosage, it’s also how fast the chemicals are delivered to the brain. In vaporizers, the speed of delivery can change depending on the base the THC is dissolved in, the strength of the device’s battery and how warm the product becomes when it’s heated up.

Higher doses of THC are more likely to produce anxiety, agitation, paranoia and psychosis.

“The younger you are, the more vulnerable your brain is to developing these problems,” Dr. Levy said.

Youths are also more likely to become addicted when they start using marijuana before the age of 18, according to the Substance Abuse and Mental Health Services Administration.

Furthermore, there is growing evidence that cannabis can alter the brain during adolescence, a period when it is already undergoing structural changes. Until more is known, researchers and clinicians recommend postponing cannabis use until later in life.

“I have kids asking me all the time, ‘What if I do this just once a month, is that OK?’” Dr. Levy said. “All I can tell them is that there’s no known safe limit.”

Dr. McDonnell agreed that avoiding drug use entirely is always the safest option, but said that some kids might require a more nuanced conversation. He advised having open discussions about drugs with middle-schoolers and teenagers, while also educating them about the dangers of high potency cannabis products compared to those that are mostly made of CBD.

“I think that’s something we’re all struggling with as a community,” he added. “How do we get this information to parents and kids fast enough?”

Audio produced by Kate Winslett.

Councilor Winczewski asked that this information be given to the Councilors.

FYI

NEWS

How Weed Became the New OxyContin

Big Pharma and Big Tobacco are helping market high-potency, psychosis-inducing THC products as your mother's 'medical marijuana'

BY LEIGHTON WOODHOUSE

AUGUST 30, 2022

FOR 30 YEARS, DR. LIBBY STUYT, A RECENTLY RETIRED ADDICTION psychiatrist in Pueblo, Colorado, treated patients with severe drug dependency. Typically, that meant alcohol, heroin, and methamphetamines. But about five years ago, she began to see something new.

“I started seeing people with the worst psychosis symptoms that I have ever seen,” she told me. “And the worst delusions I have ever seen.”

These cases were even more acute than what she'd seen from psychotic patients on meth. Some of the delusions were accompanied by “severe violence.” But these patients were coming up positive only for cannabis.

Stuyt wasn't alone: Health care professionals throughout Colorado and all over the country were seeing similar episodes.

Ben Cort, who runs an addiction recovery center in Steamboat Springs, Colorado, watched a young man jump up on the table in the emergency

department and strip naked, claiming he was the God of thunder and threatening to kill everyone in the room, including two police officers. A collegiate athlete Cort worked with also had a psychotic episode and was shot five times by the police with a beanbag gun before he was subdued. In Los Angeles County, Blue Stohr, a psychiatric social worker, had a patient who climbed a 700-foot crane and considered jumping off of it, not because he was suicidal but because he thought he was in a computer simulation, like *The Matrix*.

Those patients, too, were high only on cannabis.

In 2012, Colorado legalized marijuana. In the decade since, 18 other states have followed suit. As billions of dollars have flowed into the new above-ground industry of smokable, edible, and drinkable cannabis-based products, the drug has been transformed into something unrecognizable to anyone who grew up around marijuana pre-legalization. Addiction medicine doctors and relatives of addicts say it has become a hardcore drug, like cocaine or methamphetamines. Chronic use leads to the same outcomes commonly associated with those harder substances: overdose, psychosis, suicidality. And yet it's been marketed as a kind of elixir and sold like candy for grown-ups.

"I got into addiction medicine because of the opioid crisis," said Dr. Roneet Lev, an addiction medicine doctor in San Diego who hosts a podcast about drug abuse. Years ago, she advocated against the overprescription of opioid painkillers like OxyContin. Now, she believes she's seeing the same thing all over again: the specious claims of medical benefits, the denial of adverse effects. "From Big Tobacco to Big Pharma to Big Marijuana—it's the same people, and the same pattern."

