



Regular City Council Meeting  
7:00 p.m., Monday, May 18, 2020  
Virtual Meeting via Zoom  
Meeting ID: 885 0220 6668  
Password: 897651

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## REGULAR MEETING AGENDA

1. **ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF ITEMS ON CONSENT AGENDA**
  - A. **Accept City of Farmington Board and Commission Minutes**
  - B. **City of Farmington Minutes**
  - C. **Farmington Monthly Payments Report – March & April 2020**
  - D. **Farmington Public Safety Monthly Report**
  - E. **Farmington Quarterly Investment Report – 3/31/20**
  - F. **Farmington Quarterly Financial Report – 3/31/20**
  - G. **Farmington Quarterly Financial Report Court – 3/31/20**
  - H. **Accept Public Safety Annual Report**
  - I. **Boards & Commissions: Library Board Resignation**
  - J. **Proclamation: National Gun Violence Awareness Day (Wear Orange Day), Friday June 5, 2020**
4. **APPROVAL OF REGULAR AGENDA**
5. **UNFINISHED BUSINESS**
  - A. **Special Event Applications: Swing Farmington**
6. **NEW BUSINESS**
  - A. **Consideration to Approve Resolution Renewing Participation in the Oakland County Community Development Block Grant (CDBG) Program for a Three-Year Period (2021-2023)**
  - B. **Consideration to Approve Public Hearing Notice for Proposed Fiscal Year 2020-2021 Budget and Property Tax Rates and Schedule Public Hearing**
  - C. **Consideration to Amend Fiscal Year 2019-20 Budget**
  - D. **Consideration to approve the Great Lakes Water Authority Industrial Pretreatment Program and adopt the resolution as defined by GLWA**
7. **PUBLIC COMMENT**
8. **CITY COUNCIL COMMENTS**
9. **ADJOURNMENT**

<b>Farmington City Council Staff Report</b>	<b>Council Meeting Date: May 18, 2020</b>	<b>Item Number 3A</b>
<b>Submitted by: Melissa Andrade, Assistant to the City Manager</b>		
<b><u>Agenda Topic:</u> Accept Minutes from City's Boards and Commissions</b>		
<p>CIA: May meeting canceled DDA: April 2020 Historical: May meeting canceled Parking: April meeting canceled Planning: March 2020 ZBA: May meeting canceled Library: April 23 Special Meeting, April 28 Special Meeting, May 12 Special Meeting Farmington/Farmington Hills Arts Commission: March minutes not yet posted Commission on Children, Youth and Families: March minutes not yet posted Emergency Preparedness Committee: March minutes not yet posted</p>		



Annual Meeting  
6:00 p.m. Wednesday, April 1, 2020  
Virtual Zoom Conference Room  
23600 Liberty Street  
Farmington, MI 48335

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## MINUTES

**Called to order by Todd Craft at 6:03pm**

### 1. Roll Call

Present: Todd Craft, Chris Halas, Kathy Griswold, Rachel Gallagher, Sean Murphy, Micki Skrzycki, Tom Pascaris, Sara Bowman, Tom Buck

Absent: None

Others Present: Kate Knight, Jess Westendorf

### 2. Approval of Items on Consent Agenda

a. Financial Report

b. Minutes: March 4, 2020 DDA Regular Meeting

c. Minutes Design Committee, February 27, 2020

**Motion to approve items on the consent agenda**

**Result: Approved [Unanimous]**

**Moved: Skrzycki**

**Seconded: Griswold**

### 3. Approval of Regular Agenda

**Motion to approve items on the regular agenda**

**Result: Approved [Unanimous]**

**Moved: Buck**

**Seconded: Murphy**

### 4. Public Comment

None

### 6. Financial Snapshot

- Overview: By Knight
- Discussion regarding if our budget would coming lower under our current circumstances.
- Chris Weber added that there is debt service that the DDA will still need to pay that hasn't occurred yet. (DDA's commitment to pay for Grove and GD river streetscape)

### 7. Executive Director Update

- COVID-19: DDA staff has transition to working from home, but still in contact with Downtown Businesses. Working with the lawyer to determine what is deemed essential services. Currently only contractor is Sean O'Reilly.
- Shout out to the promotions committee for jumping on emergency calls to work through COVID-19!
- Staff is in discussion with MDA, MSOC, and County executive, MML, and MEDC in forums to help maximize our resources and keep our district informed.
- Asking for approval of our FY2020-2021 budget with the caveat that it will be reexamined with our current economic realities in mind. Consider these priorities:
  - DDA staff and engagement in crisis management. Just trying to support our local businesses as best as possible

- Focus on maintenance and stewardship of existing assets
- Support public/private partnership in investment (Village Mall redevelopment)
- Adapt our approach with the projects we've initiated with retail study, TIF development tools to keep flexible and applicable to our new conditions.

## 10. FY 2020-2021 Draft Budget

Discussion of if we should keep a portion of our allocated budget for triage and other needs related to COVID-19.

- Knight: expressed that we need to be intentional on how we support our downtown business community. One thing available to one business needs to be available to all. A tool available is the reallocation of our professional services. Consider having a town hall for available retailers to answer specific questions about finance, or other. It would be a great opportunity for our downtown merchants to ask questions, have conversations, relay needs and relay how they can see us supporting their needs.
- Discussion ensued.
- In agreement that we need to continue to provide details regarding tools such as SBA loans and grants are available. Mayor Bowman outlined some of the resources available with \$3.9B available for the State of Michigan.

Discussion on if we need to put approval of budget on hold until a later date.

Discussion of putting the retail study on hold, TIF study, and other programs on hold until we understand the ramifications of COVID-19.

Discussion of retaining funds to potentially help our small businesses that may see tough times, but also consider that they can receive funding elsewhere. ie state programs, county programs, and more.

Discussion of capital outlay on events and ramifications of cancelling events.

Discussion of converting 2 Mil Levy from TIF to PSD. This will not affect the amount of money we are generating, but the intention of where to spend it. Not changing how we are capturing it.

Overview of revenue sources by Chris Weber: PSD, 2 Mil Levy, Property taxes are all stable for at least one year.

## Motion to approve DDA 2020/21 Proposed Budget

**Result: Approved [Unanimous]**

**Moved: Buck**

**Seconded: Skrzycki**

## 11. Committee Updates:

### a. Design Committee

Overview by Knight: Streetscape preparation effort. Still moving forward to develop documents. Obtaining easements, Late Feb/Early March- anticipating that there would be some technical review questions for our project. Conversation still continues. Once we get approval from MDOT that this would be fully supported by SHPO, we will plan to move forward. This could result in lower bids, but we will know more in a few months. Need to know what we are receiving from the state before we can allocate professional services.

DDA Board consensus that we need to continue with this project.

Purchased umbrellas for Riley Park for when we are ready to gather.

### b. Public Art Committee

Committee has not met in light of the current situation. We had an effective public art event in February to get the word out. We are putting crowd funding on hold at the moment as we make helping downtown businesses the primary focus.

Discussion of potentially moving programming to weekend of Founder's Festival.

### c. Promotions Committee

Update from Halas: Outlined the extreme efforts of the Promotion Committee during the COVID outbreak. Within 24 hours, the team put together a plan and executed social media and in print for the water bill. Promotions will need to continue to stay relevant as businesses continue to



stay open. Listed examples of: getting the word out on carryout parking and creative conversation with Metromode on “What is deemed Essential” in Farmington. This will be the next push for Metromode. Content that can be shared as a cohesive statement and also split up for social media features.

**d. City Parking Committee**

Update from Gallagher: 15 minute parking executed and suggested to Public Safety to ease up on parking enforcement.

Mayor Bowman informed that council liaison will be Maria Taylor.

**12. Other Business**

Halas: Expressed the need to make sure that we have action items in place to help the businesses.

Knight: MEDC and Oakland County are working on a stabilization fund. Knight and Christiansen will be sitting on a board to determine grant and loan distribution. County will be cutting checks directly to those businesses.

MEDC and many other companies are at a halt on everything not COVID-19 related.

Gallagher: Urged board members to help share on social media.

Buck: Tom Buck’s niece was on the embassy plane coming in for Nepal, she may be interested in an interview on facebook.

**13. Board Comment**

Buck: We need to be creative in holding events to get people out to get carry out.

Skrzycki: Offered a special “thank you” to Kate and Jess for setting up the video and coordinating efforts.

Halas: Offered a “thank you” to Sean Murphy for creating google doc with latest news on what businesses are open.

Craft: Thank you promotions committee, Kathy, Jessica, Sean, Halas, everyone for working hard to get everything done.

**14. Adjournment**

**Motion to adjourn.**

**Result: Approved [Unanimous]**

**Moved: Buck**

**Seconded: Gallagher**

FARMINGTON PLANNING COMMISSION PROCEEDINGS  
City Council Conference Room, 23600 Liberty Street  
Farmington, Michigan  
March 9, 2020

Chairperson Crutcher called the Meeting to order at 7:00 p.m. at City Hall Conference Room, 23600 Liberty Street, Farmington, Michigan, on Monday, March 9, 2020.

**ROLL CALL**

Present: Crutcher, Kmetzo, Majoros, Perrot, Waun, Westendorf (Arrived 7:14 p.m.)  
Absent: None  
A quorum of the Commission was present.

**OTHER OFFICIALS PRESENT:** Director Christiansen, Recording Secretary Murphy

**APPROVAL OF AGENDA**

MOTION by Waun, supported by Perrot, to approve the Agenda.  
Motion carried, all ayes.

**APPROVAL OF ITEMS ON CONSENT AGENDA**

**A. February 10, 2020 Minutes**

MOTION by Majoros, seconded by Perrot, to approve the items on the Consent Agenda.  
Motion carried, all ayes.

**PUBLIC HEARING – 2021-2026 CAPITAL IMPROVEMENT PROGRAM**

Chairperson Crutcher introduced this item and turned it over to staff.

Director Christiansen stated this item as indicated in the staff report is a Public Hearing on the 2021-2026 City of Farmington Capital Improvement Program. The Capital Improvement Program Steering Committee and City staff have been working diligently on updating the program to incorporate into the City Master Plan and are requesting the Planning Commission to hold the Public Hearing tonight at the March 9, 2020 Planning Commission meeting. As you recall, at your February 10, 2020 meeting, the Commission scheduled the Public Hearing for the Capital Improvement Program for this evening. The Planning Commission is required by State statute to consider a Capital Improvement Program for the community, in this case the City of Farmington, on an annual basis for a period of six years and to incorporate that Capital Improvement Program into the City's Master Plan. There is a requirement for the Planning Commission to hold a Public Hearing and so it was scheduled, as indicated, the Public Hearing Notice was published, and the draft 2021-2026 Capital Improvement Program is attached with your staff packet for your review and consideration.

So the purpose this evening, Mr. Chair, is to hold the required Public Hearing, and to take any comment, and again, this has Noticed and it's been published in the paper, it's been posted on the City website and it's also been posted here at City Hall for the required period of time. You've actually probably had, if I recall correctly, two, maybe three discussions about this Capital Improvement Program. You considered the appointment of a Planning Commission member to serve on the Capital Improvement Program Steering Committee, and I believe that was an initial discussion back in December. You then went ahead and we had dialogue about the draft Capital Improvement Program in January, then you considered it as drafted by the Committee and then forwarded to you in scheduling for the Public Hearing in February. It was actually almost complete at that time, you might recall that you scheduled the Public Hearing and then the final draft was February 21<sup>st</sup>, made available to everybody and that's been what's been posted on the website. So if you go to the City website, it is the first item on the website under items of interest and also under the, I believe it is latest news section. When you scheduled the Public Hearing, that was posted there as well, as well as here at City Hall and the newspaper. So, if we look, I'll scroll down, this is the Notice, and this is typically consistent with the Notices that are required by State statute and what the City has posted before, informing everyone that the Planning Commission is holding the required Public Hearing. The purpose of the Capital Improvement Program then with respect to the work that was done by the Steering Committee, compliance with State statutory requirements, and the City's Charter, and again, the program and CIP to be incorporated into the City's Master Plan. So, this Notice was out, it has been in the newspaper and has been confirmed. So, with that, Mr. Chair, I can turn it back over to you. I think what is the course of action this evening is for the Commission to ask any questions that you might have, and if you don't have any initially, would be to open the required Public Hearing, take an comment, close the Public Hearing after you receive comment and then come back to the Commission for your consideration and for any other questions that you may with a final action then this evening that would be a consideration of the draft and action on the draft and forwarding it to the City Council for their review and consideration.

This really is your document in accordance with State statute. So what you're doing is acting on this document, if you so choose, in approving the draft and then forwarding it onto Council again for their consideration as a public document because as we've discussed, the City of Farmington has incorporated the Capital Improvement Program as part of their overall budget program. Even though this is the Planning Commission's responsibility for the Capital Improvement Program portion of the overall City budget. So, with that, I'll turn it back over to you, sir.

Chairperson Crutcher opened the floor for questions or comments from the Commissioners.

Commissioner Perrot stated that the only comment that he has is just to make sure that once this gets passed along to Council, is that they don't lose sight of exactly what this is. It's a need list from the people that we count on to tell us what we need, you know, and I may sound like a broken record, but they're our subject matter experts for each one of their departments. So, you know, public outcry, and personal interests and emotions aside, we need to stay focused on what we need and I just want to make sure that we don't lose sight of that.

Commissioner Majoros stated that his comment is not as a Commissioner, but as a "Joe Q Public", that there's a lot on here that they've seen before, for instance the streetscape, the Farmington Road Streetscape, you look at that and you say 4 million bucks and maybe there's a grant that eats a million of that, right; so whether it ever happens, who knows, right, that's a huge investment potentially. But part of it is the streetscape on Grand River was an enabler to a lot of other businesses, restaurants, the kind of things that could benefit from the notion of having a streetscape. This is again my personal opinion, so I find it really hard to say or when this potentially could happen, that we do all this streetscape work when we've got a tire store, there are businesses that aren't really to me enablers or those that would benefit greatly. A CVS, right, the CVS is going to be there regardless. The Grand River Streetscape, I think we would all argue along with a lot of other good things that you have done, the DDA has done, has enabled that to grow and prosper. The Farmington Road mechanics and the structures we have there, just don't seem like we're going to fundamentally reshape, like the CVS is going to become whatever, it's going to be a CVS. And so we're going to beautify all of this potential space and it looks nice but what's the purpose of such a thing, and again, that's my personal opinion.

The balance of it, having gone through this, read it, and been a part of it, I think a lot of the comments that we have made still held true. What Commissioner Perrot has said, we've made that point; I know Commissioner Kmetzo has talked about can we get a list of what was done, and what's new, I think that Chris Weber and the team have done a great job responding to that. I think they've been very clear on what the priorities are. I think the feedback that we have always given was, kind of to your point, Geoff, is one of the things that makes the City tick, the fundamental services that people come to expect, the fundamental issues that need to be addressed such as drain repair and fundamentally necessary equipment and it might not be the sexiest things but they're the stuff to keep things running. So that's just a personal comment of mine and then also having been a representative of what I've seen come through, and I think that what we've got is pretty darn good.

Chairperson Crutcher called for a motion to open the Public Hearing.

MOTION by Waun, supported by Perrot, to move to open the Public Hearing.  
Motion carried, all ayes.

(Public Hearing opened at 7:11 p.m.)

### **PUBLIC HEARING**

Hearing no comments, Chairperson Crutcher called for a motion to close the Public Hearing.

MOTION by Majoros, supported by Waun, to close the Public Hearing.  
Motion carried, all ayes.

(Public Hearing closed at 7:12 p.m.)

Chairperson Crutcher asked Christiansen what the Planning Commission's action would be on this item.

Director Christiansen stated that there are 117 projects in this Capital Improvement Program, and a total of 28.2 million dollars which is consistent with the number of projects, a little more, a little less than the Commission has been considering for the past number of years in accordance with the Capital Improvement Program process the City has implemented on an annual basis now for a number of years, both in accordance with State statute and City Charter. The dollar amount is more in 2020 than it was in 2019, and so on and so on. Again, this is a six-year program. As Commissioner Perrot indicated, this is a list of desired projects, desired at certain levels. Priorities, some maybe not as much a priority as others, some desired, some needed but maybe can be deferred, some very large and significant in scale, and then also in cost, others maybe not as much, but they are pretty much all focused on Capital Improvement needs of the community. If you take a look here real quick, this is the current draft, so this is what Mr. Majoros had made a comment about and that's the Farmington Road Streetscape shown here. In any event, and I don't know if Mr. Majoros wanted me to make a quick comment on that or not.

(Commissioner Westendorf arrived at the meeting at 7:14 p.m.)

Majoros replied when thing this happen, there's a purpose for everything that's in here. And the purpose to fix the Mayfield Drain is to stop street flooding and etc., etc., and to keep property values high. He stated his assumption is that there is a two-fold purpose of a streetscape; one is beautification, road dieting, but he hopes and assumes that the second part of that is to spur economic development desirable for business, etc. He said

his opinion in looking at the footprint of the businesses that are currently there, you know, there's certain things you just say we just don't have the physical footprint there or perhaps deeply entrenched businesses or types of businesses that streetscapes or no streetscape would the businesses we have there remain. Now, you could say that perhaps if the streetscape got done, and I'm just going to use the tire store as an example, I'm not advocating for or against, but maybe they say hey, it's not really much for us to move half a mile down the road and now all of a sudden you can have a Vinsetta Garage cool bar there, okay. So part of this is just well, you know, sometimes you have to spend a little bit to make a little bit.

Christiansen stated that's a very important point about focus on existing conditions, then vision and what things are and what they could be and how to achieve that. And certainly both on appearance, so there's esthetics and there is appearance of existing built construction and built environment and then certainly economic development opportunity. He went on to say he can just tell you quickly and we won't get into specifics on this particular project, but you might recall those who were here back in time, in 2009, when the Grand River Streetscape came about, some of these same kind of considerations were discussed. But he will tell you that the result of the Grand River Streetscape's implementation, took the use space at that time where were predominantly long term retail uses and set the stage to the repurpose of that corridor with road diet, streetscape elements, pedestrian elements and the like, allowing for also other things like outdoor seating and it changed that use space, I will say that it created as a result stimulated and resulted in restaurant row on the north side so to speak and so on and so forth. He also said there was a Goodyear Tire Store, not taking away because the Auto Garage is there and they've done a really nice job, but what he will say about Farmington Road, it's like two legs. If you turn around and they're both getting a little tired and worn out, bones are creaking and the joints aren't working, so you fix this one, you gave it a knee replacement and it's working great. You haven't done the same on this one and now you have an opportunity, if it's the right thing, set the stage you might call it and maybe it then incentivizes and stimulates transition of uses and so on and so forth. What's one of the neat things is these things kind of all intertwine, you have to have the vision first and then you lay out the course and everything else, you put it in your long range plans, we have, it's in the Downtown Plans and we have a new owner of the Savings Bank Building and who knows, you fold over and fold over and you take that corridor and if you were to reset the stage, that the temporary outdoor seating that Dennis Page is having his 5-foot sidewalk, with a road dieted area, would probably be a lot nicer than it might be now. So all of those things come about, will it happen? I think that's why you do your planning, that's why you put something like that on here and you see if it's possible and if you really can make sense of it. CVS one day, you know, that owner has talked about a lot of different changes, but maybe the motivation hasn't been there as much. Sometimes something like infrastructure improvements, a streetscape and other sorts of things like

that, stimulate that. So that's how it all goes and it's interesting and we look at opportunity and I think that's where there is certainly one within the core of this community, within the epicenter at Farmington and Grand River, on the leg that hasn't had the attention. In any event, with all that being said, what's really great is what I think also you made comment about, Mr. Majoros, and I certainly want to make sure that Commissioner Kmetzo, because this was absolutely a focus of hers, and a request and very important, if you take a look here, one of the things that's really important is not only knowing where you're going, what your plan is, but knowing where you've been so you can know where you are so you know where you're going, let's see what happened in the past couple years. We've been through this, we've been through the basis, why the CIP, and this can all be reread if anyone has interest, it's not a budget, it identifies projects, is in accordance with State statute, it's also something that's required in the Charter, and so there's a basis for it. Why create the CIP, the Michigan Planning Enabling Act, it's the responsibility of the Planning Commission, the benefits of the CIP, we laid that out that it provides direction, identifies deficiency, provides a means to correct those, for our long term and short-term expenditures, etc. The Executive Summary is one of the most important tools in this document because it lays out in pie chart format where the priorities are. Again, we've always talked about the primary focus of this document really is on infrastructure, that's where most of the needs are currently here in Farmington and we can see that. We see that with roads, we see that with water and sewer and drains, sidewalks and streetscape are in there, parking lots, but then we have vehicles and equipment, recreation and culture relates to our parks and other sorts of elements, municipal assets that are like the Mansion and then parks and things like that need to continually be maintained and enhanced and etc., land development and acquisition, so all in all we look here at the quick view. There are 117 projects, 28.3 million dollars, and then the projects by year laid out. The rest of this document in detail goes into identifying those projects and having some focus on the priority and funding sources. But what I think is really important and was mentioning this, is one of the requests was for a summation of expenditures through the Capital Improvement Program in the last Capital Improvement cycle. And that's what you see here in this chart, the projects themselves, the projects that have been completed, and will be completed through June 2020, and you know our budget year is July 1 to June 30, so we are in the 19/20 budget year, we are in the 20/25 Capital Improvement Program, so these are projects that will be completed by the end of June. And these are projects then that are being added into in this next year in this document. So again, that was a great question, I made sure that that was carried forward to the Committee, and they did a nice job, Mr. Weber, the Finance Director, in doing so. In any event, Mr. Chair, that's all the comments I had to share back to you. The request here this evening is for the Commission's action on the 2021/2026 City of Farmington Draft Capital Improvement Program and forwarding that back to City Council for their review and consideration.

Chairperson Crutcher called for a motion from the Commissioners.

MOTION by Majoros, supported by Kmetzo, to approve the Draft 2021-2026 City of Farmington Capital Improvement Program as noticed and presented, and to forward it to City Council for their review and consideration.

Motion carried, all ayes.

Director Christiansen stated he had a side item he wanted to address on the CIP. He said last year's packet had a picture of the Pavilion with three young children running along the compass roads and that this year with the focus in this document potentially with the Farmington Streetscape, the purpose here is taking what's old, breathing new life, making it new again, Capital Improvements. He said there was a consideration of two different pictures and there was solicitation to the Steering Committee which was posed to the Department Heads. So what he has this evening for the Commission's consideration is the two proposed pictures picked for the cover of the 2021/2026 CIP. The two photos were passed out to the Commissioners and the original picture was marked as "A" and the second submission as "B".

A roll call vote was then taken on the foregoing consideration with the following results:

CRUTCHER:	A.
KMETZO:	A.
MAJOROS:	B.
PERROT:	A.
WAUN:	A.
WESTENDORF:	A.

The picture marked "A" held the majority vote of 5-1.

Director Christiansen stated the CIP is a great tool and it is significant in its importance to the community and he knows it seems like sort of a wish list at times to some people, but it's really not pie in the sky, there's a basis for it. And decision making is done using this tool because this tool actually follows the Master Plan and also aligns with the budgetary focus that is done by Council, so these tools are used and are that significant and that's why it's required by statute. And it is the Planning Commission's charge stewarding the City's planning program and then also, too, making sure that not just the vision, the plan, is current and what the community's direction is looking to be, but then the tools for implementation, zoning and capital improvement. So you know what the next charge is, to go back and look at the City's Zoning Ordinances to make sure that the implementation tool, the City's rules, are able to implement the Master Plan that was just updated. And if there are some areas that need adjustment to achieve the goals and the plans that you



have and implementing the Capital Improvement Program, you may look to through a Zoning audit, to make those changes. We'll look at the Zoning Districts, all the uses, how they're permitted, Special Land Use, etc., spatial requirements, setbacks, building heights, looking at what needs to be tweaked. He cited the tweaking of the single-family setback requirements to allow for a little greater expansion and a little more encroachment into yard areas so people could stay in their houses and do a little bit more, a little more flexibility, those kinds of things.

Chairperson Crutcher asked if there was much activity on that front and Christiansen replied a little bit, not as much as he'd like to see, but what he can say about the City's single-family home base, the stock is pretty solid, and there's a lot of reinvestment that now has taken place in the last number of years since the economic downturn with more than a fresh coat of paint and a re-roof, a lot of interior modifications, whether it's kitchen and bath, whether it's living space, whether it's basement remodel, and there are some bump-outs here and there, people are doing that. We have a couple teardowns in some places and rebuilds. We've got a brand-new house on Shiawasse, let alone 33 down at Flanders, let along 14 coming at Liberty Hill and that pre-con is coming up, the final meeting before the pre-con is this Wednesday. Christiansen went on to say that if you look at some of the older subs, Floral Park is getting some investment, and that's really a sub that needed a shot in the arm, Floral Park is down at Orchard Lake on the east side and Grand River Avenue, a 1922 sub that used alleys, rear alleys, garages were accessed that way, those were abandoned years ago but they're smaller homes, but you're seeing some reinvestment. Bel-Aire Sub, you're seeing reinvestment in the Bel-Aire Sub which is over across from Sorrows that's on the other side of Powers. So, some of those regulations have helped those areas with a little bit of softening and that's a good thing. We'll see as time goes on, it's really important, pretty much 70% of our overall budget is residential, single and multiple family. He stated the next step for the Planning Commission's activities besides all the plans that will be coming up, would be a Zoning audit exercise and maybe that's something we do amongst ourselves, we won't go out for that too much because we're the users, we get it, we have our hands on it all the time, we have an intimate use and knowledge and work together over a couple months to take a look to see what's working and what's not, we'll just go through it and see what you think. If we need to make some changes, let's recommend them and we'll get them done, we'll use our attorneys to do that. And as we along, we've got some significant projects, we probably have about six of them in this next year: Tropical Smoothie, the plans are in, the engineering cost estimates are coming in and they're going to get ready to do that. The façade improvements have progressed to a certain point but they have to be finished and get done and everything else.

Chairperson Crutcher said that he being on the Parking Advisory Committee, that this might also be a time to start to maybe visit some of the parking lots and Christiansen

replied that the Zoning audit will address the parking, Christiansen went on to state there were standards in place for parking, international, transportation, engineer parking standards, ITE parking standards that were pretty significant for big parking fields for shopping centers, strip malls, shopping centers, etc. Parking is different today and driving habits are different today and use of vehicles is different today. You don't need that asphalt sea of parking, but we still need to make sure that we have parking that meets the needs but we can modify that somewhat and maybe reduce the amount required and use some of those parking lot areas for satellite buildings within in a big parking lot or other boxes, other types of development, so very important. I was just mentioning that we'll look at the parking standards for sure.

The six developments that are going to be important this year are: Tropical Smoothie, we'll see what happens with the drive-thru next door that you approved for Panera; they haven't come in with their plans yet, that's kind of why I want to push them a little bit but just waiting on; the gas station, they've been down doing their environmental investigations and everything and we're really hopeful that that's going to also come in with plans very, very shortly. And back in town, we're going to have that demo on the interior of the Village Mall and Savings Bank this year and open it back up and that's significant. As I said, Wednesday is a big internal meeting prior to meeting with the homeowners on the sanitary sewer and the pre-con for Liberty Hill coming up. And down the way, Samurai, Denny Chang and the company have made a change in the name of the Samurai Sushi to the Crusty Crab Seafood Restaurant, same owner, same group, same building, same restaurant downstairs but next door which is going to be the steak house, they're kind of in a holding pattern with building the building so in the interim, they're going to implement Phase I of the PUD for that site, that's go ahead because the barn has been dismantled, boxed, reload and moved at least, the house is down, the site is clean so now it would be build the building or they're going to do a parking lot, stormwater management put in, so they'll put in drainage and a parking lot, a fence in the back, landscaping, that connectivity with the crossing, working with MDOT across Grand River and have it be a parking area right now serving the restaurant and the residential up until the time they're ready to build the building. They're also I think going to do the outdoor seating that was approved, so kind of staged, that's where they're at right now. But that's in play. And then The Winery, we've had a lot of inquiries, a lot of people coming in and meeting and they're all excited and then they kind of back off. That's a big task in that building, it's a lot of money in that building. So that being said, these are all catalytic, particularly the Village Mall and the Winery. And the last one, of course, is the Maxfield Training Center, that's as big as anything that we've had on our plates. So these are significant right now and those are all potential project opportunities here that are going to involve the Planning Commission, you're going to get engaged with. The Village Mall interior, just the demo, not at that stage, but build-out, other things, if it's façade and what not, that will for sure come to you, let alone everything else.

He thanked the Commission for the efforts they put forth in the Capital Improvement Program and Mr. Majoros, for his representation of the Planning Commission on the Steering Committee and accepting that appointment and providing his insight and input. It's really great the work that the Commission is doing, has done and continues to do, we are very much appreciative of it and we like working with you, it's enjoyable, and productive. We're doing some really important things, we're changing this community's built environment in accordance with the plans that have been put together that you've reviewed, approved, and adopted through the process and then the other tools that you have put in place. Your questions about the streetscape were spot on. Question that stuff, how does this happen, what's it going to do, who's it going to benefit, are we putting too much of our eggs in one basket, it's a lot of money. Our budget in this City is 10 million dollars, and a 4 million dollar streetscape project is a pretty chunk of a 10 million dollar budget, even though it's not all coming out of it, and I'm not discounting that project at all, I think it's significant, again, the staging that I talked about but we need to find alternative revenue sources for small communities like ours. Municipal finance is still the challenge. State shared revenues. Proposal A, everything else that goes along with it is a challenge. We keep working on it every day, that's why you've got to lay out your road map. You've got to have your Vision Plan, your Master Plan, your Capital Improvement Program, change your tools if necessary, figure out how you're going to get the money now and for the future, we're not going to be here forever.

### **PUBLIC COMMENT**

None heard.

### **PLANNING COMMISSION COMMENTS**

None heard.

### **ADJOURNMENT**

MOTION by Waun, supported by Perrot, to adjourn the meeting.  
Motion carried, all ayes.

The meeting was adjourned at 7:44 p.m.

Respectfully submitted,

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Secretary

**Farmington Community Library Board of Trustees**  
**Virtual Special Meeting – 6:00 p.m.**  
**Held Online Via Zoom**  
**Tuesday, April 21, 2020**

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Board Members Present: Hahn, Huyck, Largent, Montgomery, Murphy, Rae, White

Board Members Absent: Bomarito

Staff Members Present: Grover, Miller, Siegrist, Wrench, Carlton, Shereda

Staff Members Absent: None

Guest Speakers: Eric and Shane with ADP

**CALL TO ORDER**

The Board Meeting was called to order at 6:06 p.m. by Board President White.

**APPROVAL OF AGENDA**

**MOTION** by Huyck to approve the Agenda for the March 12, 2020 Board meeting, was supported as amended by Rae.

**Vote: Aye: All in favor**

**Opposed: None**

**Motion passed.**

**APPROVAL OF MINUTES**

**MOTION** by Huyck to approve the Minutes of the Regular Board Meeting on March 12, 2020, was supported by Hahn.

**Vote: Aye: All in favor**

**Opposed: None**

**Motion passed.**

**PUBLIC COMMENT**

There was no public comment.

**NEW BUSINESS**

Facilities Coordinator, Donald Wrench, spoke about considerations being made for building sanitation and safety. Carpets were deep cleaned and sanitized the week of April 13<sup>th</sup>. Surfaces and public areas are being deep cleaned and sanitized the week of April 20<sup>th</sup>. We are purchasing cleaning supplies, masks, and gloves for staff for when the library reopens. After speaking with the fire department about the number of patron's in the building at a time, Donald's recommendation is not more than 50 patrons and 25 for Liberty Street location depending on the Governor's Executive Order. Discussion regarding what materials need purchasing; gloves, masks, etc.

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**MOTION** by Largent to move ADP up on the agenda, was supported by Montgomery.

**Vote: Aye: All in favor**

**Opposed: None**

**Motion passed.**

### **UNFINISHED BUSINESS**

Eric and Shane with ADP (HR and Payroll module) commented on questions.

- 1) Can we have a one year contract rather than a two year contract? Yes, but not with concessions. With a one year contract it would have a 7% or \$8,000 increase vs. a two year contract.
- 2) ACA Reporting? No because we only have the technology and not the module.
- 3) Can we purchase al la carte? No must buy the whole module.
- 4) Availability of HR support? Immediately or within 24-48 hours with a support team.

Are there overlapping services with Plante Moran and ADP? No, Plante Moran does not handle payroll and ADP does not have accounting service.

Cancellation clause – 2 year contract there is a buyout fee 50% on the remaining contract. Shane specified that due to any undue hardship they would be willing to work this out.

Grover specified the Library would not be hiring any full-time HR person but that ADP would need someone to be the touch point and this would require 5 to 7 hours per week or less.

Shane offered that the service model is billed as a per employee head count per month fee. If your head count goes down your monthly fee goes down.

(withdrawn) **MOTION** by Huyck to sign an agreement with ADP for two years pending legal authorization, supported by Rae.

White offers Thursday, April 23, 2020 at 5:00 p.m. for a Special Library Board Meeting.

### **FINANCIAL REPORT**

**MOTION** by Huyck to receive and file the Monthly Budget for February, was supported by Montgomery.

**Vote: Aye: All in favor**

**Opposed: None**

**Motion passed.**

### **CORRESPONDENCE**

- Director Grover shared a letter from Mr. Dennis, Attorney who writes that he recommended a grant from the fund of the Community Foundation for SE Michigan for \$2,000 in the name of Leo E. and Ann June Manilow.
- Price hike from Foster Swift based on inflation.
- A patron wanted to donate 16mm film from WWII and he was referred to where they could be utilized.

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## **LIBRARY DIRECTOR'S REPORT**

In addition to the Director's Report, Director Grover shared the following Library activities:

- Following the last board meeting, the COVID-19 Preparedness Team was initiated on the morning of March 13th and an urgent work session was called in the same afternoon. The WHO's declaration of COVID-19 being a pandemic magnified with the detection of positive cases right here in our backyard in Farmington Hills pushed to be proactive and close immediately until April 5th to mitigate the spread of this deadly virus.
- As all of us know that the situation worsened much faster resulting in MLA plea to close libraries and governor Whitmer's initial executive orders to 'Stay Home and Stay Safe' on March 16<sup>th</sup>.
- Let me assure you that our journey for the past 5 weeks has been nothing short of extra ordinary as we have continued to conduct most essential tasks to sustain the organization and continue to serve our community without skipping a beat. For the purpose of reporting I would like to divide our combined efforts into four major categories:
  - Sustenance and Maintenance of Existing Systems & Services
  - Modification of Existing Systems & Services to meet the changed community needs
  - New Systems and Services initiated during this stay-at-home
  - Future Planning and Set-up to remain Relevant at all times
- **Sustenance and Maintenance of Existing Systems & Services**
  - ✓ Staff announcements were made in a timely manner - regarding our closure, staff pay, remote and onsite work, governor's orders, and other helpful resources on continued education and health services.
  - ✓ Designated essential workers to perform the basic functions such as payroll, accounting, IT, facilities, and administration were announced and provided the travel-authorizations following consultations with our attorney.
  - ✓ Payroll was processed seamlessly even in the absence of a designated payroll specialist for which applications were being sought.
  - ✓ Accounting department was handled very professionally by our interim accounting manager even though she was thrown into in a snap of a finger.
  - ✓ Mail and delivery services were placed on hold at the post office and have picked twice a week since then.
  - ✓ Immediate notifications of closure were sent to other professional organizations, vendors, and integrated library systems providers.
  - ✓ Ability to reserve and return library loans were put at hold down.
  - ✓ Due dates on items that were borrowed as of March 14<sup>th</sup> were extended and patrons were notified. This process had to be repeated after extension of closure beyond April 5<sup>th</sup>.
  - ✓ Servers were upgraded, and security operating system upgrades were installed for our cameras.
- **Modification of Existing Systems & Services to meet the changed Community Needs**
  - ✓ A special COVID-19 page was created on our website that housed all primary resources to lead people to the reliable sources of information during this time of crisis and chaos.
  - ✓ Fines were waived for the period of closure and announcements were made on website, social media and newsletter.

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- ✓ Teleconferencing has been an advancement and an adjustment to daily work. Zoom licenses were procured with first the 5 days and has been instrumental in connecting with everybody and training staff on new elements such as Polaris LEAP
  - ✓ New slider images highlighting digital resources were posted on our webpage to remind patrons that our Digital branch is open 24/7 which resulted in more than 174,000 visits to our webpage in the month of March.
  - ✓ Hoopla check out limits were increased from 5 to 8 per card per month which resulted in our highest ever downloads of 4101 items in March with 193 new users registered.
  - ✓ 'Library Link of the Day' is created every single day to enhance public engagement and enhancing awareness of our digital footprint. For instance:
    - NoveList Plus - Provides "read-alike" recommendations, fiction and nonfiction, reviews, discussion and K-8 curriculum guides
    - BookFlix - Offers interactive storybooks with nonfiction titles, designed to bridge learning-to-read and reading-to-learn.
    - Sign up for our newsletter - another point of contact
    - Tutorial that teaches patrons to create and save book lists on their library account.
  - ✓ ESL conversation group starting holding virtual sessions via zoom
  - **New Systems and Services initiated during stay at home**
    - ✓ 'Leap' trainings were conducted which enabled staff to create new library accounts remotely thereby granting new patrons access to our digital library
    - ✓ Hoopla Bonus Borrows became available to our patrons.
    - ✓ Licenses for Doodlepoll have been procured to facilitate finding people's availability and scheduling group meeting.
    - ✓ Survey monkey polls have been introduced to gather consensus and opinion while working on various projects.
    - ✓ Virtual story times have been created and more are on their way to ensure our little patrons do not miss the favorite librarians
    - ✓ In order to continue one of our critical services which includes, to provide internet access we installed hotspots on windows inside the building so people could get a free Wi-Fi connection while parked in the parking lot. We have received many thanks yous for this creative idea!
    - ✓ Story times, book discussions and classroom readings for 3<sup>rd</sup> graders are taking place via YouTube, Zoom and Google classroom respectively.
    - ✓ Regular monitoring of social media accounts and responses to e-reference emails is a new norm.
    - ✓ Ancestry.com can now be accessed from anywhere with a valid FCL library card. This feature was originally limited to our physical facilities only. We have seen more than 300 patrons access this service in the past 30 days.
    - ✓ Most recently Tutor.com was launched on our Digital Library on April 16<sup>th</sup> and has already seen 15 visits in the past 4 days. We look forward to promoting this excellent tool where tutors for K-adult learning are available everyday till 11 pm in the night. Hopefully this will help parents and kids wade through the process of learning remotely during stay-at-home.
    - ✓ The engagement letter with Plante Moran was formally signed following board's decision to hire them as our new financial service providers. The process of getting a

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new interim accounting manager on board to run the accounts department as usual along with transitioning to a digital platform in accounting with PM has not been easy by stretch of imagination. However, it has been a great experience because everyone involved has been a thorough professional and full of positivity. We are now in the critical phase of feeding our raw data in the system, then running both physical and digital systems parallelly and then, finally moving aboard the digital platform fully by the first week in May.

- **Future Planning and Set-up to remain safe and relevant**

- ✓ Staff is being encouraged to keep their knowledge and skills updated with attending online courses and webinars that are readily available through Library of Michigan and Michigan Library Association.
- ✓ A formal protocol for re-opening is in the making! Keeping in line with the recommendation of health and library professional along with the guidelines of the state we will open when we feel it is safe for our staff, patrons and community. I will be in touch with the board as soon as we have a formal protocol ready for their review.
- ✓ A new communication channel has been put place to ensure that only the correct, consistent and relevant information flows throughout the organization without any scope for speculations and here say. I am in touch with both the branch managers every day and they have been in touch with their supervisors at regular intervals and I am sure supervisors have been in touch with each and every member of their department regularly so that we know that all of us are safe, healthy, inspired and productive!
- ✓ A living document, namely "Innovation in Action" is updated every day and will be a historic testament to on our teamwork and cumulative tasks accomplishments.
- ✓ I have requested our branch manager, Kelley Siegrist to lead the creation of 'Protocol for Reopening' and Jaclyn Miller to lead 'The Assessment and Promotion of Productivity' during these unprecedented times. I am sure we will be able to reopen in the safest manner and will also learn more about the creativity and productivity of our staff as we evolved together.
- ✓ We have received our 3D printer and look forward to opening and assembling that 50 pound package ASAP. Hopefully we will be able to put it to good use by printing PPEs such as masks and face shields in the nearest future.
- ✓ We received a note from Kathleen Owsley, President of the Bosch Community Fund that they have approved \$12,914 of STEM grant request.
- ✓ The 12 Mile Children's Dept. will procure 12 laptops, a wheeled cart that will lock and charge the laptops, and 12 laptop mice. One of our Children's Librarians, will use these laptops to teach introduction to computers, basic coding skills, and potentially 3D design in Tinkercad, now that we have a 3D printer. This monthly programming series, called STEM Thursday, will be launched in the fall, and will be for 8-12 year olds.

## **NEW BUSINESS CONTINUED**

### **COMMITTEE REPORTS**

#### **Community Liaison Committee**

There was no report from the Community Liaison Committee.



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### **Facilities Committee**

There was no report from the Facilities Committee.

### **Finance Committee**

Grover asks for suggestions regarding the budget. Plante Moran will also have input.

**MOTION** by Montgomery to move the May meeting to the 28th, supported by Huyck.

**Vote: Aye: All in favor**

**Opposed: None**

**Motion passed.**

Montgomery commented regarding a projection of business finance, taxes. Assessments with regards to Real Estate. Grover commented regarding potential grants that can be applied for. Largent offered that staffing levels will be reduced and demand for services up at the time of re-opening.

**MOTION** by Montgomery put a freeze on pay raises, supported by Largent.

**Vote Aye: All in favor**

**Opposed: None**

**Motion passed.**

Grover spoke of diversion of finances from physical resources to digital resources going forward.

### **Personnel Committee**

There was no report from the Personnel Committee.

### **Strategic Plan Committee**

There was no report from the Strategic Plan Committee.

### **Ad-hoc Bylaws Committee**

There was no report from the Bylaws Committee.

### **BOARD TRUSTEE COMMENTS AND ANNOUNCEMENTS**

Largent mentioned a kick-off party to welcome Grover and reaching out community businesses.

Grover asks who will be taking the Board minutes since Diane has left. Montgomery asks for an employee not working.

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**ADJOURNMENT**

**MOTION** by Largent to adjourn the Board Meeting, was supported by Montgomery.

**Vote: Aye: All in favor**

**Opposed: None**

**Motion passed.**

The Board meeting was adjourned by President White. The next meeting of the Library Board is scheduled for Thursday, May 23, 2020 at 5:00 pm.

Respectfully Submitted,

Elizabeth Rae, Secretary  
Library Board of Trustees  
ER:ee

**Farmington Community Library Board of Trustees**  
**Special Board Meeting – Electronically**  
**April 23, 2020**

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Board Members Present: Hahn, Huyck, Largent, Montgomery, Murphy, Rae, White

Board Members Absent: Bomarito

Staff Members Present: Grover, Miller, Siegrist, Carlton, Shereda

Staff Members Absent: None

**CALL TO ORDER**

The Board Meeting was called to order by Board President White.

**APPROVAL OF AGENDA**

**MOTION** by Montgomery to approve the Agenda for the April 12, 2020 Board meeting, was supported by Largent.

**Vote: Aye: All in favor**

**Opposed: None**

**Motion passed.**

**PUBLIC COMMENT**

There was no public comment.

**UNFINISHED BUSINESS**

ADP HR module. Discussion offered by Hahn – Reviewed contract with ADP (non-negotiable, as is, no warranty, 90 days renewal clause, merger and integration clause - verbal agreements non-binding, jurisdiction is in the state of New York). Grover – Start with a one year contract.

**MOTION** by Huyck to hire ADP and sign a one year contract with the request of changing jurisdiction to the state of Michigan.

**Vote: Aye: All in favor**

**Opposed: None**

**Motion passed.**

**Personnel Committee**

Montgomery reviewed furlough discussion with Michael Blum in regards to unemployment benefits if the Library a Contributing Employer or Reimbursing Employer? Executive order number 57 from the Governor states the employer will be covered by the Federal Government's emergency Covid order.

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His recommendation is to lay-off all non-essential employees effective immediately. Have employees collect unemployment. A temporary furlough with no guarantee of rehire.

**MOTION** by Largent to temporarily furlough all employees with the exception of those deemed essential effective April 24<sup>th</sup>, 2020 at 6:00 p.m. with Grover and Personnel Committees final say as to essential/non-essential.

**Vote: Aye: Hahn, Largent, Montgomery, Murphy, White**

**Opposed: Huyck, Rae**

**Motion passed**

**MOTION** by Montgomery the Library pays the Cobra cost for the employees that are furloughed, supported by Hahn.

**Vote: Aye: All in favor**

**Opposed: None**

**Motion passed.**

**(With drawn) MOTION** by Montgomery to add Hazard Pay of \$2.00 per hour to essential employees retroactively.

**MOTION** by Montgomery to freeze overtime, supported by Largent.

**Vote: Aye: All in favor**

**Opposed: None**

**Motion passed.**

The Personnel Committee will meet tomorrow, Friday, April 24, 2020 at 7pm.

#### **BOARD TRUSTEE COMMENTS AND ANNOUNCEMENTS**

There were no comments or announcements.

#### **ADJOURNMENT**

**MOTION** by Montgomery to adjourn the Board Meeting, was supported by Hahn.

**Vote: Aye: All in favor**

**Opposed: None**

**Motion passed.**

The Board meeting was adjourned by President White. The next Special meeting of the Library Board is scheduled for Tuesday, April 28' 2020 at 6pm.