Prior to legalization, marijuana plants were bred to produce higher and higher

concentrations of THC, a naturally occurring chemical compound in the plant that induces euphoria and alters users' perceptions of reality. In the 1960s, the stuff the hippies were smoking was less than 2% THC. By the '90s, it was closer to 5%. By 2015, it was over 20%. "It's a freak plant that resembles nothing of what has existed in nature," said Laura Stack, a public speaker who has advocated against the industry since her son, Johnny, killed himself three years ago at 19 years old after years of cannabis abuse drove him into psychosis.

In the era of legalized weed, the drug you think of as "cannabis" can hardly be called marijuana at all. The kinds of cannabis products that are sold online and at dispensaries contain no actual plant matter. They're made by putting pulverized marijuana into a tube and running butane, propane, ethanol, or carbon dioxide through it, which separates the THC from the rest of the plant. The end product is a wax that can be 70% to 80% THC. That wax can then be put in a vacuum oven and further concentrated into oils that are as much as 95% or even 99% THC. Known as "dabs," this is what people put in their vape pens, and in states like California and Colorado it's totally legal and easily available to children. "There are no caps on potency," said Stack.

If you're over 30 years old and you used to smoke weed when you were a teenager, the strongest you were smoking was probably 20% THC. Today, teenagers are "dabbing" a product that's three, four, or five times stronger, and are often doing so multiple times a day. At that level of potency, the impact of the drug on a user's brain belongs to an entirely different category of risk than smoking a joint or taking a bong rip of even an intensively bred marijuana flower. It's highly addictive, and over time, there's a significant chance it can drive you insane.

If you've ever smoked a bowl and become irrationally anxious that everyone is

staring at you and knows you're high, what you experienced was a mild symptom of cannabis-induced psychosis. According to one study, about 40% of people react this way. If you experience that paranoia and keep smoking on a regular basis nonetheless—especially with today's high-potency THC products, and especially if you're young—there's a good chance you'll eventually suffer a full psychotic break; 35% of young people who experience psychotic symptoms, according to another study, eventually have such an episode. If you keep using after that, you run a decent risk of ending up permanently schizophrenic or bipolar. Cannabis has by far the highest conversion rate to schizophrenia of any substance—higher than meth, higher than opioids, higher than LSD. Two Danish studies, as well as a massive study from Finland, put your chances at close to 50%.

READ MORE BY LEIGHTON WOODHOUSE

NEWS

The People's Convoy Sets Out to Washington

Inspired by Canada's example, the U.S. trucker caravan carries with it a concrete version of class struggle that the American left has abandoned

BY LEIGHTON WOODHOUSE

HISTORY

The Cold Civil War

Is freedom our right or our privilege?

BY LEIGHTON WOODHOUSE

NEWS

Pigs to th

The meat COVID-19 cruelty to alike—yet better tha

BY LEIGHTON WOODHOUSE

“One out of every 20 daily users can expect to develop schizophrenia if they don't quit,” Dr. Christine Miller, an expert on psychotic disorders, told me.

But quitting THC products of that potency is “almost impossible,” Stuyt said,

comparing its addictive power to tobacco. The days of marijuana addiction being merely “psychological” are over. “There is a definite withdrawal syndrome that includes irritability, anger, anxiety, massive cravings, can’t sleep, can’t eat,” said Stuyt.

And it’s even harder because so many users believe it’s *good* for them.

As a teenager, Kevin Bright suffered from depression and anxiety. He started smoking pot at around 15 years old to self-medicate. As his tolerance built up, he started using THC concentrates—the stuff made from those high-potency waxes and oils—which was legal and easily available in the Bay Area suburb where he grew up. His personality began to unravel, his father, Bart, told me. He was constantly irate. He attempted suicide several times—once by ingesting pills, once by trying to hang himself, and another time by driving his car into the Bay. Then he began developing full-blown delusions, imagining that the FBI was after him. When he called his parents, he would scream at them in gibberish. Eventually, at 29 years old, he put a plastic bag over his head and breathed nitrous oxide through a tube until he suffocated to death.

Kevin had a hardcore drug addiction, but in his imagination, he was just taking medicine—and a \$13 billion industry was telling him he was right.

“The line about it being medicine—he bought that,” Bright said about his son. “I told people, what medicine do you get from a doctor that’s 100% always approved, that you can get within 10 to 15 minutes online, you can take as much as you want per year, you never have to come back to renew it?”

Since marijuana is still considered a Schedule I Controlled Substance by the federal government, there’s no such thing as a “prescription” for medical cannabis. Instead, you can get a “recommendation” from a physician.

“This doctor’s recommendation typically has no expiration, has no dose, has no duration, and no change across state lines,” Ben Cort said. “It’s basically, ‘Take as

much as you want as often as you want until you feel what you want.” (Colorado has tightened rules around medical cards, but only for 18- to 20-year-olds, in an effort to mitigate drug dealing in high schools.)

To get a recommendation, you can go to websites with names like “NuggMD” and get approved in less than 10 minutes. With that recommendation, you can acquire a state-licensed medical marijuana card. In states where recreational use of cannabis is legal, you don’t need a medical marijuana card to buy cannabis products, but the card exempts you from certain taxes—it’s basically a discount card for high-frequency users.

At a dispensary, there’s no distinction between cannabis products made to be consumed for fun and ones created for their supposed healing properties. “You walk into a store, it’s the exact same product,” Cort said. “If you have a med card, you pay less tax.”

The array of products on offer is dazzling. On WeedMaps.com, you can buy your cannabis in the form of a joint, flower, vape, concentrate (budder, crumble, or crystalline), cookie, brownie, corn nut, caramel corn, jalapeño cheese cracker, rice crispie bar, macaron, pretzel bite, cereal, tincture, syrup, seltzer, iced tea, herbal tea, tonic, apple juice, punch, mocktail, root beer, cream soda, lemonade, agua fresca, powder, gummy, mint, chocolate, gum, balm, salve, bath bomb, salt, oil, shower gel, or soap, and have it delivered to your doorstep.

These products are all sold as “medicine,” even though none of them is FDA-approved. (There are only four cannabis-based drugs that have received FDA authorization, all of which require prescriptions.) And although it’s illegal for anyone without a medical degree to offer medical advice, dispensary “budtenders” do it all the time. Their advice is completely evidence-free, because no evidence exists that the specific products they sell have any medicinal value.

“Drug companies are forever doing drug trials to see if this new drug helps or

doesn't help," said Dr. Robin Murray, a psychiatric researcher at King's College London who specializes in cannabis-induced schizophrenia. "Why would cannabis companies do this? They're doing so well without the trials. The trial might show that it *wasn't* helpful. So they've got no incentive to do these trials."

"There is research out there supporting the use of cannabis for some medical conditions," said Stuyt, "But it's all less than 10% THC. Nothing has been studied greater than 10%. But we have all this research showing that greater than 10% puts you at risk for psychosis, addiction, suicide, cannabis hyperemesis syndrome [constant, severe vomiting]—all these things that high-potency THC is doing."

"High-potency" describes almost all of the cannabis products sold in the United States today, the vast majority of which are over 15% THC.

Dr. David Smith, an addiction medicine doctor who founded the Haight Ashbury Free Clinic in 1967, is highly optimistic about the prospects of cannabis research for medical purposes, as well as the medical potential of psilocybin and other psychedelics. "There's a lot of promise in cannabis medicine," he told me. "But you're not going to get that by vaping in a classroom." The pantomime version of drug prescription that characterizes the cannabis market today "is not the way medicine's supposed to be practiced," he told me.

"It's insulting to the medical profession," said Dr. Lev. "They've hijacked the word 'medical.'"

"This is not medicine," said Stuyt. "This high-potency THC has not been studied as medicine. But because it's allowed to be heavily marketed and advertised as medicine, people believe it's safe. And so they believe it's medicine. And when you take medicine for a chronic problem, you take it every day. Sometimes you take it all day long. And that makes you addicted to it. And so then you're in constant withdrawal."