Respectfully Submitted,

Elizabeth Rae, Secretary  
Library Board of Trustees  
ER:ee

**Farmington Community Library Board of Trustees  
Virtual Special Meeting – 6:00 p.m. April 28, 2020  
Held Online Via Zoom**

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Board Members Present: Bomarito, Hahn, Huyck, Largent, Montgomery, Murphy, Rae, White

Board Members Absent: None

Staff Members Present: Grover, Carlton, Shereda

Staff Members Absent: None

Guest Speakers: Mary Beth Klawender, Steve Koponen, Lisa VanStone, Lauren, Maddy Lank, Emma DeCenso, Karen Terrabassi, Eugene Greenstein, Claudia, Eric Bruins, and Theresa Rich

Zoom Guests: 100 in attendance

**CALL TO ORDER**

The Board Meeting was called to order at 6:00 p.m. by Board President White.

**APPROVAL OF AGENDA**

**MOTION** by Largent to approve the Agenda for the April 23, 2020 Board meeting with the amended comments bringing Correspondence up just after Approval of Procedure for Public Comments, supported by Bomarito.

**Vote: Aye: All in favor**

**Opposed: None**

**Motion passed.**

**APPROVAL OF PROCEDURE FOR PUBLIC COMMENTS**

**MOTION** by Largent to develop a procedure for public comment. A three minute time limit allowed per person, supported by Montgomery.

**Vote: Aye: All in favor**

**Opposed: None**

**Motion passed.**

**CORRESPONDENCE**

- Introductions of Board members.
- White clarifies furlough vote and definition. This was a board decision with the vote of 5-2 made without Trustee Bomarito being in attendance and is not the decision made by Director Grover. Furlough does imply temporary and we are not allowed to guarantee anything made clear by our legal counsel. A furlough is not intended to be about termination but allows employees to pursue the maximum amount benefits available.
- Posted on the Libraries Homepage:

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The Board previously voted to continue paying ALL full-time staff, part-time staff and Pages after the Library closed to the public to mitigate the spread of Covid19. Staff has continued to be paid for 6 weeks. At the Board meeting on 4/23/20, the Farmington Community Library Board of Trustees made the difficult decision to furlough staff. This temporary furlough was necessary to preserve public funds going forward. The COVID-19 crisis is developing every day with no clear endpoint, and while some employees are continuing to serve the community in this changing landscape, the difficult truth is that fewer staff are needed to perform critical functions while the Library buildings are closed to the public. With large capital projects on the horizon the Board made the difficult decision to furlough the staff who are not directly serving critical functions to ensure the future of Library. Although these projects are currently budgeted, we cannot predict our tax base will remain stable in the next 12-18 months and therefore must plan for that contingency. Our intent is that this action is a temporary response until we can more fully serve the community. In this uncertain time we intend to continuously evaluate the situation and return additional staff as soon as possible. Impacted staff have been placed on temporary furlough. No one has been terminated. [Read more information on the State of Michigan's term "temporary furlough"](#). The initial communication indicated that staff would be placed on COBRA benefits but we have received further communication that that was incorrect. Because the Board decided on a temporary furlough for impacted employees, and has continued to pay premiums, the BCN benefits will continue. See page 15 on the [Blue Cross COVID-19 Overview](#). Our [Digital Library](#) is still open 24/7. All digital resources, services and online programming that have been provided by FCL during the stay at home orders will continue uninterrupted. We are exploring additional opportunities to increase and enhance our services.

## **PUBLIC COMMENT**

**Mary Beth Klawender** – FH resident. Addressed the furloughing of non-essential Library employees. “I respectfully disagreed with the term non-essential. Libraries are the cornerstone of the community. Library employees still providing resources virtually with connections to the community. We need our Library employees reinstated now. As a teacher providing students with meaningful remote lessons has required a full range of support staff. The library is no different. In fact, it is more difficult given the wide range of people the library serves. We need our entire team back in order to keep our library open whether it is physically or virtually. We need an engaging summer program created by Library employees for Adults, Teens, and Youth to ensure we are ready to start the school year. This cannot be accomplished with a Skelton staff. We need our entire team back in order to keep our Library open whether it's physical or virtually. Please consider bringing back all of Library employees.”

**Steve Koponen** – Concerned with the matter of the decision to furlough Library employees. “Initially nothing on the FCL page and saw nothing of an agenda or a way for the public to access the meeting. A more professional approach could have been to provide an agenda and make a good faith effort to notify people who would be impacted by the discussion of the board. The surprise of the Board's decision was disappointing.” On a personal note – Steve informed his wife works at the library and was initially really upset even though she will get more on unemployment than she would at the Library facility.

**Lisa VanStone** – Many of us are here due to the Farmington Community Library Board's rushed decision to solve an “economic crisis” that does not exist through the “temporary furlough” 100 + FCL staff members. This vote to furlough occurred right after the Library Board voted to pay a \$6000 penalty fee so FCL would not have to sign on with a new vendor's human resources suite for two years instead of

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one. Let it be known that FCL will not incur any loss of funding until June 30<sup>th</sup>, as our new fiscal year begins July 1<sup>st</sup>. The Library Board is unaware of any loss of future revenue. The Library is not broke. The Library Board's furlough vote directly opposes instruction from both the MLA and ALA to continue paying staff during these unprecedented times. Instead, the Board has made the unethical move to sit on taxpayer dollars, so the money will roll into a general fund, and can be spent however the Board wants in the coming fiscal year instead of being allocated toward its original intent; employee payroll. The Board advised staff to go collect unemployment—i.e. more taxpayer dollars—so that furloughed staff can continue to be paid. I have consulted with many of our Metro Net consortium directors, and they and their library boards all have continued to pay their staff. Even those that could be argued as the poorest of them, why? Because they value their employees. I've requested before that all Library Board members acquaint themselves with the Library Board Manual. Clearly, the Board has not, and are still unacquainted with what the role of Library Board trustee is. As stated in Chapter One, Parts A & B, Trustee Rights & Responsibilities, as well as many other sections; The Library Board has overstepped its role by even putting forth a motion to furlough. The operations of the Library fall SOLELY on the library director's shoulders. It is Ms. Grover's duty to create an assess FCL's budget and present her findings to the Library Board. Ms. Grover should be deciding what library cuts need to be made and where. It is then up to the trustees to assess the Library Director's findings and sign off on them, or return suggestions to her. Why have you not empowered the Director you chose to handle any potential budgetary concerns? This overt overstep by the Board goes against the ethics code outlined in Appendix E of the Michigan Public Library Trustee Manual. Ultimately, one could call this furlough an unethical ploy to fill the coffers on the backs of the employees that will ultimately cost the taxpayers even more money.

**Lauren** – Resident of FH. It is really disappointing this is how the Library Board is proceeding. I am a Librarian in another city and think that Lisa made a lot of great points. You have a millage that does not expire until 2024/2025 which means you do have secure funding for the next several years and do not need to worry about. You're good until June 30<sup>th</sup> and there really is no reason why you can't continue paying employees. This is how you lose good employees and drive people away from apply to your library. I am not going to choose a library that unnecessarily furlough's their employees. Library budgets are set and you are not losing money by being closed.

**Maddy Lank**– The Farmington Community Library furloughing is an outlier among its peers. Among 39 library only 2 laid off staff. Among the 9 libraries of similar size only 2 laid off staff. This decision seems to be short-sighted. Summer Reading – there are a lot of preparations that need to be put into place. The Board has cited large capital projects on the horizon. I am curious to know what these projects are.

**Emma DeCenso** – I feel honored to work at FCL. The Library Board that chose to furlough us with no warning, in a matter of days. I am in contact with my demographics. (Out Reach Program). *The United for Libraries* are vehemently against furloughing any staff. I am grateful you are taking these comments. I love the Farmington Community Library!

**Karen Terrabassi** – Retiree, having worked for the Library for over 34 years I am very concerned how all of this is being handled. In the past we had financial crisis that was always handled with cutting the budget before cutting staff. Always handled by the Director with the support of the Board. There has been no communication about any of this to me or other retirees. We are still very much a part of the support. This is not acceptable. It does not appear there was real thought put into it. I am wondering if you looked at any other ways of cutting the budget. I did not understand what you were doing with the furloughed people's health care. I am wondering what will happen to the retiree's health care. I am not very happy about the way the Board handled this. It is almost as though it was all done in secret.

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**Eugene Greenstein** – These are very difficult times and this situation is a major dilemma. We don't know when the Library can reopen. The Library Board has a physical responsibility to spend the money wisely. They have to preserve the Library. No one knows what the tax base is going to look like in August. A lot of taxes are not going to be paid because people are hurting. What is the right decision? I support the Board. I think the Board has been generous with 6 weeks, it's not a charity. The Board has the right to make sure that the economics of the tax payer are protected.

**Claudia** – There is no blueprint on how to handle the challenges that the Library is facing.

- 1) What research did you do with other Libraries to see what they are doing before making the decision to furlough employees?
- 2) Did the Board have knowledge of the work and programs being done by the employees before making the decision to just furlough employees?
- 3) Did the Board include the Library Director for possible solutions to keep the employees and programs before taking this drastic action?
- 4) I would like to see evidence by the Board of a well-researched decision.

**Eric Bruins** – I want to echo previous speakers. From the public perspective none of this seems to be handled with any foresight or thought that went into it. There does not seem to be any sort of a plan. Initial communication with employees – they had to file for a change of status with Cobra. Completely untrue. I don't understand all of the secrecy about this. There is no clear foresight. You are not losing money. Tax numbers will dip and that will effect next year's budget. So short sighted. This is not within your jurisdiction or authority to make these decisions. Very disappointed.

**Theresa Rich** – Thank you for letting the Community be heard. I am concerned there is a sufficiently thought out strategy for what is happening with the staff. The decision being made without the input of the Director you just hired. I would like see more transparency. The tax payers approved the funding and the money is there to pay the staff. The Library system is the jewel of this community. I encourage you to have additional thought and conversation before making your final decision.

Mike Blum is an Attorney with Foster Swift. He has been advising the Personnel Committee.

White commented that the Board will be responding to the comments.

### **APPROVAL OF MINUTES**

**MOTION** by Montgomery to approve the Minutes of the Special Board Meeting on April 23, 2020, was supported by Huyck.

**Roll Call Vote:** All in favor of approving the Minutes from Thursday night meeting.  
Murphy-approve, Largent-approve, Hahn-approve, Huyck-approve Montgomery-approve,  
Bomarito-abstain, White-approve.

**Motion passed.**

Largent commented the delay in hosting a regular board meeting was due to waiting on guidance with being in compliance with the Open Meetings Act in an on-line meeting.

Mike Blum commented that a Roll Call vote should be done and the Minutes need to be approved before posting.



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## **COMMITTEE REPORTS**

### **Facilities Committee**

Largent - Capital projects: A building health assessment was completed 1 ½ year ago with an outside company. 2 million dollars in capital improvements consisting of (new roofs, basements, parking lots, chillers, and landscaping). The building has been cleaned and disinfected. Donald has purchased gloves, face shields, Hepa filter, and protective gear.

White commented that MLA has taken the position that no library should start curb-side service at this point. Donald will be involved in how we take in materials and how we move forward in terms of keeping people safe.

Grover commented on the John Hopkins initial study that stated Libraries are not a high risk environment. We are based on resource sharing and the sheer amount of people on-site (35-40,000/month) cannot be considered low-risk. White shared that report was revised and Libraries are now considered medium to high risk.

The complete Facilities Committee Report has been filed.

### **Finance Committee**

Huyck shared that an individual donor has donated supporting obtaining a 3D printer. The printer has been obtained.

### **Personnel Committee**

Montgomery commented on the annual payroll budget is \$3,267,000. Annual budget \$6,620,000 total. Bi-monthly payroll is \$115,000 – \$139,000 per pay period with a total of 130 people getting paid. Furloughed 82 people with 17 remaining active. All of the services are active on line. Grover was consulted and was present at all of the meetings. The savings will be about \$65,000 savings every pay period. This is the most fiscally responsible way to move forward and preserve the tax payer's funds. No change to benefit status.

### **Strategic Plan Committee**

Changes made due to the crisis. Grover listed: e-reference, direction given to resources available 24-7, increased check out limits for Hoopla (5 to 8 per person per month), introducing Tutor.com, Hoopla content through Hoopla Bonus, Ancestry, Leap, eCards, Zoom, 3D printer arriving, Wi-Fi hotspots placed on windows with login information, and enormous numbers of community engagements conducted by staff. The board did not recommend which services remain but Grover was given the task of what services remain.

### **Ad-hoc Bylaws Committee**

There was no report from the Bylaws Committee.

### **UNFINISHED BUSINESS**

There was no Unfinished Business.

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**NEW BUSINESS**

Paid time off or sick time accrual during furlough. Mike Blum stated that it is a fringe benefit and it is a Board decision. Can be made retroactive during a furlough.

**(Withdrawn) MOTION** by Largent to table discussion on fringe benefits until further legal review and opinion, supported by Murphy.

**MOTION** by Montgomery that PTO and sick time not accrue during furlough, supported by Huyck.

**Roll Call Vote:** All in favor of approving

Rae-opposed, Murphy-approve, Largent-opposed, Hahn-opposed, Huyck-approve,

Montgomery-approve, Bomarito-opposed, White-opposed.

**Motion failed.**

Current policy states PTO and sick time do not accrue during furlough.

**MOTION** by Ray to examine by May 12, 2020 the fringe benefits that would accrue had the furlough not have happened, supported by Bomarito.

**Roll Call Vote:** All in favor of approving studying the amount of fringe benefits.

Murphy-approve, Largent-approve, Hahn-approve, Huyck-approve Montgomery-approve,

Bomarito-approve, White-approve.

**MOTION** by Bomarito to give Grover authority to recall additional staff as needed to insure future Library services, supported by Largent.

**Roll Call Vote:** All in favor of approving giving Grover the authority to recall staff.

Murphy-approve, Largent-approve, Hahn-approve, Huyck-approve, Montgomery-approve,

Bomarito-approve, White-approve.

**BOARD TRUSTEE COMMENTS AND ANNOUNCEMENTS**

The Tuesday, May 12<sup>th</sup>, 2020 will hold a Special Meeting at 6:00 p.m.

**ADJOURNMENT**

**MOTION** by Largent to adjourn the Board Meeting, was supported by Montgomery.

**Vote: Aye: All in favor**

**Opposed: None**

**Motion passed.**

The Board meeting was adjourned at 6:00 p.m. by President White. The next regular meeting of the Library Board is scheduled for Thursday, May 28<sup>th</sup>, 2020 at 6:00 pm.

Respectfully Submitted,

Elizabeth Rae, Secretary  
Library Board of Trustees  
ER:ee

<b>Farmington City Council Staff Report</b>	<b>Council Meeting Date: May 18, 2020</b>	<b>Item Number 3B</b>
<b>Submitted by: Mary Mullison</b>		
<b>Agenda Topic:</b> Council Meeting Minutes: April 20 Special April 20 Regular April 27 Budget April 30 Special May 2 Study Session May 4 Regular		
<b>Materials:</b> 6 sets of minutes		



Special Council Meeting  
6:00 p.m., Monday, April 20, 2020  
Virtual Meeting via Zoom

**DRAFT**

## SPECIAL MEETING MINUTES

A special meeting of the Farmington City Council was held on April 20, 2020, as a Virtual Meeting via Zoom, an electronic meeting platform. Notice of the meeting was posted in compliance with Public Act 267-1976 and electronically as authorized by Executive Order 2020-15 signed by Governor Whitmer on March 18, 2020, in order to mitigate the spread of COVID-19, protect the public health, and provide essential protections to vulnerable Michiganders by limiting in-person contact and the number of people interacting at public gatherings.

The meeting was called to order at 6:00 p.m. by Mayor Sara Bowman.

### 1. ROLL CALL

Attendee Name	Title	Status	Arrived
Sara Bowman	Mayor	Present	
David DeLind	Councilmember	Present	
Joe LaRussa	Mayor Pro Tem	Present	
Steve Schneemann	Councilmember	Present	
Maria Taylor	Councilmember	Present	

#### City Administration Present

Director Christiansen  
City Clerk Mullison  
City Manager Murphy  
City Attorney Schultz  
Director Weber

### 2. APPROVAL OF AGENDA

Move to approve the agenda as presented.

<b>RESULT:</b>	<b>APPROVED AS PRESENTED [UNANIMOUS]</b>
<b>MOVER:</b>	Taylor, Councilmember
<b>SECONDER:</b>	DeLind, Councilmember
<b>AYES:</b>	DeLind, LaRussa, Schneemann, Taylor, Bowman

**3. OTHER BUSINESS**

No other business was heard.

**4. PUBLIC COMMENT**

No public comment was heard

**5. CLOSED SESSION– TO CONSIDER CONFIDENTIAL/PRIVILEGED WRITTEN CORRESPONDENCE FROM CITY ATTORNEY**

**Move to enter Closed Session to consider confidential/privileged written correspondence from City Attorney.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	LaRussa, Mayor Pro Tem
<b>SECONDER:</b>	Taylor, Councilmember
<b>AYES:</b>	LaRussa, Schneemann, Taylor, Bowman, DeLind

Council entered closed session at 6:07 p.m.

**Move to exit closed session.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Schneemann, Councilmember
<b>SECONDER:</b>	LaRussa, Mayor Pro Tem

Council exited closed session at 6:33 p.m.

**Move to direct the City Manager and the City Attorney to proceed as discussed in Closed Session.**

<b>RESULT:</b>	<b>APPROVED [4-1]</b>
<b>MOVER:</b>	Schneemann, Councilmember
<b>SECONDER:</b>	DeLind, Councilmember
<b>AYES:</b>	Schneemann, Bowman, DeLind, LaRussa
<b>NAYS:</b>	Taylor

**6. ADJOURNMENT**

Move to adjourn the meeting.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Taylor, Councilmember
<b>SECONDER:</b>	DeLind, Councilmember

The meeting adjourned at 6:37 pm.

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Sara Bowman, Mayor

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Mary Mullison, City Clerk

Approval Date:

**\*\***To view approved documents, please see the Agenda Packet link that is relevant to this meeting at <http://farmgov.com/City-Services/Government/Agendas-and-Minutes/City-Council.aspx> or contact the City Clerk.



Regular City Council Meeting  
7:00 p.m., Monday, April 20, 2020  
Virtual Meeting via Zoom

**DRAFT**

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## REGULAR MEETING MINUTES

A regular meeting of the Farmington City Council was held on April 20, 2020, as a Virtual Meeting via Zoom, an electronic meeting platform. Notice of the meeting was posted in compliance with Public Act 267-1976 and electronically as authorized by Executive Order 2020-15 signed by Governor Whitmer on March 18, 2020, in order to mitigate the spread of COVID-19, protect the public health, and provide essential protections to vulnerable Michiganders by limiting in-person contact and the number of people interacting at public gatherings.

The meeting was called to order at 7:02 p.m. by Mayor Bowman.

### 1. ROLL CALL

Attendee Name	Title	Status	Arrived
Sara Bowman	Mayor	Present	
David DeLind	Councilmember	Present	
Joe LaRussa	Mayor Pro Tem	Present	
Steve Schneemann	Councilmember	Present	
Maria Taylor	Councilmember	Present	

#### **City Administration Present**

Director Christiansen  
Director Demers  
Superintendent Eudy  
City Clerk Mullison  
City Manager Murphy  
City Attorney Saarela  
Director Weber

### 2. PLEDGE OF ALLEGIANCE

### 3. APPROVAL OF ITEMS ON CONSENT AGENDA

- A. Accept City of Farmington Board and Commission Minutes
- B. City of Farmington Minutes
  - a. March 16, 2020 Regular
  - b. March 23, 2020 Special
  - c. April 6, 2020 Regular
- C. Farmington Monthly Payments Report
- D. Farmington Public Safety Monthly Report
- E. Third Quarter Building Report
- F. Department of Public Works Quarterly Report
- G. Oakwood Cemetery Rule revision section "B" No. 11
- H. ~~Special Event Application: Swing Farmington~~
- I. Resolution to accept Oakland County West Nile Grant

Move to approve the consent agenda as amended, removing Item 3H from the Consent Agenda and adding it for discussion as Item 7C under New Business.\*\*

<b>RESULT:</b>	<b>APPROVED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Taylor, Councilmember
<b>SECONDER:</b>	LaRussa, Mayor Pro Tem
<b>AYES:</b>	Bowman, DeLind, LaRussa, Schneemann, Taylor

### 4. APPROVAL OF REGULAR AGENDA

Move to approve the regular agenda as amended, removing consideration to approve Fireworks from Item 6A.\*\*

<b>RESULT:</b>	<b>APPROVED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	LaRussa, Mayor Pro Tem
<b>SECONDER:</b>	DeLind, Councilmember
<b>AYES:</b>	DeLind, LaRussa, Schneemann, Taylor, Bowman

### 5. DEPARTMENT HEAD COMMENT

Brian Golden, City of Farmington Media Director, shared a portion of a video highlighting restaurants that are offering take-out services in Farmington during Governor Whitmer's "Stay Home, Stay Safe" Executive Order restrictions. It featured drone footage of the downtown and surrounding area and is available to view on the City's Vimeo channel.

Christiansen updated Council about the Small Business Loan and Grant Committee that he and Downtown Development Authority Executive Director Kate Knight have been a part of. He explained the process in allocating funds for local businesses. He also informed Council about his department's operations during the current shut down of the City Hall premises.



Murphy let Council know that the 2020-2021 FY Proposed Budget would be available online the next day. He noted that the Table of Contents contained links to help navigate the document, and that the Budget document would also be available publically via the City’s website.

**6. PRESENTATION/PUBLIC HEARINGS**

**A. Special Event Application: Founders Festival Beer Tent**

After receiving feedback from the community, Greater Farmington Area Chamber of Commerce Director Connor Osborn requested approval to involve the downtown business district in the Founders Festival by offering a beer tasting. He described plans to hold a beer tasting at Riley Park on the Saturday evening of the Founders Festival. He also spoke about operating the event safely in light of current restrictions and social distancing recommendations.

Schneemann asked Osborn whether he had consulted with the Downtown Development Authority Executive Director Kate Knight, the DDA Board, and Farmers Market Master Walt Gajewski. Osborn said that he had not communicated recently with Knight and Gajewski, but that they had supported it in the past.

Discussion ensued concerning whether music would be involved, what the procedure for obtaining an additional liquor license might be, safety concerns, and the rather strict rules that would need to be in place in regards to ingress and egress to the tasting venue.

Bowman appreciated Osborn bringing an option in response to listening to all that had been previously expressed about involving the downtown in some aspect of the Founders Festival plans. She noted that safety and guidelines associated with the event should be paramount.

**Move to approve the Farmington Area Chamber of Commerce Special Event Application for a beer tasting in Riley Park and the Sundquist Pavilion on the Saturday of Founders Festival from 6-9 p.m., whenever that may happen for 2020.\*\***

<b>RESULT:</b>	<b>APPROVED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Taylor, Councilmember
<b>SECONDER:</b>	LaRussa, Mayor Pro Tem
<b>AYES:</b>	LaRussa, Schneemann, Taylor, Bowman, DeLind

**B. Public Hearing for Drake Park Facilities Improvement Grant submittal**

Jessica Howard of OHM explained plans for improving Drake Park and displayed a slide of proposed changes and enhancements to the park. Bowman mentioned that the project was something that Council had been working toward for a long time and that it was good to see it come to fruition.