“Look at the industries that pioneered the addiction business: tobacco, alcohol, and pharmaceuticals. Today, all three are heavily invested in cannabis.”

Share ↗

To imagine the market potential for a legal, highly addictive drug, all you have to do is look at the colossal success of the industries that pioneered the addiction business: tobacco, alcohol, and pharmaceuticals. Today, all three are heavily invested in cannabis. In 2019, Altria, the parent company of Marlboro cigarettes, acquired 45% of Cronos, one of the world’s biggest cannabis companies. Constellation Brands, a major alcohol conglomerate, has billions invested in Canopy, another cannabis company. Last year, Jazz Pharmaceuticals acquired GW Pharmaceuticals, the company that makes one of the four FDA-approved, cannabis-derived drugs. Even a former CEO of Purdue Pharma, the company that made OxyContin, co-founded a medical marijuana company called Emblem after helping to create the modern opioid epidemic.

“People think it’s a miracle drug, that it’s nonaddictive, that it helps with cancer and anxiety,” said Jordan Davidson, who recovered from cannabis addiction and now works for Smart Approaches to Marijuana, which advocates against the expansion of the cannabis industry. “It’s more like Big Tobacco 2.0.”

The future of the industry that these investors are now betting on is focused on

families like Aubree Adams' in Pueblo, Colorado.

Aubree's older son started using legal cannabis products in the eighth grade. By his freshman year in high school, he was addicted. He became psychotic: "Self-harming, violent behaviors, couldn't even regulate any moods—crying obsessively, inconsolable, paranoid over things, thinking people were after us," his mother recounted. He tried to kill his little brother several times. Once Aubree's younger son had to run away from his brother barefoot in the snow. Aubree had to quit her job to stay home to protect him. Her older son attempted suicide. He started selling marijuana, and ended up on the streets. He got beat up. Someone threatened to shoot up the family's house.

On one occasion, Aubree found herself trying to calm down her son as he frantically searched the house for the key to the lock on the family's gun, believing people were coming after him. "There were many moments when I had to tell my younger son, 'Get out of the house,'" Aubree said. "There were moments when I said, 'Get the dog. Lock yourself in my bedroom.'"

When Aubree tried to get her son to stop he would say, "It's medicine, Mom. You're the only one not using it, Mom. Maybe you need to start using it, Mom. You'll feel better. What you're saying is a lie, Mom. It's all propaganda, Mom."

Even while watching all of this unfold, Aubree's husband began secretly using cannabis as well, believing it would calm his anxiety. He went to a dispensary and complained about panic attacks. The budtender readily offered him spurious medical advice, recommending marijuana flowers that were 24% THC. Aubree's husband began regularly consuming cannabis as his family was falling apart, and fell into a pattern of depression and suicidal ideation.

It's a common pattern: People start consuming cannabis to fix their anxiety, but the withdrawal from the THC instigates anxiety instead of alleviating it.

"People think, 'Oh, it's my symptoms. That's why I need it. I'm anxious and it's treating my anxiety,'" said Stuyt. "No: It's the *withdrawal* that's *causing* your

anxiety.”

It’s a vicious cycle that’s great for business. At the root of the misconception is the myth that “cannabis” as it exists today is a safe, natural, medicinal substance. But if people thought of today’s high-potency THC products the way they think of hard drugs, far fewer people would fall under its influence—which is why it’s so important to the industry that they don’t.

“Everybody knows meth is bad,” Cort said. “There’s not a user who does not think meth is bad. You survey America, about 65% of them are going to tell you there’s nothing wrong with weed.”

And now those Americans are facing a tidal wave of corporate advertising telling them they’re right.

“This is a for-profit industry,” said Stuyt. “And they profit off of addiction.”

Leighton Akira Woodhouse is a freelance reporter and documentary filmmaker. He writes at leightonwoodhouse.substack.com.

#MARIJUANA #ADDICTION