Schneemann asked Murphy whether the funding in the grants had anything to do with improvements to the structures such as the bathrooms in the park, and Murphy assured him

that it did not. In response to another question from Schneemann, Howard explained that a more detailed construction document would be produced after the conceptual one had been submitted for the grant(s). She also gave a more detailed explanation of the difference between the two grants and explained that we would only be awarded one or the other.

DeLind asked whether submitting for both grants might introduce a risk to be given the lesser grant, and Howard replied that there was no risk in that.

LaRussa asked about removing the tennis courts and maximizing the grant by keeping that asset, and Murphy explained that the removal was based on cost. Schneemann asked whether the grant would preclude the City from adding tennis courts at a later date and was told that further improvements could be added, but would be on the City to fund. Weber added that the Parks and Recreation Master Plan indicated that there were more than enough tennis courts available to residents without the Drake Park courts and that the space cleared might then be used for something the Master Plan indicated the City did not have enough of, such as basketball or volleyball courts. Discussion ensued.

**Move to open Public Hearing for Drake Park Facilities Improvement Grant submittal.\*\***

<b>RESULT:</b>	<b>APPROVED AS PRESENTED [UNANIMOUS]</b>
<b>MOVER:</b>	LaRussa, Mayor Pro Tem
<b>SECONDER:</b>	Taylor, Councilmember
<b>AYES:</b>	Schneemann, Taylor, Bowman, DeLind, LaRussa

Public hearing was opened at 7:45 pm. No public comment was heard.

**Move to close Public Hearing for Drake Park Facilities Improvement Grant submittal.\*\***

<b>RESULT:</b>	<b>APPROVED AS PRESENTED [UNANIMOUS]</b>
<b>MOVER:</b>	LaRussa, Mayor Pro Tem
<b>SECONDER:</b>	Taylor, Councilmember

Public hearing was closed at 7:46 pm.

**7. NEW BUSINESS**

**A. Consideration to approve purchase of Public Safety vehicle**

Director Demers requested the purchase of one (1) 2020 Ford Explorer to replace the Public Safety Director's administration vehicle which was purchased in 2017. The request is for the FY 20/21 budget and the vehicle would not be purchased until after July 1, 2020. The purchase is

part of the ongoing replacement program for public safety administrative vehicles. Signature Ford has provided a list price of \$29,208.00. Competitive bid prices were obtained from Gorno Ford (\$29,727) and Jorgensen Ford (\$32,091).

The Public Safety department replaces one (1) administration vehicle every three years. The department has not replaced an administrative vehicle since FY 17/18. This vehicle will be paid for using funding from the drug forfeiture account (345-958.001).

LaRussa asked what other uses for the drug forfeiture account could be put toward instead of this purchase. Demers explained that the forfeiture funds are specifically designated for law enforcement purposes and could not be used to make up City shortfalls during the pandemic. He stated that the scheduled purchase, use, and subsequent passing down through the department of vehicles was the best use of the funds.

**Move to approve FY 2020/21 budget request to purchase one (1) 2020 Ford Explorer from Signature Ford in the amount of \$29,208.00.\*\***

<b>RESULT:</b>	<b>APPROVED AS PRESENTED [UNANIMOUS]</b>
<b>MOVER:</b>	Schneemann, Councilmember
<b>SECONDER:</b>	Delind, Councilmember
<b>AYES:</b>	Bowman, DeLind, LaRussa, Schneemann, Taylor

**B. Consideration to award the Bel-Aire Sanitary Sewer Lining Project to Pipeline Management Company Incorporated**

Superintendent Eudy stated that Administration and the engineers at Orchard Hiltz & McCliment (OHM) have reviewed the City of Farmington sanitary sewer system condition. The area in the most critical need of improvement is in the Bel-Aire Subdivision since the sanitary sewer system there is approximately 65 years old. Several years ago a sanitary sewer repair project addressed most of the sanitary sewers which needed repairs in preparation for this area to be Cured In Place Pipe lined (CIPP). A total of four (4) bids were received from Granite Inliner LLC, Inland Water Pollution Control Inc., DVM Utilities Inc., and Pipeline Management Company Inc.

This project will include CIPP lining of nearly 13,000 lineal feet of 8 inch diameter to 15 inch diameter sanitary and storm sewers, open cut repairs of the sanitary sewer system, and manhole bench repairs to improve effluent flows. The CIPP lining will extend the life expectancy of the sewer 50 years and reduce the ground water infiltration and root intrusion (I/I) in one of the most problematic areas of the City.

OHM recommended awarding the project to Pipeline Management Company Incorporated in the amount not to exceed \$1,036,115.74 which represents the contract of \$941,923.40 and a contingency of 10% for unforeseen issues.

Bowman complimented Eudy on the use of the contract to get additional pipe included in this proposal.

**Move to award the Bel-Aire Sanitary Sewer Lining Project in the amount of \$941,923.40 with a 10% contingency fund for a total amount of \$1,036,115.74 to Pipeline Management Company Incorporated of Milford, Michigan; to direct the City Engineer and City Attorney to finalize the Project Agreement and all related documents; and to authorize the City Manager to sign the Project Agreement and related documents.\*\***

<b>RESULT:</b>	<b>APPROVED AS PRESENTED [UNANIMOUS]</b>
<b>MOVER:</b>	LaRussa, Mayor Pro Tem
<b>SECONDER:</b>	Schneemann, Councilmember
<b>AYES:</b>	DeLind, LaRussa, Schneemann, Taylor, Bowman

**C. Discussion on Special Event Application: Swing Farmington**

Taylor asked for this item to be removed from the consent agenda to discuss plans for contingencies in schedule because of Governor Whitmer’s “Stay Home, Stay Safe” Executive Order. She indicated that she wanted to make clear that Farmington is not endorsing that everybody get together even though conditions may not be safe to do so.

Schneemann pointed out that the application states that the events would be scheduled “to begin on or after May 7 when the Governor’s Stay Home Stay Safe Executive Order prohibiting such activities is rescinded” and asked Taylor whether there was something else she was intending to highlight. Bowman clarified Taylor’s reference, and Schneemann still felt it was unnecessary to change the request. LaRussa wondered what the evolution of the Governor’s Executive Order would be and suggested that the application be tabled until the next Council meeting. Schneemann said that he loved the event and was appreciative of Alexander Steward and all that he does, but that he did agree that it would be difficult to meet social distancing requirements while swing dancing. He also advocated a wait and see attitude.

Bowman added that these are strange and unprecedented times, and that she believes having something to look forward to provides something that helps her get through this. However, public safety must be paramount and she intends Farmington to be at the forefront in following CDC, Governor’s Office, and other expert guidelines. She recognized that Steward needed time to put plans in place for the season, but she wants to say yes with a contingency that this will not happen until all the orders are lifted.

**Move to table issue to May 4<sup>th</sup> meeting.\*\***

<b>RESULT:</b>	<b>APPROVED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	LaRussa, Mayor Pro Tem
<b>SECONDER:</b>	DeLind, Councilmember
<b>AYES:</b>	DeLind, LaRussa, Taylor
<b>NAYS:</b>	Bowman, Schneemann

**8. PUBLIC COMMENT**

No public comment was heard.

**9. CITY COUNCIL COMMENT**

DeLind explained that his vote to table the Swing Farmington Special Event Application was because as the COVID-19 pandemic continues to affect our lives, he would like more information before supporting a public gathering. He agreed that it was important to have things like this to look forward to, but felt Council needed to understand more about how public spaces are going to open up before approval of something that encouraged gathering.

LaRussa gave kudos to all City Administration who are still finding ways to creatively work around the circumstances, especially high praise for the quality of services that are happening. He noted that administering a city couldn't possibly be easy in the present circumstances and thanked staff for all they were doing to keep things moving during the pandemic.

Taylor clarified why she voted to move consideration of Swing Farmington for discussion later in the meeting. She stated that she loved Swing Farmington and is looking forward to dancing there as well when it is safe. She requested that Council hold a discussion about what giving permission for public gatherings would mean for this and other events that come for approval in the near future.

Bowman asked all to take a moment and think about how this COVID-19 pandemic has impacted each and every one of us individually and as a community. She acknowledged that we are living through history, and that we all need to exhibit empathy, kindness, and patience for each other.

**10. ADJOURNMENT**

**Move to adjourn the meeting.**

<b>RESULT:</b>	<b>APPROVED AS PRESENTED [UNANIMOUS]</b>
<b>MOVER:</b>	Taylor, Councilmember
<b>SECONDER:</b>	DeLind, Councilmember

Meeting adjourned 8:20 p.m.

\_\_\_\_\_  
Sara Bowman, Mayor

\_\_\_\_\_  
Mary J. Mullison, City Clerk

Approval Date:

\*\*To view approved documents, please see the Agenda Packet link that is relevant to this meeting at <http://farmgov.com/City-Services/Government/Agendas-and-Minutes/City-Council.aspx> or contact the City Clerk.



Budget Meeting  
6:00 p.m., Monday, April 27, 2020  
City Council Chambers  
23600 Liberty Street  
Farmington, MI 48335

**DRAFT**

## BUDGET MEETING MINUTES

A special budget meeting of the Farmington City Council was held on April 27, 2020, as a Virtual Meeting via Zoom, an electronic meeting platform. Notice of the meeting was posted in compliance with Public Act 267-1976 and electronically as authorized by Executive Order 2020-15 signed by Governor Whitmer on March 18, 2020, in order to mitigate the spread of COVID-19, protect the public health, and provide essential protections to vulnerable Michiganders by limiting in-person contact and the number of people interacting at public gatherings.

The meeting was called to order at 6:00 p.m. by Mayor Sara Bowman.

### 1. ROLL CALL

Attendee Name	Title	Status	Arrived
Sara Bowman	Mayor	Present	
David DeLind	Councilmember	Present	
Joe LaRussa	Mayor Pro Tem	Present	
Steve Schneemann	Councilmember	Present	
Maria Taylor	Councilmember	Present	

#### City Administration Present

City Clerk Mullison  
City Manager Murphy  
City Controller Norgard  
City Attorney Schultz  
City Treasurer Weber

### 2. APPROVAL OF AGENDA

Move to approve the agenda as presented.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	DeLind, Councilmember
<b>SECONDER:</b>	LaRussa, Mayor Pro Tem
<b>AYES:</b>	LaRussa, Schneemann, Taylor, Bowman, DeLind

### 3. CITY MANAGER'S PROPOSED BUDGET

City Manager Murphy presented the proposed FY2020/21 budget, including possible effects of the impact of the COVID-19 pandemic.

Schneemann asked Murphy for clarification about the referenced \$266,000 reduction in revenue due to the pandemic. Murphy and Director Weber explained that the effects of lost revenue really are not known and that the reduction cited was an arbitrary estimate. Weber indicated that it would be a while for firm numbers to be available and amounts are evolving. He referenced a prediction from a recent webinar that shared revenue collections might be down 50%. The City is tracking it on a month by month basis. Schneemann also asked about some specific Department of Public Works requests and their uses. Discussion ensued about whether renting a crane would be more cost efficient than purchasing a new one. Murphy also noted that by having reliable equipment, our workers would be safer and more efficient.

Taylor said she appreciated how the budget laid out different options for each specific fund. She requested input on who would make decisions and when decisions must be made about a COVID response. In response to Taylor's question about whether these decisions need to be made before the budget is approved in June, Murphy indicated that when options are needed after the budget has been approved, items would come to Council as requested budget changes. Weber explained when approvals might be brought to Council for various opportunities as a change and that each item might have a different time frame.

LaRussa commended the finance team for putting such a thorough budget together. He asked where Retiree Health Care and pension costs were recognized on the budget, and Weber explained that the RHC budget is sufficient for the next year, though adjustments might need to be made later depending on market performance. LaRussa noted that the Water and Sewer fund had a substantial balance and asked what the City might be saving up for. Murphy noted that City infrastructure is getting older, it is known that we will need to replace it, and that it acts as a contingency for large expenditures we know are coming. After further questions from LaRussa, discussion ensued about increase for contractual services in the Information Technology budget, what it might cost for Farmington to hire it's own City Assessor rather than contract the services through Oakland County, the gap between water the City sells and uses, the Street Fund from the DDA, and good news about increased Corridor Improvement Authority TIF capture.

At LaRussa's request, Council indicated that funding should be moved a year forward in the Capital Improvement Plan to build a Flanders Park playscape in the coming fiscal year. Discussion about where to adjust the budget to make that happen included using already planned contingency funds and redirecting funds already allocated to the Flanders Park walking path in this budget. Bowman summarized that there was a majority intention to move the playscape forward to this budget year and requested that administration make that adjustment before bringing the budget back to Council for approval.

DeLind asked if the Department of Public Works could find used equipment to meet their needs. More information was requested from Superintendent of Public Works, Chuck Eudy about the need for a crane and other equipment.

Bowman thanked Administration for all of the time, effort, and work needed to produce this year's budget, especially when a complete pivot was needed to accommodate the conditions of the current pandemic.



**4. OTHER BUSINESS**

No other business was heard.

**5. PUBLIC COMMENT**

Steve Baumbach, 21144 Robinwood, thanked Council for adding a Flanders Park playscape to the budget.

Sarah Davies, 23120 Violet, reported on the cancelling of the Great Farmington Cleanup because of the times, two birthday parades assisted by Farmington Public Safety attendance, and commented on Flanders Park.

**6. COUNCIL COMMENT**

DeLind thanked City Controller Amy Norgard, Director of Finance and Administration Chris Weber, and City Manager Dave Murphy for doing a great job on pulling together the budget and being good sports while fielding all of Council's questions.

Bowman reiterated DeLind's gratitude and noted that councilmembers rely on the expertise of City administration and staff and are never let down.

**7. ADJOURNMENT**

**Move to adjourn the meeting.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Schneemann, Councilmember
<b>SECONDER:</b>	Taylor, Councilmember

The meeting adjourned at 7:29 p.m.

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Sara Bowman, Mayor

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Mary J. Mullison, City Clerk

Approval Date:



Special Council Meeting  
6:00 p.m., Thursday, April 30, 2020  
Virtual Meeting via Zoom

**DRAFT**

## SPECIAL MEETING MINUTES

A special meeting of the Farmington City Council was held on April 30, 2020, as a Virtual Meeting via Zoom, an electronic meeting platform. Notice of the meeting was posted in compliance with Public Act 267-1976 and electronically as authorized by Executive Order 2020-15 signed by Governor Whitmer on March 18, 2020, in order to mitigate the spread of COVID-19, protect the public health, and provide essential protections to vulnerable Michiganders by limiting in-person contact and the number of people interacting at public gatherings.

The meeting was called to order at 6:01 p.m. by Mayor Sara Bowman.

### 1. ROLL CALL

Attendee Name	Title	Status	Arrived
Sara Bowman	Mayor	Present	
David DeLind	Councilmember	Present	
Joe LaRussa	Mayor Pro Tem	Present	
Steve Schneemann	Councilmember	Present	
Maria Taylor	Councilmember	Present	

#### City Administration Present

Director Christiansen  
City Clerk Mullison  
City Manager Murphy  
City Attorney Schultz  
Director Weber

### 2. APPROVAL OF AGENDA

Move to approve the agenda as presented.

<b>RESULT:</b>	<b>APPROVED AS PRESENTED [UNANIMOUS]</b>
<b>MOVER:</b>	DeLind, Councilmember
<b>SECONDER:</b>	Taylor, Councilmember
<b>AYES:</b>	Schneemann, Taylor, Bowman, DeLind, LaRussa

**3. OTHER BUSINESS**

No other business was heard.

**4. PUBLIC COMMENT**

No public comment was heard.

**5. CLOSED SESSION – TO CONSIDER CONFIDENTIAL/PRIVILEGED WRITTEN CORRESPONDENCE FROM CITY ATTORNEY**

**Move to enter Closed Session to consider confidential/privileged written correspondence from City Attorney.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Taylor, Councilmember
<b>SECONDER:</b>	DeLind, Councilmember
<b>AYES:</b>	Taylor, Bowman, DeLind, LaRussa, Schneemann

Council entered closed session at 6:04 p.m.

**Move to exit closed session.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Taylor, Councilmember
<b>SECONDER:</b>	Schneemann, Councilmember

Council exited closed session at 6:33 p.m.

**6. ADJOURNMENT**

**Move to adjourn the meeting.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Schneemann, Councilmember
<b>SECONDER:</b>	Taylor, Councilmember

The meeting adjourned at 6:34 pm.

\_\_\_\_\_  
Sara Bowman, Mayor

\_\_\_\_\_  
Mary Mullison, City Clerk

Approval Date:



**Special Study Meeting**  
**9:00 a.m., Saturday, May 2, 2020**  
**Virtual Meeting via Zoom**

## **SPECIAL STUDY MEETING MINUTES**

A study session meeting of the Farmington City Council was held on May 2, 2020, as a Virtual Meeting via Zoom, an electronic meeting platform. Notice of the meeting was posted in compliance with Public Act 267-1976 and electronically as authorized by Executive Order 2020-48 signed by Governor Whitmer on April 14, 2020, in order to mitigate the spread of COVID-19, protect the public health, and provide essential protections to vulnerable Michiganders by limiting in-person contact and the number of people interacting at public gatherings.

The meeting was called to order at 9:04 am by Mayor Bowman.

### **1. ROLL CALL**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Sara Bowman	Mayor	Present	
David DeLind	Councilmember	Present	
Joe LaRussa	Mayor Pro Tem	Present	
Steve Schneemann	Councilmember	Present	
Maria Taylor	Councilmember	Present	

#### **City Administration Present**

City Clerk Mullison  
City Manager Murphy

#### **Others Present**

Charlie Fleetham, Project Innovations, Inc., facilitator

### **2. APPROVAL OF AGENDA**

**Move to approve the agenda as presented.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	LaRussa, Mayor Pro Tem
<b>SECONDER:</b>	Taylor, Councilmember
<b>AYES:</b>	Bowman, DeLind, LaRussa, Schneemann, Taylor

### **3. COMMENTS FROM THE MAYOR AND FOLLOW ON DISCUSSION AS DESIRED**

Mayor Bowman ran through housekeeping items and talked about the goals, expectations, and procedure for this meeting. She noted that Council meets once every two years with the help of a moderator to provide input and discussion as to what should be prioritized going forward. While keeping the fears and anxieties over the current pandemic in mind, Council is also the planner of the future of the City. She requested that Council focus on the things that can actually be addressed while still keeping an eye on the unknowns. Bowman hoped the meeting would be positive and encouraging.

### **4. STRATEGIC PLANNING AND GOAL SETTING**

#### **Vision Statement**

The City of Farmington in 2021 is a family-friendly community well-known for the connectedness and engagement of its citizens, including residents and businesses; the quality of its diverse neighborhoods and interactive public spaces; the economic viability of its thriving commercial districts and its sustainable and reliable city services.

- Intentional boards and commissions are directed toward making Farmington a desirable place to live and own a business
- City Administration and City Council recognize social media has changed the rules of citizen engagement – participants drive the process
- Creating a sense of place: community activities such as festivals, farmers markets, Warner Mansion, ice rink, walkable and multi-modal infrastructure connecting commercial and public space nodes.

#### **Strategy 1: Financially Sustainability**

##### **S-1A: Continue optimization of pension costs long term.**

- City administration to develop gap plan showing hi/low cases
- City administration to provide status update on current situation, including additional tasks to complete
- Council to review above documents and determine future action items

##### **S-1B: Conduct engineering assessment on city infrastructure.**

- Determine scope of work and budget
- Scope should include proposed cycle to renew assets by type
- Critical issues to address: drainage and replacement of dangerous portions of sidewalks
- Review scope/budget for decision as appropriate

#### **Strategy 2: Support Activities and Events that Promote Placemaking**

##### **S-2A: Analyze long-term sustainability strategy for Warner Mansion funding/use**

##### **S-2B: Continue to focus on attracting/recruiting volunteers**

**S-2C: Continue optimization of enforcement of speeding and pedestrian safety**

**Strategy 3: Improve Electronic Communications**

**S-3A: Revisit broadcasting council meetings live on cable**

**S-3B: Develop Project/Program Dashboard on city website**

**S-3C: Investigate development of on-line cemetery search tool**

**Strategy 4: Sustain and Improve Economically and Socially Viable Neighborhoods and Commercial Districts that are Attractive and Well Maintained**

**S-4A: Continue coordination with Farmington Public Schools to ensure that Maxfield Training Center will be sold**

**S-4B: Prepare cost/benefit analysis for relocating City Hall (in another downtown location)**

**S-4C: Complete review of downtown sign regulations and enforcement guidelines**

- City Administration to prepare action plan, including timeframe for completion

**S-4D: Strengthen code enforcement throughout city**

- Continue focus on commercial centers for improved maintenance and enforcement
- Develop reporting process for inclusion on website dashboard
- Add form on website to facilitate community feedback on perceived code infractions

**S-4E: Evaluate development and implementation of rental house ordinance**

**S-4F: Form ad-hoc committee on walkability and bicycling to identify locations lacking in walkability and connectivity and recommend improvements like new crosswalks, flashing beacons, and sidewalk repair (downtown and in outlying neighborhoods.)**

**S-4G: Continue review of potential strategic land banking opportunities throughout the City to promote redevelopment opportunities in keeping with the Master Plan**

**S-4H: City Manager to provide routine updates on Farmington Road Streetscape and other key infrastructure improvements**

**Strategy 5: Sustain our City's Built and Environmental Infrastructure**

**S-5A: Seek partnership with MSU Extension Office for development of a Tree Management Plan**

**Strategy 6: Develop Smart City Technology**

**S-6A: Complete Smart City Feasibility Study and establish go forward plan**

**Strategy 7: Sustain Market Competitiveness**

**S-7A: Evaluate wage and benefits of surrounding communities and communities of comparable size regarding department heads and non-union staff**

**S-7B: Legal Counsel develop report on potential impact of marijuana legalization on housing stock**

**Proposed Study Sessions (order is not indicative of importance)**

**PS-1: Review the Food Truck Ordinance**

**PS-2: Upon Historical Commission completion of house inventory, develop and review proposed set of standards for governing properties in the Historic District**

**PS-3: Explore creation of process to identify potential neighborhood leaders who could create or resurrect organizations that would enable more community and neighborhood activity, and consider providing incentives to encourage such activity**

**PS-4: Study the potential redevelopment of the Village Shoe Inn to gain expanded public parking and new retail & residential development downtown**

**PS-5: Review City's Emergency Plan in light of Covid-19**

**5. PUBLIC COMMENT**

No Public Comment was heard.

**6. COUNCIL COMMENT ON PLAN COMPLETION**

Bowman thanked administration for making the technology work to have this meeting and her fellow Councilmembers for their valuable time on a Saturday morning. She stated that the meeting had been very beneficial and that it gave an opportunity to get an idea of what everybody thinks and feels and to have meaningful conversation and discussion on how this particular council of five is going to move the City forward.



**7. ADJOURNMENT****Move to adjourn the meeting.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Taylor, Councilmember
<b>SECONDER:</b>	Schneemann, Councilmember

The meeting adjourned at 12:04 PM.

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Sara Bowman, Mayor

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Mary J. Mullison, City Clerk

Approval Date:



Regular City Council Meeting  
7:00 p.m., Monday, May 4, 2020  
Virtual Meeting via Zoom

**DRAFT**

## REGULAR MEETING MINUTES

A regular meeting of the Farmington City Council was held on May 4, 2020, as a Virtual Meeting via Zoom, an electronic meeting platform. Notice of the meeting was posted in compliance with Public Act 267-1976 and electronically as authorized by Executive Order 2020-48 signed by Governor Whitmer on April 14, 2020, in order to mitigate the spread of COVID-19, protect the public health, and provide essential protections to vulnerable Michiganders by limiting in-person contact and the number of people interacting at public gatherings.

The meeting was called to order at 7:00 pm by Mayor Bowman.

### 1. ROLL CALL

Attendee Name	Title	Status	Arrived
Sara Bowman	Mayor	Present	
Dave DeLind	Councilmember	Present	
Joe LaRussa	Mayor Pro Tem	Present	
Steve Schneemann	Councilmember	Present	
Maria Taylor	Councilmember	Present	

#### **City Administration Present**

City Clerk Mullison  
City Manager Murphy  
City Attorney Saarela  
Director Weber

### 2. APPROVAL OF AGENDA

Move to approve the regular meeting agenda as presented.\*\*

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Schneemann, Councilmember
<b>SECONDER:</b>	LaRussa, Mayor Pro Tem
<b>AYES:</b>	LaRussa, Schneemann, Taylor, Bowman, DeLind

### 3. ACCEPT THE RESIGNATION OF LARRY KILNER FROM THE BEAUTIFICATION COMMITTEE

Bowman presented Council with the resignation of Larry Kilner from the Farmington Beautification Committee. Kilner had been on the committee for over ten years and had been the committee chair for a large portion of that time.

Schneemann noted that Kilner has been a great friend to Farmington and the City has benefitted from his vision and his artistic eye. The sunflowers popping up here and there can be attributed to Kilner's vision, as well as the eclectic feel to the downtown and the cabbage island project. Schneemann was glad that Kilner planned to stay engaged by continuing his work on the downtown plantings.

**Move to accept Larry Kilner's resignation from the Farmington Beautification Committee.\*\***

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Taylor, Councilmember
<b>SECONDER:</b>	Schneemann, Councilmember

**4. PROCLAMATION, PROPOSED BY OAKLAND COMMUNITY HEALTH NETWORK: MENTAL HEALTH AWARENESS MONTH – MAY 2020**

At the request of the Oakland County Health Network, Bowman offered Farmington's support for May, 2020 as Mental Health Awareness Month and read a proclamation to that effect.

**5. CONSIDERATION TO APPROVE AMENDMENT TO PURCHASE AND SALE AGREEMENT FOR PROPERTY AT 33000 THOMAS STREET AND ADJACENT PARK PROPERTY**

City Council considered an amendment to an agreement to purchase the former Maxfield Training Center property that reduced the purchase price by \$60,000; extended the date for closing; required that the City waive any title, survey, and environmental issues; and made the City's \$10,000 deposit non-refundable. The document before the Council confirmed that the City would go ahead with the purchase even though it was now aware of the contaminated area in the parking lot along Thomas Street, with a slight reduction in price, because the purchase still met all of the goals/purposes that initiated the determination to buy the property in the first place.

Bowman noted that the City Council had spent many weeks reviewing this purchase and have had both closed session and open meeting discussion regarding this purchase.

Scheemann commented on the Request for Qualifications process mentioned in the staff report for this item and asked whether Council will get to weigh in on how the property will be developed prior to the RFQ for developers. Murphy answered that administration will be working on the RFQ process immediately, but that nothing would be finalized without Council's input.

Taylor read a statement into the record pertaining to the budget forecast and projected losses due to the COVID-19 pandemic. She indicated that she would not be in favor of the purchase agreement of the Maxfield Training Center property at this time.

Schneemann said that he was very supportive of this project, indicating that one of the reasons he would be voting for this purchase was because of significant future revenue for the City. Redeveloping the property will bring new residents and new revenue for the City and the DDA, and would put Farmington in a much better fiscal position than it is today.

LaRussa added that this purchase was a very strategic project for Farmington and that there was no reason to wait at this time. He thought that a decade was long enough for a signature parcel of land in the center of Farmington to sit idle and that it was high time to take actions necessary to bring this project into the control of the City. He was also optimistic about the City's ability to secure resources for the parcel of Shiawassee Park that the City does not own, and reminded all that ownership of the entire park was a high priority item. He indicated that he would be supporting the motion.

DeLind said that this purchase was a phenomenal opportunity with the ability to link the downtown to Shiawassee Park as well as provide a development that will increase the tax base and secure a piece of what people already consider to be Shiawassee Park and ensure that it does not get moved to development.

Bowman noted that these were not the circumstances that this vote was intended to be held under because of the quarantine and uncertainty. She said that the budget review from last week made her proud of how Farmington positions itself to weather storms of this type and come out the other side shining. She recalled how the Grand River Streetscape was accomplished while just exiting from the recession and the City has reaped a reward from that project. This project, including the linkage to the park, is critically important for future development and this purchase adds a pivotal piece of property. She indicated that she was very much in favor of moving forward.

**Move to approve Second Amendment to Purchase and Sale Agreement.\*\***

<b>RESULT:</b>	<b>APPROVED [4-1]</b>
<b>MOVER:</b>	DeLind, Councilmember
<b>SECONDER:</b>	LaRussa, Councilmember
<b>AYES:</b>	Bowman, DeLind, LaRussa, Schneemann
<b>NAYS:</b>	Taylor

**6. OTHER BUSINESS**

Brian Golden shared a new video with Council about the opening of the Farmer's Market and how it would be accomplished with the health and safety of the public and vendors in mind.

**7. PUBLIC COMMENT**

No public comment was heard.

**8. COUNCIL COMMENT**

Schneemann thanked fellow councilmembers and administration for working so hard for such a long period of time on the MTC project. He reiterated that it was an incredibly important strategic project for the City and would prove to be transformative over the coming years. It will change the way the parks are used, how connectivity is achieved, and bodes very well for our future.

LaRussa wished a Happy Mothers Day to all.

Bowman pointed out that this was Professional Municipal Clerk's week and thanked City Clerk Mullison for everything she does, as well as Deputy Clerk Jennifer Tomlinson and Administrative Assistant Sue Alvey. She noted that this week of appreciation could not have come at a more appropriate time since the Clerk's Department had gone above and beyond these past few weeks. She went on to say that though there might be apprehension about the Farmers Market starting up, she was confident and comfortable that Market Master Walt Gajewski had insured that safety and health guidelines that have been recommended would be exceeded. The Market is integral to downtown and will be an opportunity for people to have healthy choices. With the possibility of ordering online and the new foot traffic pattern the Market will feel different, but with an unbelievable army of volunteers Gajewski will ensure all can use the Market.

## 9. Adjournment

**Move to adjourn the meeting.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Taylor, Councilmember
<b>SECONDER:</b>	Schneemann, Councilmember

The meeting adjourned at 7:29 p.m.

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Sara Bowman, Mayor

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Mary Mullison, City Clerk

Approval Date:

\*\*To view approved documents, please see the Agenda Packet link that is relevant to this meeting at <http://farmgov.com/City-Services/Government/Agendas-and-Minutes/City-Council.aspx> or contact the City Clerk.

**Farmington City Council  
Agenda Item**

**Council Meeting  
Date:** May 18, 2020

**Item Number  
3C**

**Submitted by:** Amy Norgard, Controller

**Agenda Topic**

Farmington Monthly Payments Report – March and April 2020

**Proposed Motion**

Approve Farmington Monthly Payments Report – March and April 2020

**Background**

See attachment

**Materials Attached**

AP Monthly Payments Report 033120  
AP Monthly Payments Report 043020

**Agenda Review**

Department Head

Finance/Treasurer

City Attorney

City Manager

# CITY OF FARMINGTON - MONTHLY PAYMENTS REPORT

**MONTH OF MARCH 2020**

<b>FUND #</b>	<b>FUND NAME</b>	<b>AMOUNT:</b>
101	GENERAL FUND	\$ 436,516.98
202	MAJOR STREET FUND	\$ 11,233.87
203	LOCAL STREET FUND	\$ 22,788.43
260	INDIGENT DEFENSE FUND	\$ 14,450.00
355	GROVE SA DEBT SERVICE FUND	\$ 250.00
401	CAPITAL IMPROVEMENT MILLAGE	\$ 3,123.34
592	WATER & SEWER FUND	\$ 291,671.95
595	FARMINGTON COMMUNITY THEATER FUND	\$ 17,218.96
640	DPW EQUIPMENT REVOLVING FUND	\$ 2,422.73
701	AGENCY FUND	\$ 1,262.00
736	PUBLIC EMPLOYEE HEALTH CARE FUND	\$ 48,051.83
	<b>TOTAL CITY PAYMENTS ISSUED:</b>	<b>\$ 848,990.09</b>
136	47TH DISTRICT COURT FUND	\$ 63,731.01
248	DOWNTOWN DEVELOPMENT AUTHORITY FUND	\$ 12,660.78
290	FRIENDS OF THE GOVERNOR WARNER MANSION	\$ 0.00
	<b>TOTAL OTHER ENTITIES PAYMENTS ISSUED:</b>	<b>\$ 76,391.79</b>
	<b>TOTAL PAYMENTS ISSUED</b>	<b>\$ 925,381.88</b>

A detailed Monthly Payments Report is on file in the Treasurer's Office.

# CITY OF FARMINGTON - ACH PAYMENTS REPORT

**MONTH OF MARCH 2020**

<u>TRANSFER FROM:</u>	<u>TRANSFER TO:</u>	<u>DESCRIPTION:</u>	<u>AMOUNT:</u>
Agency Tax	Farmington Public Schools	Tax Payment #21	6,176.44
Agency Tax	Oakland County	Tax Payment #21	1,384.25
Agency Tax	Farmington Comm. Library	Tax Payment #21	452.08
Agency Tax	Farmington Public Schools	Tax Payment #22	42,245.75
Agency Tax	Oakland County	Tax Payment #22	29,520.96
Agency Tax	Farmington Comm. Library	Tax Payment #22	4,132.85
General Fund	Chase (Payroll Acct)	Direct Deposit Payroll	260,243.55
General Fund	Federal Gov't	W/H & FICA Payroll	94,665.15
General Fund	MERS	February Transfer	67,736.47
General Fund	MERS HCSP	February Transfer	4,588.10
General Fund	ICMA	ICMA Plans - City & Dept. Hea	19,821.95
General Fund	Total Administrative Services Corp.	Flexible Spending Accounts	2,298.44
<b>TOTAL CITY ACH TRANSFERS</b>			<b>533,265.99</b>
Court Fund	Chase (Payroll Acct)	Direct Deposit Payroll	88,095.04
Court Fund	Federal Gov't	W/H & FICA Payroll	30,634.25
Court Fund	Total Administrative Services Corp.	Flexible Spending Accounts	1,832.30
Court Fund	ICMA	Health Savings/401 Accounts	11,122.85
Court Fund	Old National Bank	Health Savings Account	594.46
<b>TOTAL OTHER ENTITIES ACH TRANSFERS</b>			<b>132,278.90</b>



# CITY OF FARMINGTON - MONTHLY PAYMENTS REPORT

**MONTH OF APRIL 2020**

<b>FUND #</b>	<b>FUND NAME</b>	<b>AMOUNT:</b>
101	GENERAL FUND	\$ 280,559.77
202	MAJOR STREET FUND	\$ 11,079.96
203	LOCAL STREET FUND	\$ 11,055.38
260	INDIGENT DEFENSE FUND	\$ 13,000.00
401	CAPITAL IMPROVEMENT MILLAGE	\$ 10,310.22
592	WATER & SEWER FUND	\$ 286,227.96
595	FARMINGTON COMMUNITY THEATER FUND	\$ 14,770.98
640	DPW EQUIPMENT REVOLVING FUND	\$ 5,265.40
736	PUBLIC EMPLOYEE HEALTH CARE FUND	\$ 49,922.75
	<b>TOTAL CITY PAYMENTS ISSUED:</b>	<b>\$ 682,192.42</b>
136	47TH DISTRICT COURT FUND	\$ 119,541.48
248	DOWNTOWN DEVELOPMENT AUTHORITY FUND	\$ 4,321.90
	<b>TOTAL OTHER ENTITIES PAYMENTS ISSUED:</b>	<b>\$ 123,863.38</b>
	<b>TOTAL PAYMENTS ISSUED</b>	<b>\$ 806,055.80</b>

A detailed Monthly Payments Report is on file in the Treasurer's Office.

# CITY OF FARMINGTON - ACH PAYMENTS REPORT

<b>MONTH OF APRIL 2020</b>
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<b>TRANSFER FROM:</b>	<b>TRANSFER TO:</b>	<b>DESCRIPTION:</b>	<b>AMOUNT:</b>
General Fund	Chase (Disbursing Acct)	Direct Deposit Payroll	311,309.89
General Fund	Federal Gov't	W/H & FICA Payroll	74,751.54
General Fund	MERS	March Transfer	67,637.17
General Fund	MERS HCSP	March Transfer	4,599.55
General Fund	ICMA	ICMA Plans - City & Dept. Heal	29,240.97
General Fund	Total Administrative Services Corp.	Flexible Spending Accounts	2,298.44
<b>TOTAL CITY ACH TRANSFERS</b>			<b>489,837.56</b>
Court Fund	Chase (Disbursing Acct)	Direct Deposit Payroll	131,784.56
Court Fund	Federal Gov't	W/H & FICA Payroll	30,638.84
Court Fund	Total Administrative Services Corp.	Flexible Spending Accounts	1,832.30
Court Fund	ICMA	Health Savings/401 Accounts	16,981.61
Court Fund	Old National Bank	Health Savings Account	594.46
<b>TOTAL OTHER ENTITIES ACH TRANSFERS</b>			<b>181,831.77</b>



## FARMINGTON PUBLIC SAFETY DEPARTMENT

23600 Liberty Street  
Farmington, MI 48335  
248-474-4700

Frank J. Demers, Public Safety Director



## MONTHLY PUBLIC SAFETY REPORT APRIL, 2020

### **ID Theft**

On 04/02/2020 a Marblehead resident reported that an unknown individual attempted to transfer \$1,200 out of the victim's checking account via an electronic transfer. The victim called her bank, who closed her account to prevent the transfer. The victim has no suspects and the bank believes that the transfer attempt came from out of the country.

### **Stalking**

On 04/02/2020 an officer was dispatched to a restaurant on the 24000 block of Orchard Lake for a stalking complaint. Upon arrival the officer learned that the waitress had been having problems with an ex-boyfriend who keeps showing up to her work. The waitress had called police in the recent past and the ex-boyfriend had been arrested for violating a "no trespass" order. The man left the scene prior to the officer's arrival. The case was submitted to the Oakland County Prosecutor's Office for a warrant for stalking for the man.

### **Larceny in a Building**

On 04/03/2020 an officer was dispatched to the Dollar General on Orchard Lake for a report of a larceny in a building. Upon arrival, the officer learned from the victim that she had been shopping at the store when she had accidentally left her purse on a display. Another customer had turned the purse in to store management and when the victim retrieved her purse she noticed cash and credit cards missing. The woman does not know who may have stolen her items.

### **Residential Fire**

On April 7<sup>th</sup> officers and Engine 1 responded to the 22900 block of Hayden St. for a report of a garage on fire. Upon arrival officers extinguished the garage fire and learned that a nearby tree had been struck by lightning. Officers further learned that the electricity followed the tree's roots to the garage where it electrified the garage, started a fire, and followed the wiring into the home where it blew the electrical box off of the wall.

### **Hit and Run Accident**

On April 11<sup>th</sup> a Farmington Hills resident was rear ended in her car while driving in the area of Nine Mile and Farmington Rd. The suspect vehicle, a 2012 Gold Ford Taurus, fled the scene by heading west on Nine Mile Rd. Shortly thereafter, Farmington Hills Police took a report of a hit and run accident involving the same vehicle at Freedom and Drake. Officers located the suspect vehicle unoccupied at the registered owner's address at the Chatham Hills Apartment complex. Officers knocked on the suspect's door, but he never answered. The case was submitted to the prosecutor for a warrant for the driver's arrest.

### **Animal Bite**

On April 12<sup>th</sup> officers responded to the 20900 block of Larkspur for a report of one dog mauling another dog. Upon arrival officers learned that the complainant had been walking her dog down Meadowlark when a dog that lives on Larkspur climbed under the fence and started attacking the complainant's dog. The complainant's dog suffered severe injuries and was transported to the emergency vet. The owner of the attacking dog was cited for having a vicious animal and for an unlicensed pet.

### **Malicious Destruction of Property**

On April 13<sup>th</sup> an officer was dispatched to the Farmington Glen Aquatic Swim club for a report of a damage to property. Upon arrival the officer learned from management that an unknown suspect had cut the swimming pool cover intentionally with some sort of sharp object. The incident is under investigation.

### **Assist Other Governmental Agency**

On April 16<sup>th</sup> a Slocum St. resident reported that an unknown person had filed for an income tax refund using the victim's Social Security Number. A report was filed and the resident was instructed to file a report with the IRS.

### **Larceny of Trailer**

On April 17<sup>th</sup> an officer was dispatched to the Graham Construction Company on Grand River Ave for a report of a larceny of trailer. Upon arrival the officer learned that sometime between 11 AM and 3PM an unknown person had stolen a trailer from the company parking lot. The case was forwarded to the Detective Bureau for further investigation.

### **Identity Theft**

On April 20<sup>th</sup> a Farmington resident reported via an online report that her wallet had been stolen while visiting a family member in California in 2018. Now the resident was receiving collection notices from a company in California where an unknown person had used the victim's stolen identification to commit crimes. A report was filed.

### **Operate While Intoxicated 5<sup>th</sup> offense**

On April 21<sup>st</sup> an officer on patrol located a two car crash on Eight Mile Rd and Farmington Rd. Further investigation revealed that the at-fault driver had been drinking alcohol at a friend's house and then got into an accident on his way home. The at-fault driver was injured in the accident and was transported to the hospital. A search warrant was obtained for the driver's blood because he exhibited signs of intoxication. The driver has four prior convictions for Operating While Intoxicated so an arrest warrant is being sought to charge him with a 5<sup>th</sup> offense.

### **Fraud**

On April 21<sup>st</sup> a Farmington resident reported online that she had been the victim of a fraud. The resident advised that she had received an email from "PayPal" claiming that money was going to be transferred to a "Robert Wilson" and that if it was not authorized by the resident than she needed to call the sender of the email. The resident called the phone number and gave the suspect personal information. Shortly thereafter the resident had several hundreds of dollars transferred out of her banking account. The investigation revealed that the suspect was from India and a report was filed.

### **Larceny of Trailer**

On April 21<sup>st</sup> a Farmington business owner reported that an unknown subject in a Silver Ford F-150 pick-up truck stole the victim's snowmobile trailer. The business owner advised that the trailer had been parked in the business parking lot prior to the theft and that he discovered that it was missing on April 21<sup>st</sup>. The Business Owner reviewed surveillance video to see who had stolen the trailer, discovering that the crime occurred on the 18<sup>th</sup>. The incident was forwarded to the detective bureau for further investigation.

### **Resisting Arrest**

On April 28<sup>th</sup> officers were dispatched to the 23600 block of Wilmarth for a possible fight in progress. Upon arrival officers made the home and noticed a white male that they had recognized as a former resident of the home take off running once he saw officers. The male was quickly stopped on Cortland by another officer. Officers determined that there wasn't an assault that had occurred and noted that the white male was heavily intoxicated. A check of the man's name revealed that he had a warrant for his arrest for Operating Under the Influence out of the 40<sup>th</sup> District Court. At that point the man attempted to take off running again and was quickly caught. The man was arrested and cited for disorderly intoxication and resisting arrest.

### Retail Fraud

On April 29<sup>th</sup> officers were dispatched to the Shell Gas Station on Grand River Ave for a report of a shoplifting of liquor. Upon arrival officers learned that an unknown white male had entered the gas station and stole a bottle of liquor. The clerk noticed the theft when checking surveillance video after he noticed the man leave without buying anything. The man, pictured to the right, is a white male wearing blue jeans and blue/red plaid shirt.



### Additional Information

Earlier this month, the public safety department participated in two “Birthday Parades”, one for a 5 year old and another for a 12 year old. Since then, the department has received numerous other requests from residents to perform “Birthday Parades” for their children. The department has been happy to provide this service for residents to help bring a little birthday cheer during the COVID-19 pandemic.



MONTHLY PUBLIC SAFETY REPORT  
APRIL 2020

**ABBREVIATED CRIME SUMMARY, APRIL 2020**

Crime Part	Crime Category	Apr-2020	Mar-2020	Percent Change	YTD 2020	YTD 2019	Percent Change
A	ALL OTHER OFFENSES	0	0	-	1	0	-
A	ASSAULT - AGGRAVATED	0	1	-100.0%	1	2	-50.0%
A	ASSAULT - SIMPLE	4	3	33.3%	15	8	87.5%
A	BURGLARY - ALL OTHER	0	1	-100.0%	2	6	-66.7%
A	BURGLARY - RESIDENTIAL	0	0	-	0	1	-100.0%
A	DAMAGE TO PROPERTY	1	0	-	1	6	-83.3%
A	DRUG OFFENSES	0	1	-100.0%	1	3	-66.7%
A	EMBEZZLEMENT	0	1	-100.0%	2	0	-
A	FORGERY / COUNTERFEITING	0	0	-	1	3	-66.7%
A	FRAUD	0	3	-100.0%	7	9	-22.2%
A	INTIMIDATION / STALKING	2	0	-	3	5	-40.0%
A	LARCENY - ALL OTHER	4	0	-	5	7	-28.6%
A	LARCENY - FROM AUTO (LFA)	0	2	-100.0%	7	2	250.0%
A	LARCENY - RETAIL FRAUD	1	0	-	3	4	-25.0%
A	MOTOR VEHICLE THEFT / FRAUD	0	0	-	0	1	-100.0%
A	SEX CRIME (VIOLENT)	0	1	-100.0%	1	3	-66.7%
A	WEAPONS OFFENSE	0	0	-	2	4	-50.0%
A	<b>Total</b>	<b>12</b>	<b>13</b>	<b>-7.7%</b>	<b>52</b>	<b>64</b>	<b>-18.8%</b>
B	ACCIDENT - HIT & RUN	0	0	-	2	0	-
B	ALL OTHER OFFENSES	0	0	-	3	3	0.0%
B	BURGLARY - ALL OTHER	0	0	-	1	0	-
B	FRAUD	0	0	-	0	5	-100.0%
B	HEALTH AND SAFETY	0	0	-	1	4	-75.0%
B	LIQUOR LAW VIOLATION	0	0	-	3	7	-57.1%
B	MISSING PERSON / RUNAWAY	1	0	-	1	0	-
B	OBSTRUCTING JUSTICE	0	0	-	8	6	33.3%
B	OBSTRUCTING POLICE	2	1	100.0%	3	4	-25.0%
B	OUI OF LIQUOR / DRUGS	1	2	-50.0%	11	29	-62.1%
B	PUBLIC PEACE	1	4	-75.0%	9	4	125.0%
B	TRESPASSING / INVASION OF PRIVACY	0	1	-100.0%	2	2	0.0%
B	<b>Total</b>	<b>5</b>	<b>8</b>	<b>-37.5%</b>	<b>44</b>	<b>64</b>	<b>-31.3%</b>
C	ACCIDENT	3	9	-66.7%	56	93	-39.8%
C	ALL OTHER OFFENSES	214	514	-58.4%	2,385	3,499	-31.8%
C	CITATION	0	5	-100.0%	32	133	-75.9%
C	FAMILY OFFENSE	4	5	-20.0%	23	16	43.8%
C	MISSING PERSON / RUNAWAY	0	0	-	0	1	-100.0%
C	MOTOR VEHICLE THEFT / FRAUD	0	0	-	0	1	-100.0%
C	SUSPICIOUS	36	50	-28.0%	168	179	-6.1%
C	WARRANT	0	7	-100.0%	41	140	-70.7%
C	<b>Total</b>	<b>257</b>	<b>590</b>	<b>-56.4%</b>	<b>2,705</b>	<b>4,062</b>	<b>-33.4%</b>

MONTHLY PUBLIC SAFETY REPORT  
APRIL 2020



<b>Farmington City Council Agenda Item</b>	<b>Council Meeting Date:</b> May 18, 2020	<b>Item Number</b>  <b>3E</b>	
<b>Submitted by:</b> Amy Norgard, Controller			
<u><b>Agenda Topic</b></u> Farmington Quarterly Investment Report –3/31/20			
<u><b>Proposed Motion</b></u> Approve Farmington Quarterly Investment Report – 3/31/20			
<u><b>Background</b></u> See attachment			
<u><b>Materials Attached</b></u> Farmington Quarterly Investment Report – 3-31-20			
<b>Agenda Review</b>			
<b>Department Head</b>	<b>Finance/Treasurer</b>	<b>City Attorney</b>	<b>City Manager</b>

**INVESTMENT REPORT**  
**CITY OF FARMINGTON**  
**QUARTER ENDED MARCH 31, 2020**

Submitted by:  
Christopher M. Weber, Director of Finance and Administration

CITY OF FARMINGTON  
 QUARTER ENDING MARCH 31, 2020

	BALANCE			RATE OF RETURN			MATURITY	RATING	RATING AGENCY
	1/31/20	2/29/20	3/31/20	1/31/20	2/29/20	3/31/20			
<b>Pooled Mutual Funds:</b>									
Comerica	\$ 1,534,207	\$ 1,035,390	\$ 1,036,428	1.400%	1.400%	1.300%	Daily	Not rated	N/A
Oakland County Investment Pool	4,796,620	4,307,298	4,316,039	1.641%	2.838%	2.426%	Daily	Not rated	N/A
Michigan Class	4,382,376	4,388,344	3,393,174	1.810%	1.720%	1.450%	Daily	AAAm	S&P
<b>Total Pooled Funds:</b>	<b>10,713,204</b>	<b>9,731,032</b>	<b>8,745,641</b>						
<b>Certificates of Deposit:</b>									
CIBC	1,028,311	-	-	1.800%			2/27/2020	5	Bauer
CIBC	-	1,032,939	1,032,939		1.630%	1.630%	8/27/2020	5	Bauer
<b>Total Certificates of Deposit:</b>	<b>1,028,311</b>	<b>1,032,939</b>	<b>1,032,939</b>						
<b>Uninvested:</b>	<b>\$ 341,361</b>	<b>\$ 736,630</b>	<b>\$ 998,712</b>	Bank Analysis Credit Earned			N/A		
<b>Less: Authorities/Entities**</b>	<b>(974,337)</b>	<b>(1,087,468)</b>	<b>(1,198,677)</b>						
<b>TOTAL:</b>	<b>\$ 11,108,538</b>	<b>\$ 10,413,132</b>	<b>\$ 9,578,614</b>						

\*\* Investment Balances do not include the investments of the 47th District Court, the Indigent Defense Fund, the Farmington Brownfield Redevelopment Authority, the Corridor Improvement Authority, the Farmington Downtown Development Authority, the Friends of the Governor Warner Mansion, or the Public Employee Health Care Funds invested with Morgan Stanley Smith Barney.

<b>Farmington City Council Agenda Item</b>		<b>Council Meeting Date:</b> May 18, 2020	<b>Item Number 3F</b>
<b>Submitted by:</b> Amy Norgard, Controller			
<b><u>Agenda Topic</u></b> Farmington Quarterly Financial Report – 3/31/20			
<b><u>Proposed Motion</u></b> Approve Farmington Quarterly Financial Report – 3/31/20			
<b><u>Background</u></b> See attachment			
<b><u>Materials Attached</u></b> Farmington Quarterly Financial Report – 3-31-20			
<b>Agenda Review</b>			
<b>Department Head</b>	<b>Finance/Treasurer</b>	<b>City Attorney</b>	<b>City Manager</b>

**FINANCIAL REPORT**  
**CITY OF FARMINGTON**  
**QUARTER ENDED MARCH 31, 2020**

Submitted by:  
Christopher M. Weber, Director of Finance and Administration

# CITY OF FARMINGTON - FINANCIAL REPORT - QUARTER ENDING 3-31-20

## BUDGETED FUNDS:

REVENUES:	AMENDED BUDGET	YTD REVENUES	VARIANCE OVER (UNDER)	EXPENDITURES:	AMENDED BUDGET	YTD EXPENDITURES	VARIANCE OVER (UNDER)
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### GENERAL FUND:

Property Taxes	5,401,187.00	5,322,265.87	(78,921.13)	General Government	1,876,804.00	1,220,661.07	(656,142.93)
Licenses & Permits	160,100.00	142,790.00	(17,310.00)	47th District Court	492,908.00	369,681.03	(123,226.97)
Federal Grants	122,161.00	95,539.00	(26,622.00)	Public Safety	4,231,483.00	3,053,010.27	(1,178,472.73)
State Shared Revenues & Grants	1,114,351.00	597,245.00	(517,106.00)	Public Services	1,304,679.00	975,792.51	(328,886.49)
Charges For Services	2,058,912.00	1,599,752.32	(459,159.68)	Health Welfare	7,071.00	0.00	(7,071.00)
Fines & Forfeits	500,500.00	272,553.35	(227,946.65)	Economic/Community Development	267,326.00	159,937.65	(107,388.35)
Other Revenue	225,219.00	145,153.18	(80,065.82)	Recreation and Cultural Services	817,368.00	504,808.01	(312,559.99)
Transfer, Capital Improvement Fund	151,756.00	0.00	(151,756.00)	Contingency	20,000.00	0.00	(20,000.00)
				Transfer, Nonvoted Debt Service	159,171.00	159,147.73	(23.27)
				Transfer, OPEB Debt Service	442,549.00	21,441.50	(421,107.50)
				Transfer, S/A Debt Fund	126,002.00	126,002.00	0.00
<b>Total Revenues:</b>	<b>9,734,186.00</b>	<b>8,175,298.72</b>	<b>(1,558,887.28)</b>	<b>Total Expenditures:</b>	<b>9,745,361.00</b>	<b>6,590,481.77</b>	<b>(3,154,879.23)</b>
Appropriation, Fund Equity	11,175.00			Transfer, Fund Equity	0.00		
<b>Total Revenues/Appr Fund Equity:</b>	<b>9,745,361.00</b>	<b>8,175,298.72</b>		<b>Total Expenditures/Trans Fund Equity</b>	<b>9,745,361.00</b>	<b>6,590,481.77</b>	

### CAPITAL IMPROVEMENT FUND:

Other Revenue	10,000.00	8,875.14	(1,124.86)	Transfer, General Fund	151,756.00	0.00	(151,756.00)
<b>Total Revenues:</b>	<b>10,000.00</b>	<b>8,875.14</b>	<b>(1,124.86)</b>	<b>Total Expenditures:</b>	<b>151,756.00</b>	<b>0.00</b>	<b>(151,756.00)</b>
Appropriation, Fund Equity	141,756.00			Transfer, Fund Equity	0.00		
<b>Total Revenues/Appr Fund Equity:</b>	<b>151,756.00</b>	<b>8,875.14</b>		<b>Total Expenditures/Trans Fund Equity</b>	<b>151,756.00</b>	<b>0.00</b>	

### CAPITAL IMPROVEMENT MILLAGE FUND:

Property Taxes	723,000.00	711,406.57	(11,593.43)	Capital Outlay	716,000.00	49,044.92	(666,955.08)
Other Revenue	1,000.00	7,556.24	6,556.24				
<b>Total Revenues:</b>	<b>724,000.00</b>	<b>718,962.81</b>	<b>(5,037.19)</b>	<b>Total Expenditures:</b>	<b>716,000.00</b>	<b>49,044.92</b>	<b>(666,955.08)</b>
Appropriation, Fund Equity	0.00			Transfer, Fund Equity	8,000.00		
<b>Total Revenues/Appr Fund Equity:</b>	<b>724,000.00</b>	<b>718,962.81</b>		<b>Total Expenditures/Trans Fund Equity</b>	<b>724,000.00</b>	<b>49,044.92</b>	

# CITY OF FARMINGTON - FINANCIAL REPORT - QUARTER ENDING 3-31-20

## BUDGETED FUNDS:

REVENUES:	AMENDED BUDGET	YTD REVENUES	VARIANCE OVER (UNDER)	EXPENDITURES:	AMENDED BUDGET	YTD EXPENDITURES	VARIANCE OVER (UNDER)
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### MAJOR STREET FUND:

State Shared Revenue	665,704.00	403,598.52	(262,105.48)	Operation & Maintenance	375,312.00	263,840.61	(111,471.39)
Contracts	119,649.00	87,640.49	(32,008.51)	Construction	1,935,152.00	648,917.50	(1,286,234.50)
Grants	350,000.00	0.00	(350,000.00)	Transfer, Local Street Fund	120,000.00	0.00	(120,000.00)
Other Revenues	203,552.00	6,257.73	(197,294.27)	Debt Service	143,950.00	143,950.00	0.00
Bond Proceeds	1,000,000.00	0.00	(1,000,000.00)				
<b>Total Revenues:</b>	<b>2,338,905.00</b>	<b>497,496.74</b>	<b>(1,841,408.26)</b>	<b>Total Expenditures:</b>	<b>2,574,414.00</b>	<b>1,056,708.11</b>	<b>(1,517,705.89)</b>
Appropriation, Fund Equity	235,509.00			Transfer, Fund Equity	0.00		
<b>Total Revenues/Appr Fund Equity:</b>	<b>2,574,414.00</b>	<b>497,496.74</b>		<b>Total Expenditures/Trans Fund Equity</b>	<b>2,574,414.00</b>	<b>1,056,708.11</b>	

### LOCAL STREET FUND:

State Shared Revenue	281,284.00	170,265.01	(111,018.99)	Operation & Maintenance	241,197.00	161,702.44	(79,494.56)
Special Assessments	9,300.00	8,400.00	(900.00)	Construction	1,107,000.00	294,572.49	(812,427.51)
Other Revenues	20,727.00	1,161.70	(19,565.30)				
Bond Proceeds	700,000.00	0.00	(700,000.00)				
Transfer, Munipal Street Fund	70,000.00	0.00	(70,000.00)				
Transfer, Major Street Fund	120,000.00	0.00	(120,000.00)				
<b>Total Revenues:</b>	<b>1,201,311.00</b>	<b>179,826.71</b>	<b>(1,021,484.29)</b>	<b>Total Expenditures:</b>	<b>1,348,197.00</b>	<b>456,274.93</b>	<b>(891,922.07)</b>
Appropriation, Fund Equity	146,886.00			Transfer, Fund Equity	0.00		
<b>Total Revenues/Appr Fund Equity:</b>	<b>1,348,197.00</b>	<b>179,826.71</b>		<b>Total Expenditures/Trans Fund Equity</b>	<b>1,348,197.00</b>	<b>456,274.93</b>	

### MUNICIPAL STREET FUND:

Property Taxes	508,424.00	502,014.12	(6,409.88)	Transfer, Local Street Fund	70,000.00	0.00	(70,000.00)
State Shared Revenue	3,881.00	3,899.71	18.71				
Other Revenue	14,000.00	14,940.28	940.28				
<b>Total Revenues:</b>	<b>526,305.00</b>	<b>520,854.11</b>	<b>(5,450.89)</b>	<b>Total Expenditures:</b>	<b>70,000.00</b>	<b>0.00</b>	<b>(70,000.00)</b>
Appropriation, Fund Equity	0.00			Transfer, Fund Equity	456,305.00		
<b>Total Revenues/Appr Fund Equity:</b>	<b>526,305.00</b>	<b>520,854.11</b>		<b>Total Expenditures/Trans Fund Equity</b>	<b>526,305.00</b>	<b>0.00</b>	

# CITY OF FARMINGTON - FINANCIAL REPORT - QUARTER ENDING 3-31-20

BUDGETED FUNDS:							
REVENUES:	AMENDED BUDGET	YTD REVENUES	VARIANCE OVER (UNDER)	EXPENDITURES:	AMENDED BUDGET	YTD EXPENDITURES	VARIANCE OVER (UNDER)

**BROWNFIELD REDEVELOP AUTHORITY:**

Total Revenues:	3,440.00	3,557.92	117.92	Total Expenditures:	3,000.00	0.00	(3,000.00)
Appropriation, Fund Equity	0.00			Transfer, Fund Equity	440.00		
<b>Total Revenues/Appr Fund Equity:</b>	<b>3,440.00</b>	<b>3,557.92</b>		<b>Total Expenditures/Trans Fund Equity</b>	<b>3,440.00</b>	<b>0.00</b>	

**CORRIDOR IMPROVEMENT AUTHORITY:**

Total Revenues:	10,400.00	8,461.10	(1,938.90)	Total Expenditures:	5,000.00	0.00	(5,000.00)
Appropriation, Fund Equity	0.00			Transfer, Fund Equity	5,400.00		
<b>Total Revenues/Appr Fund Equity:</b>	<b>10,400.00</b>	<b>8,461.10</b>		<b>Total Expenditures/Trans Fund Equity</b>	<b>10,400.00</b>	<b>0.00</b>	

**DWTWN DEVELOPMENT AUTHORITY:**

Total Revenues:	699,090.00	657,763.70	(41,326.30)	Total Expenditures:	783,590.00	409,440.65	(374,149.35)
Appropriation, Fund Equity	84,500.00			Transfer, Fund Equity	0.00		
<b>Total Revenues/Appr Fund Equity:</b>	<b>783,590.00</b>	<b>657,763.70</b>		<b>Total Expenditures/Trans Fund Equity</b>	<b>783,590.00</b>	<b>409,440.65</b>	

<b>TOTAL BUDGETARY FUNDS REVENUE:</b>	<b>\$10,771,096.95</b>	<b>TOTAL BUDGETARY FUNDS EXPENDITURES:</b>	<b>\$8,561,950.38</b>
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# CITY OF FARMINGTON - FINANCIAL REPORT - QUARTER ENDING 3-31-20

## SUPPLEMENTAL INFORMATION:

REVENUES:	AMENDED BUDGET	YTD REVENUES	VARIANCE OVER (UNDER)	EXPENDITURES:	AMENDED BUDGET	YTD EXPENDITURES	VARIANCE OVER (UNDER)
<b>WATER &amp; SEWER FUND:</b>							
Water & Sewer Sales	4,998,922.00	3,663,884.04	(1,335,037.96)	Operating & Maintenance	4,403,305.00	2,771,047.26	(1,632,257.74)
Service Fees	75,000.00	43,042.70	(31,957.30)	<b>Total O &amp; M Expenditures:</b>	<b>4,403,305.00</b>	<b>2,771,047.26</b>	<b>(1,632,257.74)</b>
Other Revenue	83,000.00	74,717.71	(8,282.29)	Capital Outlay	2,521,394.00	545,786.33	(1,975,607.67)
Bond Proceeds	2,000,000.00	0.00	(2,000,000.00)	Debt, Principal and Interest	324,716.00	201,730.31	(122,985.69)
<b>Total Revenues:</b>	<b>7,156,922.00</b>	<b>3,781,644.45</b>	<b>(3,375,277.55)</b>	Transfer, OPEB Debt Service	23,280.00	1,128.50	(22,151.50)
Appropriation, Fund Equity	115,773.00			<b>Capital &amp; Debt Outlays</b>	<b>2,869,390.00</b>	<b>748,645.14</b>	<b>(2,120,744.86)</b>
<b>Total O &amp; M/ Other Revenues:</b>	<b>7,272,695.00</b>	<b>3,781,644.45</b>		Transfer, Debt & Equity	0.00		
				<b>Total O &amp; M Exp.&amp; Trans Debt &amp; Equity</b>	<b>7,272,695.00</b>	<b>3,519,692.40</b>	

## FARMINGTON COMMUNITY THEATER FUND:

Admission/Rentals/Concessions	542,900.00	319,394.78	(223,505.22)	Operation & Maintenance	541,373.00	335,311.23	(206,061.77)
Other Revenue	27,349.00	16,665.97	(10,683.03)	<b>Total O &amp; M Expenditures:</b>	<b>541,373.00</b>	<b>335,311.23</b>	<b>(206,061.77)</b>
			0.00	Capital Outlay	15,000.00	0.00	(15,000.00)
<b>Total Revenues:</b>	<b>570,249.00</b>	<b>336,060.75</b>	<b>(234,188.25)</b>	<b>Total Capital Outlays</b>	<b>15,000.00</b>	<b>0.00</b>	<b>(15,000.00)</b>
Appropriation, Fund Equity	0.00			Transfer, Fund Equity	13,876.00		
<b>Total Financing Sources:</b>	<b>570,249.00</b>	<b>336,060.75</b>		<b>Total O &amp; M Exp.&amp; Trans Debt &amp; Equity</b>	<b>570,249.00</b>	<b>335,311.23</b>	

<b>Farmington City Council Agenda Item</b>	<b>Council Meeting Date:</b> May 18, 2020	<b>Item Number 3G</b>	
<b>Submitted by:</b> Amy Norgard, Controller			
<u><b>Agenda Topic</b></u> Farmington Quarterly Financial Report Court – 3/31/20			
<u><b>Proposed Motion</b></u> Approve Farmington Quarterly Financial Report Court – 3/31/20			
<u><b>Background</b></u> See attachment			
<u><b>Materials Attached</b></u> Farmington Quarterly Financial Report Court – 3-31-20			
<b>Agenda Review</b>			
<b>Department Head</b>	<b>Finance/Treasurer</b>	<b>City Attorney</b>	<b>City Manager</b>

**FINANCIAL REPORT**  
**47TH DISTRICT COURT**  
**QUARTER ENDED MARCH 31, 2020**

Distribution:

District Judges  
Court Administrator  
City Manager, Farmington Hills  
Finance Director, Farmington Hills  
City Council, Farmington  
City Manager, Farmington

Submitted by:  
Christopher M. Weber, Director of Finance and Administration

User: anorgard

DB: Farmington

PERIOD ENDING 03/31/2020

GL NUMBER	DESCRIPTION	BALANCE 03/31/2019	2019-20 AMENDED BUDGET	BEG. BALANCE 07/01/2019	END BALANCE 03/31/2020	AVAILABLE BALANCE	% BDGT USED
Fund 136 - 47TH DISTRICT COURT FUND							
Assets							
Dept 000.00							
136-000.00-001.000	CASH-GENERAL RECEIVING	543,964.42		275,292.06	570,151.60		
136-000.00-004.000	IMPREST CASH	1,950.00		1,950.00	1,950.00		
136-000.00-040.000	A/R MISCELLANEOUS	0.00		4,479.05	0.00		
136-000.00-071.001	DUE FROM FARMINGTON HILLS	0.00		222,480.00	0.00		
136-000.00-078.000	DUE FROM STATE OF MICHIGAN	0.00		984.15	0.00		
136-000.00-084.260	DUE FROM INDIGENT DEFENSE FUND	0.00		13,710.72	0.00		
136-000.00-102.000	PREPAID EXPENSES	537.50		19,072.27	0.00		
Total Dept 000.00		546,451.92		537,968.25	572,101.60		
TOTAL ASSETS		546,451.92		537,968.25	572,101.60		
Liabilities							
Dept 000.00							
136-000.00-202.000	ACCOUNTS PAYABLE, P O	0.00		51,285.41	0.00		
136-000.00-202.002	ACCOUNTS PAYABLE, ACCRUED	0.00		539.33	0.00		
136-000.00-214.101	DUE TO GENERAL FUND	67.67		28.50	26.00		
136-000.00-231.011	PAYROLL, LIFE INSURANCE	(362.79)		(382.69)	(382.69)		
136-000.00-257.000	ACCRUED WAGES	0.00		35,550.66	0.00		
Total Dept 000.00		(295.12)		87,021.21	(356.69)		
TOTAL LIABILITIES		(295.12)		87,021.21	(356.69)		
Fund Equity							
Dept 000.00							
136-000.00-368.000	NONSPENDABLE, INVENTORIES, PREPAIDS	9,957.00		19,072.27	19,072.27		
136-000.00-390.000	FUND BALANCE	81,991.01		3,461.68	3,461.68		
136-000.00-393.000	ASSIGNED FUND BALANCE, CAPITAL	207,177.86		428,413.09	428,413.09		
Total Dept 000.00		299,125.87		450,947.04	450,947.04		
TOTAL FUND EQUITY		299,125.87		450,947.04	450,947.04		
Revenues							
Dept 000.00							
136-000.00-539.901	STATE GRANT, DRUNK DRIVING	0.00	17,500.00		0.00	17,500.00	0.00
136-000.00-539.902	DRUG CASE MANAGEMENT	0.00	900.00		0.00	900.00	0.00
136-000.00-539.903	JUDGES, SALARY STD	68,586.00	91,448.00		68,586.00	22,862.00	75.00
136-000.00-539.904	DRUG COURT	2,263.50	7,000.00		4,434.79	2,565.21	63.35
136-000.00-664.000	INVESTMENT INCOME	4,458.82	4,000.00		6,823.57	(2,823.57)	170.59
136-000.00-671.000	REVENUES, OTHER	7,946.19	30,000.00		6,772.08	23,227.92	22.57
136-000.00-674.400	COMMUNITY WORK PROGRAM	1,797.75	13,500.00		1,304.64	12,195.36	9.66
136-000.00-678.001	CONTRIBUTIONS, FARMINGTON	383,658.75	489,879.00		369,681.03	120,197.97	75.46
136-000.00-678.002	CONTRIBUTIONS FARMINGTON HILLS	2,002,320.00	2,684,971.00		2,084,477.22	600,493.78	77.63
136-000.00-679.000	HEALTH INSURANCE CONTRIBUTIONS	15,448.54	12,094.00		13,144.91	(1,050.91)	108.69

User: anorgard

DB: Farmington

PERIOD ENDING 03/31/2020

GL NUMBER	DESCRIPTION	BALANCE 03/31/2019	2019-20 AMENDED BUDGET	BEG. BALANCE 07/01/2019	END BALANCE 03/31/2020	AVAILABLE BALANCE	% BDGT USED
Fund 136 - 47TH DISTRICT COURT FUND							
Revenues							
Total Dept 000.00		2,486,479.55	3,351,292.00		2,555,224.24	796,067.76	76.25
<b>TOTAL REVENUES</b>							
		2,486,479.55	3,351,292.00		2,555,224.24	796,067.76	76.25
Expenditures							
Dept 000.00							
136-000.00-703.001	SALARIES, JUDGES	65,068.85	91,448.00		65,068.85	26,379.15	71.15
136-000.00-703.002	SALARIES, COURT ADMINISTRATORS	151,078.74	216,631.00		154,100.48	62,530.52	71.14
136-000.00-704.000	SALARIES, COURT REPORTERS	88,382.25	126,730.00		90,149.22	36,580.78	71.13
136-000.00-704.001	SALARIES, DEPUTY COURT CLERKS	454,262.08	645,603.00		448,260.55	197,342.45	69.43
136-000.00-704.002	SALARIES, COURT OFFICERS	75,282.05	107,928.00		76,774.44	31,153.56	71.13
136-000.00-704.003	SALARIES, PROBATION OFFICER	224,253.19	328,444.00		233,638.42	94,805.58	71.13
136-000.00-704.005	SALARIES, BUILDING MAINT	37,434.00	56,536.00		40,193.95	16,342.05	71.09
136-000.00-707.000	SALARIES, PART-TIME/TEMP	45,374.59	130,184.00		57,452.35	72,731.65	44.13
136-000.00-707.001	SALARIES, BLDG MAINT CWP	1,797.75	3,500.00		1,304.68	2,195.32	37.28
136-000.00-707.002	SALARIES, BLDG MAINT, PT	5,934.44	10,920.00		6,261.37	4,658.63	57.34
136-000.00-707.003	SALARIES, MAGISTRATE, PT	37,170.00	60,000.00		45,365.00	14,635.00	75.61
136-000.00-709.000	SALARIES, OVERTIME	1,343.98	1,500.00		777.72	722.28	51.85
136-000.00-714.000	SALARIES, ACCRUED BENEFITS	6,938.42	16,963.00		17,399.52	(436.52)	102.57
136-000.00-715.000	LONGEVITY PAY	91,759.15	93,720.00		93,720.04	(0.04)	100.00
136-000.00-719.000	FRINGE BENEFITS	987.50	1,050.00		1,051.60	(1.60)	100.15
136-000.00-719.004	INSURANCE ALLOWANCE	630.00	840.00		630.00	210.00	75.00
136-000.00-719.005	VEHICLE ALLOWANCE	2,700.00	3,600.00		2,700.00	900.00	75.00
136-000.00-720.007	PYMT IN LIEU OF HOSP INS	17,600.00	19,200.00		25,690.32	(6,490.32)	133.80
136-000.00-720.012	DEFINED CONTRIBUTION PLAN (RETIREEES)	6,016.69	12,751.00		9,270.21	3,480.79	72.70
136-000.00-720.100	SOC SEC, EMPLOYER'S SHARE	92,400.70	142,995.00		95,731.03	47,263.97	66.95
136-000.00-720.200	COMPREHENSIVE MEDICAL INS	219,028.12	334,680.00		200,461.26	134,218.74	59.90
136-000.00-720.300	LIFE INSURANCE	16,727.34	19,139.00		14,435.15	4,703.85	75.42
136-000.00-720.400	RETIREMENT CONTRIBUTION	131,651.00	261,705.00		261,705.00	0.00	100.00
136-000.00-720.450	RETIREE HEALTHCARE CONTRIBUTION	28,733.00	38,879.00		38,879.00	0.00	100.00
136-000.00-720.500	WORKMEN'S COMPENSATION INS	8,563.00	11,764.00		8,715.60	3,048.40	74.09
136-000.00-720.600	OPTICAL	1,465.00	4,000.00		1,778.20	2,221.80	44.46
136-000.00-720.700	DENTAL	24,373.86	35,484.00		25,814.49	9,669.51	72.75
136-000.00-720.900	RETIREE HEALTH SAVINGS (RHS) PLAN	2,568.49	5,250.00		3,937.41	1,312.59	75.00
136-000.00-727.000	OFFICE SUPPLIES	18,952.64	24,500.00		15,729.61	8,770.39	64.20
136-000.00-728.000	POSTAGE, METER	9,312.63	17,000.00		10,279.25	6,720.75	60.47
136-000.00-733.000	RECORDS MANAGEMENT	861.29	1,000.00		448.50	551.50	44.85
136-000.00-735.000	LAW LIBRARY	4,883.79	7,806.00		5,180.44	2,625.56	66.36
136-000.00-740.500	NON-CAPITALIZED ASSETS	11,660.64	7,500.00		1,475.52	6,024.48	19.67
136-000.00-801.000	PROFESSIONAL SERVICES	3,750.00	5,000.00		6,487.03	(1,487.03)	129.74
136-000.00-801.002	PRO SERVICES, LABOR RELATIONS	29.50	3,000.00		220.50	2,779.50	7.35
136-000.00-802.101	WITNESS FEES	664.02	2,000.00		801.80	1,198.20	40.09
136-000.00-802.102	JURY FEES	0.00	3,000.00		0.00	3,000.00	0.00
136-000.00-802.104	INTERPRETER FEES	3,868.25	10,000.00		3,662.15	6,337.85	36.62
136-000.00-802.105	SUBSTITUTE COURT REPORTER	3,315.00	4,000.00		1,875.00	2,125.00	46.88
136-000.00-802.107	ACCOUNTING FEES	26,043.00	35,418.00		26,562.00	8,856.00	75.00
136-000.00-802.109	APPOINTED COUNSEL-C, R, 2	17,200.00	13,038.00		11,966.60	1,071.40	91.78
136-000.00-802.110	APPOINTED COUNSEL-C. R. 1	23,150.00	13,038.00		14,016.60	(978.60)	107.51
136-000.00-806.101	AUDIT & ACCOUNTING FEES	15,025.00	15,500.00		15,550.00	(50.00)	100.32
136-000.00-818.000	CONTRACTUAL SERVICES	88,632.21	130,972.00		83,649.30	47,322.70	63.87
136-000.00-853.000	TELECOMMUNICATIONS	11,090.44	16,000.00		17,351.73	(1,351.73)	108.45
136-000.00-860.000	TRANSPORTATION	6,025.84	12,550.00		8,816.49	3,733.51	70.25
136-000.00-861.000	MILEAGE	759.95	2,000.00		747.62	1,252.38	37.38

TRIAL BALANCE REPORT FOR CITY OF FARMINGTON  
 PERIOD ENDING 03/31/2020

GL NUMBER	DESCRIPTION	BALANCE 03/31/2019	2019-20 AMENDED BUDGET	BEG. BALANCE 07/01/2019	END BALANCE 03/31/2020	AVAILABLE BALANCE	% BDGT USED
Fund 136 - 47TH DISTRICT COURT FUND							
Expenditures							
136-000.00-920.000	PUBLIC UTILITIES	51,465.95	88,000.00		60,198.11	27,801.89	68.41
136-000.00-934.000	MAINTENANCE, OFFICE EQUIPMENT	233.00	2,250.00		1,701.96	548.04	75.64
136-000.00-935.000	MAINT, BUILDINGS & GROUNDS	51,672.63	80,654.00		54,455.81	26,198.19	67.52
136-000.00-936.000	CLEANING & UNIFORMS	1,360.48	3,200.00		1,345.44	1,854.56	42.05
136-000.00-943.000	EQUIPMENT RENTAL	11,127.15	20,424.00		11,127.15	9,296.85	54.48
136-000.00-955.000	MEMBERSHIPS	4,876.00	6,363.00		4,290.00	2,073.00	67.42
136-000.00-956.000	MISCELLANEOUS EXPENSE	4,000.52	5,000.00		4,628.25	371.75	92.57
136-000.00-959.500	BANKING CHARGES	0.00	2,400.00		0.00	2,400.00	0.00
136-000.00-963.000	INSURANCE & BONDS	23,264.00	31,235.00		23,508.00	7,727.00	75.26
136-000.00-977.000	CAPITAL OUTLAY, EQUIPMENT	1,973.81	89,500.00		21,909.21	67,590.79	24.48
Total Dept 000.00		2,234,721.93	3,433,792.00		2,429,249.93	1,004,542.07	70.75
Dept 000.01 - DRUG COURT							
136-000.01-801.702	MI DRUG COURT	4,136.45	7,000.00		4,463.06	2,536.94	63.76
Total Dept 000.01 - DRUG COURT		4,136.45	7,000.00		4,463.06	2,536.94	63.76
TOTAL EXPENDITURES		2,238,858.38	3,440,792.00		2,433,712.99	1,007,079.01	70.73
Total Fund 136 - 47TH DISTRICT COURT FUND							
TOTAL ASSETS		546,451.92		537,968.25	572,101.60		
BEG. FUND BALANCE		299,125.87		450,947.04	450,947.04		
+ NET OF REVENUES & EXPENDITURES		247,621.17	(89,500.00)		121,511.25	(211,011.25)	135.77
= ENDING FUND BALANCE		546,747.04		450,947.04	572,458.29		
+ LIABILITIES		(295.12)		87,021.21	(356.69)		
= TOTAL LIABILITIES AND FUND BALANCE		546,451.92		537,968.25	572,101.60		

User: anorgard

DB: Farmington

PERIOD ENDING 03/31/2020

GL NUMBER	DESCRIPTION	BALANCE 03/31/2019	2019-20 AMENDED BUDGET	BEG. BALANCE 07/01/2019	END BALANCE 03/31/2020	AVAILABLE BALANCE	% B DGT USED
Fund 260 - INDIGENT DEFENSE FUND							
Assets							
Dept 000.00							
260-000.00-001.000	CASH-GENERAL RECEIVING	84,137.46		124,654.84	67,818.91		
Total Dept 000.00		<u>84,137.46</u>		<u>124,654.84</u>	<u>67,818.91</u>		
TOTAL ASSETS		<u>84,137.46</u>		<u>124,654.84</u>	<u>67,818.91</u>		
Liabilities							
Dept 000.00							
260-000.00-214.136	DUE TO 47TH DISTRICT COURT	0.00		13,710.72	0.00		
260-000.00-339.000	DEFERRED REVENUE	0.00		110,282.67	0.00		
Total Dept 000.00		<u>0.00</u>		<u>123,993.39</u>	<u>0.00</u>		
TOTAL LIABILITIES		<u>0.00</u>		<u>123,993.39</u>	<u>0.00</u>		
Fund Equity							
Dept 000.00							
260-000.00-390.000	FUND BALANCE	0.00		661.45	661.45		
Total Dept 000.00		<u>0.00</u>		<u>661.45</u>	<u>661.45</u>		
TOTAL FUND EQUITY		<u>0.00</u>		<u>661.45</u>	<u>661.45</u>		
Revenues							
Dept 000.00							
260-000.00-539.000	STATE GRANTS CONTROL	84,117.50	166,996.00		152,341.42	14,654.58	91.22
260-000.00-664.000	INVESTMENT INCOME	19.96	0.00		1,692.89	(1,692.89)	100.00
260-000.00-678.001	CONTRIBUTIONS, FARMINGTON	0.00	3,029.00		2,535.64	493.36	83.71
260-000.00-678.002	CONTRIBUTIONS FARMINGTON HILLS	0.00	16,600.00		13,897.56	2,702.44	83.72
260-000.00-679.000	HEALTH INSURANCE CONTRIBUTIONS	0.00	0.00		4.84	(4.84)	100.00
Total Dept 000.00		<u>84,137.46</u>	<u>186,625.00</u>		<u>170,472.35</u>	<u>16,152.65</u>	<u>91.34</u>
TOTAL REVENUES		<u>84,137.46</u>	<u>186,625.00</u>		<u>170,472.35</u>	<u>16,152.65</u>	<u>91.34</u>
Expenditures							
Dept 000.00							
260-000.00-709.000	SALARIES, OVERTIME	0.00	16,240.00		9,044.67	7,195.33	55.69
260-000.00-720.100	FICA, EMPLOYER'S SHARE	0.00	1,242.00		680.85	561.15	54.82
260-000.00-720.300	LIFE INSURANCE	0.00	177.00		0.00	177.00	0.00
260-000.00-720.400	RETIREMENT CONTRIBUTION	0.00	3,336.00		0.00	3,336.00	0.00
260-000.00-720.500	WORKMEN'S COMPENSATION INS	0.00	73.00		24.37	48.63	33.38
260-000.00-802.101	WITNESS FEES	0.00	10,000.00		0.00	10,000.00	0.00
260-000.00-802.111	APPOINTED COUNSEL MIDC	0.00	140,788.00		93,565.00	47,223.00	66.46

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DB: Farmington

PERIOD ENDING 03/31/2020

GL NUMBER	DESCRIPTION	BALANCE 03/31/2019	2019-20 AMENDED BUDGET	BEG. BALANCE 07/01/2019	END BALANCE 03/31/2020	AVAILABLE BALANCE	% BDGT USED
Fund 260 - INDIGENT DEFENSE FUND							
Expenditures							
260-000.00-818.000	CONTRACTUAL SERVICES	0.00	14,769.00		0.00	14,769.00	0.00
Total Dept 000.00		<u>0.00</u>	<u>186,625.00</u>		<u>103,314.89</u>	<u>83,310.11</u>	<u>55.36</u>
TOTAL EXPENDITURES		<u>0.00</u>	<u>186,625.00</u>		<u>103,314.89</u>	<u>83,310.11</u>	<u>55.36</u>
Total Fund 260 - INDIGENT DEFENSE FUND							
TOTAL ASSETS		<u>84,137.46</u>		<u>124,654.84</u>	<u>67,818.91</u>		
BEG. FUND BALANCE		0.00		661.45	661.45		
+ NET OF REVENUES & EXPENDITURES		84,137.46			67,157.46	(67,157.46)	100.00
= ENDING FUND BALANCE		84,137.46		661.45	67,818.91		
+ LIABILITIES		0.00		123,993.39	0.00		
= TOTAL LIABILITIES AND FUND BALANCE		<u>84,137.46</u>		<u>124,654.84</u>	<u>67,818.91</u>		





## FARMINGTON PUBLIC SAFETY DEPARTMENT

23600 Liberty Street  
Farmington, MI 48335  
248-474-4700

Frank J. Demers, Public Safety Director



May 1, 2020

Honorable Sara Bowman, Mayor  
The Council of the City of Farmington  
David Murphy, City Manager

It is my pleasure to present the 2019 Farmington Public Safety Department Annual Report. This report will provide you with an overview of the public safety department. It includes crime data, major case summaries, community policing initiatives and a general overview of the public safety department's operations in 2019.

The department finished 2019 with the lowest number of Part A (serious) crimes ever recorded in department history. Major crimes were down 21% compared to 2018. There were zero robberies and only two (2) home invasions. In addition, the department saw significant reductions in assault-related crimes and narcotics crimes.

Farmington continues to rank as one of the safest communities in Michigan. In 2019, the City was recognized by ALARMS.org and BackgroundChecks.org as one of the top 10 safest cities in Michigan. Farmington Public Safety Officers are proud to have played a role in this recognition, but it could not be done without support from Farmington City Council and City Administration, as well as the strong partnerships we share with the wonderful residents of this community.

The department continues to provide superior fire and medical services to the community. There were fewer fire related calls compared to 2018, but there was an 18% increase in medical emergency calls for service in 2019. All department personnel continue to participate in monthly fire training and annual medical first responder recertification.

The dedicated men and women of the Farmington Public Safety Department strive to exceed the high standards of professionalism and courtesy that are expected by residents and visitors of Farmington. The department remains committed to maintaining strong community partnerships in addition to pursuing proactive strategies to enhance law enforcement, fire safety, and medical services.

Respectfully,

A handwritten signature in black ink, appearing to read "Frank J. Demers".

Frank J. Demers  
Public Safety Director

# FARMINGTON PUBLIC SAFETY DEPARTMENT

## ANNUAL REPORT

2019



### MISSION STATEMENT:

We pledge to enhance the quality of life, safety and security of the community with professional services that value and respect the civil rights of all people.

Farmington Public Safety Department 23600 Liberty Street Farmington, MI 48335 P: 248-474-4700

[www.farmgov.com](http://www.farmgov.com)

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## DEPARTMENT PERSONNEL

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Frank J. Demers, Director	Carole Lukas, Administrative Assistant
Theodore Warthman, Deputy Director	Corinne Brazzil, Records Supervisor
Justin DuLong, Commander	Leslie Amato, Cadet
Paul (Bob) Houhanisin, Commander	Donte Smith, Cadet
Todd Anderson, Commander	Zachary Maurer, Cadet
Andrew Morche, Commander	Katherine Rogers, Cadet
Jeffrey Brow, Sergeant	Patrick Fox, Cadet
Richard Friess, Sergeant	Scott Smith, Cadet
Reginald Madeline, Sergeant	James Donovan, Reserve Firefighter
Shane Wash, Sergeant	Jeff Washburn, Reserve Firefighter
Patrick Spelman, Sergeant	Sean Skinner, Reserve Firefighter
Aaron Malewski, Public Safety Officer	Matt Schiffman, Reserve Firefighter
Alan Baranski, Public Safety Officer	James Yuill, Reserve Firefighter
Mark Keeley, Public Safety Officer	Clay Pennington, Reserve Firefighter
Scott Brown, Public Safety Officer	Ed Heidelberg, Reserve Firefighter
William Wood, Public Safety Officer	Ken McDonald, Reserve Firefighter
James Wren, Fire Marshal	John Dresden, Reserve Firefighter
Matthew Miracle, Detective	Sean Beacome, Reserve Firefighter
Cody Hawkins, Public Safety Officer	Brad Lowell, Reserve Firefighter
Lisa Kobernick, Public Safety Officer	Derek O'Connor, Reserve Firefighter
Jacob Cote, Public Safety Officer	Brendan Hall, Reserve Firefighter
Ryan Baessler, Public Safety Officer	Matt Jones, Reserve Firefighter
Donald Taylor, Public Safety Officer	

### **SUPPORT STAFF**

Michael Geldmacher, Parking Enforcement Officer
Karol Hamilton, School Crossing Guard
Donna Fedelem, School Crossing Guard
Judi Mynsberge, School Crossing Guard
Kelsey Mynsberge, School Crossing Guard
Randal & Deborah O'Dell, Chaplains (Freedom Gateway Church)

## IN MOMORIAM

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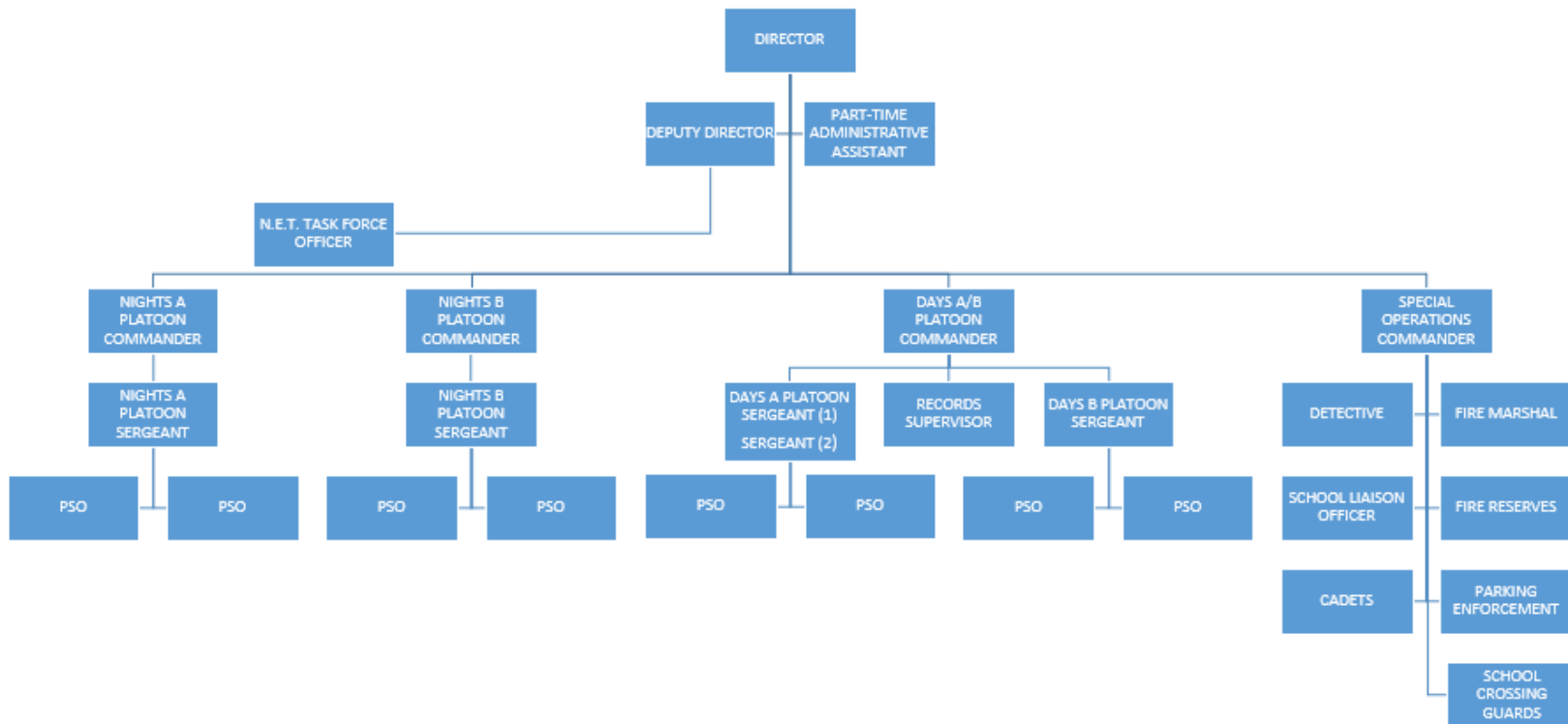
On June 20, 2019, Farmington Public Safety Parking Enforcement Officer Steve Roberts passed away. "Parking Steve" served as the department's parking enforcement officer for two years. He was truly a gentle giant. He embraced his position and handled it with fairness and equity. He had a great sense of humor and he was ALWAYS willing to lend a helping hand. Steve was well-liked and well-respected among members of the public safety department and throughout City Hall. He will be truly missed.



Retired Farmington Public Safety Sergeant Murray Switzer on passed away June 4<sup>th</sup>, 2019. Sergeant Switzer served with the public safety department for 20 years. We are grateful for his years of dedicated service to the department and to the Farmington community.

# ORGANIZATIONAL CHART

## FARMINGTON PUBLIC SAFETY DEPARTMENT ORGANIZATIONAL CHART



23 SWORN/FULL TIME PUBLIC SAETY OFFICERS

1 FULL TIME RECORDS SUPERVISOR

1 PART-TIME ADMINISTRATIVE ASSISTANT

6 PART-TIME CADETS

1 PART-TIME PARKING ENFORCEMENT OFFICER

14 RESERVE FIREFIGHTERS

4 SCHOOL CROSSING GUARDS

## NOTABLE RECOGNITIONS IN 2019

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**25 SAFEST CITIES IN MICHIGAN**

**RANKED #6**



***BACKGROUND CHECKS.ORG***

**RANKED #5**



## DEPARTMENT ACCOMPLISHMENTS

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In June of 2019, Farmington Public Safety Officers Jacob Cote and Ryan Baessler received Distinguished Service Awards at the Police Officers Association of Michigan conference in Grand Rapids. These officers were recognized for their quick actions in saving the life of an injured man who was also a US Army combat veteran.



Commander Andrew Morche graduated from the Eastern Michigan University School of Police Staff & Command in October, 2019.



Sergeant Reginald Madeline was honored during the March, 2019 City Council meeting with a proclamation from Mayor Pro Tem Sara Bowman in recognition of his heroic rescue of an elderly woman trapped in a structure fire.



## PATROL DIVISION

The uniform patrol division is led by Commanders Paul Houhanisin, Todd Anderson, and Andrew Morche. Five sergeants; Jeffrey Brow, Richard Friess, Reginald Madeline, Patrick Spelman, and Shane Wash assist the commanders in supervising daily operations. Eight public safety officers are assigned to the patrol division: Aaron Malewski, Mark Keeley, Scott Brown, Jim Wren, Matthew Miracle, Cody Hawkins, Lisa Kobernick, Jacob Cote, Ryan Baessler, and Donald Taylor.

Six Public Safety Cadets allow for city hall and the department to remain open twenty-four (24) hours a day, seven days a week for citizens and visitors to Farmington. Cadets also assist records personnel, maintain cleanliness of the station, and answer business phone calls to the Public Safety Department.



The patrol division prides itself on its fast response to police, fire and medical emergencies. The “Apartment Watch” program encourages officers to regularly patrol apartment complexes to deter crime and establish partnerships in multi-family housing communities throughout the City. Patrol officers also aggressively enforce traffic laws including motor carrier and impaired driving to further enhance the safety of the City’s roadways.



The patrol division provides numerous community policing services. For example, officers patrol neighborhoods and issue crime prevention notices (blue cards) indicating potential criminal opportunities, hazards or concerns observed at a residence. Station tours, visiting block parties, picking up stray pets, assisting residents who have fallen, home/vehicle lockouts, selective enforcement on neighborhood streets and any other requests for assistance from citizens are just some of the services that the patrol division provides.



**2019 Patrol Division Activity**

6,185 calls for service (Traffic stops not included)  
606 adult arrests (74 for Operating While Intoxicated)  
3,277 citations issued (Parking Violations excluded)  
229 traffic accidents  
2,401 Apartment Watch checks





## SPECIAL OPERATIONS

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The Special Operations Bureau is headed by Commander Bob Houhanisin who supervises Detective Matthew Miracle, Fire Marshal James Wren and School Resource Officer Scott Brown. Included in the bureau is an undercover narcotics officer who is assigned to the Oakland County Narcotics Enforcement Team (NET).

The Special Operations Bureau is also responsible for the following:

- Criminal Investigations
- Processing Crime Scenes
- Conducting Pre-Employment Background Investigations
- Neighborhood Watch
- Evidence and Property Room Management
- The School Liaison Program
- Background Checks for Liquor Licenses, Massage Parlors and Solicitors
- Compliance Checks on Liquor, Tobacco and Massage Facilities
- Fire Inspections
- Membership with the Oakland County Incident Management Team
- Membership with Oak Tac (Oakland County Mutual Aid)
- Membership with the Oakland County Mobil Field Force (Large Gathering Management)
- Smoke Detector Installation
- Accident Investigation
- Community Education Programs
- Conducting LEN Investigations (Follow up investigations for The Department of Human Resources)

In 2019 the Special Operations Bureau conducted the following:

- 185 Criminal Investigations (54% Closure Rate)
- 60 Warrants Obtained
- 12 Pre-Employment investigations
- 175 Fire Inspections
- 7 Solicitor Background Investigations
- 14 Car Seat Inspections
- 1 Liquor License Background Investigation
- 2 Massage License Background Investigation

## FIRE SERVICES

All Farmington Public Safety officers are certified firefighters and licensed as medical first responders or Emergency Medical Technicians. In addition to the full time personnel, the department employs 14 paid-on-call reserve firefighters to supplement the firefighting force.

The Farmington Public Safety Department provides the following fire protection services:

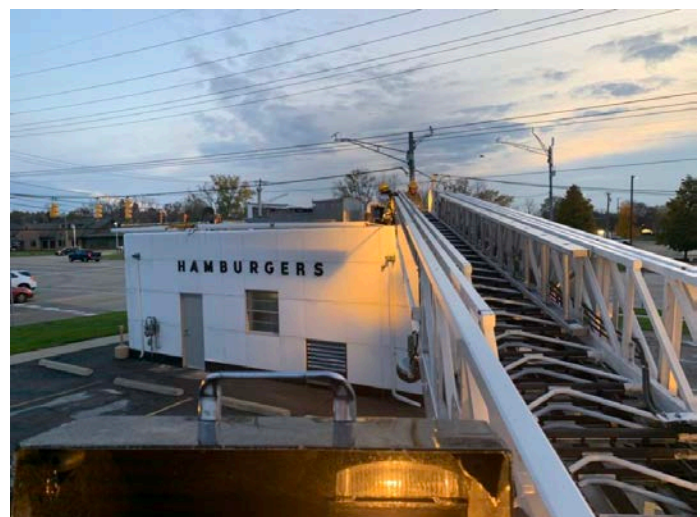
- Fire extinguishment
- Hazardous materials response
- Smoke detector give away/installation
- Fire safety presentations
- Home fire inspections
- Fire prevention inspections for businesses
- First Aid/CPR/AED classes
- Stop The Bleed program
- Car seat inspections



In addition to providing the above services, the department has members assigned to the Oakland County Hazardous Materials Response Team and the Oakland County Incident Management Team.

In 2019 Farmington Public Safety Department to the following:

- 1131 Medical or Injured persons
- 1 Miscellaneous Fire
- 27 Odor/smoke Investigations
- 24 Fire alarms
- 32 Wires down
- 18 Carbon monoxide alarms
- 7 Structure fires
- 5 Vehicle fires
- 175 Fire Inspections





- 1 Dumpster fire
- 5 Outdoor burns
- 35 Public education events



## RECORDS DIVISION

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Records Supervisor Corinne Brazzil is in charge of the department's Records Division. She is responsible for maintain and archiving the thousands of reports, forms and documents that filter through the department throughout the year. In addition to records responsibilities, Ms. Brazzil handles multiple other responsibilities during business hours such as handling public safety matters that are brought to the



department's front desk, answering phone calls to the department, monitoring the building and public security cameras, interacting with the 47<sup>th</sup> District Court, processing Freedom of Information requests, processing pistol permits, false alarm billing, bicycle licenses, parking permits, non-criminal fingerprints, police clearance letters, warrant processing/validations and requests for station tours and handling all matters related to registered sex offenders who reside in the City. Ms. Brazzil also serves at the department's Law Enforcement Information Network (LEIN) Coordinator. As the LEIN Coordinator, she ensures that all department personnel remain in compliance with strict State requirements related to information security. Supervisor Brazzil receives assistance from Public Safety Cadets.



## GRANTS & PARTNERSHIPS



The Farmington Public Safety Department received generous donations from Alexander's True Value Hardware and the Farmington Command Officer's Association to purchase smoke alarms for residents in need. Pictured below is Tim Alexander, the owner of Alexander's True Value Hardware located at 9 Mile Road and Farmington Road, and Sergeant Reggie Madeline.



The public safety department was awarded a BYRNE Justice grant in the amount of \$100,000 to install public security cameras in the downtown area and in Shiawassee Park. The video is wirelessly transmitted to monitors in the communications room.

### 2019 Grant Award Summary

GRANT SOURCE	AWARD AMOUNT	ITEMS PURCHASED
BULLETPROOF VEST PARTNERSHIP GRANT	\$4000	REPLACEMENT BALLISTIC VESTS
MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY (MMRMA)	\$525	REIMBURSEMENT FOR MACP ACCREDITATION COSTS
MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY (MMRMA)	\$2,437	STAFF & COMMAND SCHOOL TUITION REIMBURSEMENT
MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS	\$3,900	PUBLIC SAFETY OFFICER TRAINING
BYRNE JUSTICE ASSISTANCE (JAG) GRANT	\$100,000	PUBLIC SECURITY CAMERAS
<b>TOTAL GRANT FUNDS AWARDED IN 2019</b>	<b>\$110,862</b>	



# COMMUNITY POLICING


The Farmington Public Safety Department embraces the United States Department of Justice definition of Community Policing which states:

*“Community policing is a philosophy that promotes organizational strategies, which support the systematic use of partnerships and problem solving techniques, to proactively address the immediate conditions that give rise to public safety issues, such as crime, social disorder, and fear of crime (DOJ, 2008).”*

By partnering with government agencies, local businesses, non-profit organizations, community stakeholders, and individual community members, the Farmington Public Safety Department has administered over eighty (80) services in support of the community policing model.

For a full list of the department’s community policing initiatives, please visit our website: [www.farmgov.com/City-Services/Public-Safety/Community-Policing.aspx](http://www.farmgov.com/City-Services/Public-Safety/Community-Policing.aspx)

BLEEDINGCONTROL.ORG




**STOP THE BLEED™**

**SAVE A LIFE**



Bleeding Control Basic (BCon) Course

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**CPR & AED**




**THE FARMINGTON PUBLIC SAFETY DEPARTMENT WILL BE HOSTING A HEARTSAVER CPR / AED CLASS ON MAY 23RD, 2019**  
**6:30 P.M. TO 10:00 P.M. AT THE CITY OF FARMINGTON COUNCIL CHAMBERS. THIS HEARTSAVER CLASS WILL FOCUS ON CPR FOR ADULTS, CHILDREN AND INFANTS AND THE USE OF AN AED.**  
**NO COST TO FARMINGTON RESIDENTS AND \$20 FOR NON-FARMINGTON RESIDENTS.**

Farmington Public Safety is recruiting paid on-call


## Firefighters



- Must be at least 18 years old and
- Must have a valid drivers license.

- Fire reserves must live within 6 miles of Farmington.
- Once hired recruits will be paid to attend Firefighter 1 and 2 Academy in the spring of 2020.

**For more information please attend our informational meeting on October 22nd at 7pm in the Farmington City Council Chambers.**



**Fire Marshal contact info:**  
**James Wren 248-474-4700 or [jwren@farmgov.com](mailto:jwren@farmgov.com)**

# COMMUNITY POLICING (cont.)

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## 2019 MAJOR INCIDENTS

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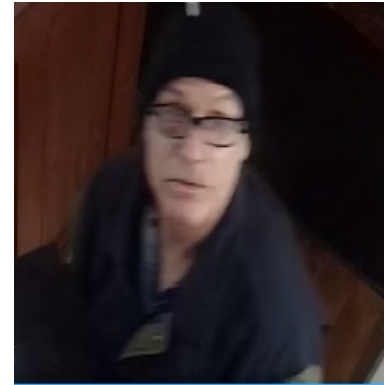
The following is a summary of the major incidents investigated by the Farmington Public Safety Department in 2019:

### Burglary

On January 1, 2019 officers investigated two burglaries at businesses in downtown Farmington. Investigators collected physical evidence as well as video surveillance of the suspect. The video and images of the suspect were released to the media and via social media. As a result, the man was identified and



arrested for the crimes. The arrestee, David Reese, was charged and convicted of Burglary and was sentenced to a maximum of 20 years in prison.



David Scott Reese



Video Still of Suspect

### Larceny in a Building

On February 17<sup>th</sup>, 2019, an employee of Farmington First United Church reported that an unknown male had stolen a laptop from the church on February 16<sup>th</sup>. The church was made aware of the theft when they checked their security cameras once the laptop was reported missing. The officer taking the report recognized the man as a driver that he had stopped earlier that day. A warrant was obtained for the suspect, charging him with Larceny in a Building, a 4 year felony.

### **Illegal Entry**

On March 21<sup>st</sup> at approximately 3:40 PM a 14 year old Birchwood Street resident observed an unknown male enter his home from an unlocked attached garage. Once the suspect made contact with the victim, he took off running out of the home. Officers responded to the scene and learned from a neighbor that she had observed the same suspect get into an older model blue Buick and drive away. Nothing was stolen from the home and the suspect was never identified. The investigation continues.



Sketch of suspect

### **Attempt Burglary**

On April 24<sup>th</sup> the owner of the Johnny Weekend Company reported that an unknown person had kicked in the business' rear door. The business had been closed for several days and the officer taking the report recalled finding a teen male near the dumpster at the rear of the property on April 17<sup>th</sup>. Officers followed up with the teen who admitted to kicking in the door and then running away when the alarm sounded. The teen was charged with the attempted burglary.

### **Resisting Officer | Disorderly Conduct**

On May 18, 2019, at approximately 3:32 pm officers responded to the Masonic Temple for a report of an escalating verbal argument. Officers determined that the argument was between relatives attending a funeral across the street. In an attempt to resolve the matter, officers determined that a female subject with slurred speech and the odor of intoxicants on her breath was responsible for the argument. The subject pushed one of the investigating officers, while they were attempting to separate the subject from the crowd. Officers arrested the 32 year old female was arrested for resisting, disorderly conduct and active warrants.

### **Operate While Intoxicate – High BAC**

On August 6, 2019, at approximately 9:20 pm, officers responded to that area of Farmington Road and Marilyn Court for a report of a single vehicle roll over crash. Witnesses reported that the driver of the crashed vehicle ran from the scene. The fleeing suspect was seen by a number of witnesses attempting to enter multiple homes in the area, but was unable to gain access because the doors were locked. Officers located the suspect at the top of the Shiawassee Park stairs. The suspect's behavior was aggressive and erratic. He yelled incoherently at the officers and responded violently when the officers took him into custody. The 29-year-old male smelled strongly of intoxicants and was transported to the hospital for evaluation. The man was charged with Operating While Intoxicated with a high blood alcohol content.



**Larceny**

On August 31, 2019 at approximately 12:27 pm, officers were dispatched to CVS Pharmacy for a report of a subject that was observed taking several lawn care tools from the back of a pick-up truck and putting them into a gold station wagon. The witness that observed the suspected theft attempted to confront the subject, scaring him off. The witness was able to observe a license plate, which they provided to the officers that responded. Officers conducted follow up investigation and identified the 58-year-old male subject who was later located and arrested at his residence in Farmington Hills. The suspect was charged with Larceny.

**Commercial Burglary**

During the month of September, 2019, two gas stations were broken into during the late evening hours and cash was stolen. Video surveillance showed that both businesses were attacked by the same suspect, an African American male wearing a dark hooded jacket and a towel covering his face. The investigation continues.

**Retail Fraud**

On November 30<sup>th</sup>, 2019, the department received information that a retail fraud (shoplifting) had occurred at the Nankin Hobby Shop on Nine Mile Rd. Upon arrival to the business, the investigating officer learned that the suspect entered the business and stole a \$280 remote control kit. The manager of the business posted the man's photo on Facebook and gave him an opportunity to return the merchandise. The suspect never returned the item, so a police report was filed. The suspect was identified and was charged with the crime.



# 2019 CRIME STATISTICS

## GROUP A, B & C

### TOTAL INCIDENTS/OFFENSES

*\*TRAFFIC STOPS ARE NOT INCLUDED*

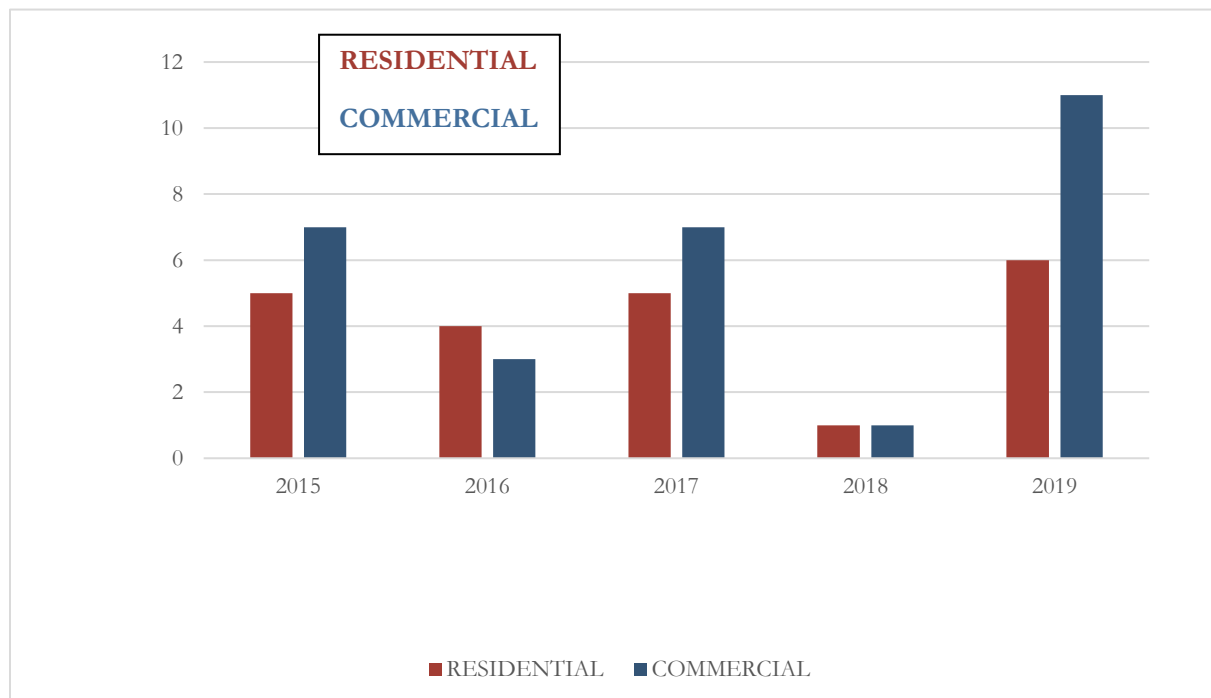
GROUP TYPE	2015	2016	2017	2018	2019	% CHANGE
Group A	287	341	295	263	206	-21%
Group B	268	301	317	237	195	-18%
Group C	5,305	5,197	5,313	4,561	5,679	24%
TOTAL OFFENSES	5,860	5,839	5,925	5,061	6,190	22%

### 5 YEAR BURGLARY COMPARISON

RESIDENTIAL	2015	2016	2017	2018	2019
FORCED ENTRY	5	2	2	1	3
NO FORCED ENTRY	0	2	3	0	3
<b>TOTAL</b>	<b>5</b>	<b>4</b>	<b>5</b>	<b>1</b>	<b>6</b>

COMMERCIAL	2015	2016	2017	2018	2019
FORCED ENTRY	6	3	7	1	10
NO FORCED ENTRY	1	0	0	0	1
<b>TOTAL</b>	<b>7</b>	<b>3</b>	<b>7</b>	<b>1</b>	<b>11</b>
<b>TOTAL BURGLARIES</b>	<b>12</b>	<b>7</b>	<b>12</b>	<b>2</b>	<b>17</b>

### 5 YEAR BURGLARY CHART



**FIVE YEAR MAJOR OFFENSE COMPARISON**

<b>OFFENSE</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>% CHANGE</b>
MURDER	0	0	0	0	0	-
SEX OFFENSES	1	1	4	2	3	50%
ROBBERY	1	0	1	0	0	-
ASSAULT	33	35	43	37	36	-2.7%
BURGLARY	9	11	11	2	17	750%
LARCENY	99	96	61	45	52	15%
VEHICLE THEFT	7	4	6	5	5	-
FRAUD	35	30	24	21	40	90%
ARSON	2	0	0	0	0	-
<b>TOTALS</b>	<b>187</b>	<b>177</b>	<b>150</b>	<b>109</b>	<b>153</b>	<b>40%</b>

**FIVE YEAR COMPARISON OF INTEREST**

<b>OFFENSE</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
ADULT ARRESTS	572	726	782	731	606
JUVENILE ARRESTS	8	11	13	4	16
CALLS FOR SERVICE	6066	6572	6697	6064	6185
FIRE CALLS	117	150	153	166	120
MEDICAL CALLS	940	919	912	954	1131
INJURY ACCIDENTS	25	27	29	26	23
PROPERTY DAMAGE ACCIDENTS	273	338	239	251	206
FATAL ACCIDENTS	0	0	0	0	0
NARCOTICS VIOLATIONS	90	113	98	123	10
IMPAIRED DRIVING	72	78	89	75	74
LARCENY FROM AUTO	43	43	10	10	18
TOTAL TRAFFIC CITATIONS ISSUED	3184	3932	3929	3474	3277

<b>PARKING VIOLATIONS</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
TOTAL CITATIONS ISSUED	455	208	338	129	265



## 2019 ACCREDITATION MEANINGFUL REVIEW DATA

Farmington Public Safety officers make contact with thousands of individuals throughout the year. Many of those contacts result in the issuance of traffic citations, arrests and the mitigation of numerous situations involving violence and/or disagreements among parties.

As a Michigan Association of Chiefs of Police (MACP) accredited agency, the Farmington Public Safety Department conducts meaningful reviews on citizen complaints, use of force incidents, foot pursuits and vehicle pursuits that occur throughout the year. These incidents receive special attention and serve as an early warning system for supervisors to identify and take proactive measures to train officers and ensure compliance with policies and procedures. The following is a five-year summary of citizen complaints investigated, incidents of use of force, foot pursuits and vehicle pursuits:

<b>INCIDENTS</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>5 YR AVG</b>
TOTAL # OF CITIZEN CONTACTS	11419	12435	12306	12456	12748	<b>12273</b>
CITIZEN COMPLAINTS	1	3	3	4	2	<b>2.6</b>
USE OF FORCE	17	17	7	20	15	<b>15.2</b>
FOOT PURSUITS	0	1	3	2	3	<b>1.8</b>
VEHICLE PURSUITS	0	2	5	2	4	<b>2.6</b>
% OF TOTAL CONTACTS	.16	0.18	0.15	0.22	0.20	<b>0.18</b>

<b>ARREST/USE OF FORCE</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>5 YR AVG</b>
ARRESTS	572	726	782	731	606	<b>683</b>
USE OF FORCE	17	17	7	20	15	<b>15.2</b>
% USE OF FORCE/ARREST	3.0	2.3	0.9	2.7	2.5	<b>2.3</b>

The public safety department is proud of its very low rate of complaints and use of force. These numbers are low because the department is dedicated to hiring and training men and women with high standards of integrity, implementing comprehensive training programs that stress de-escalation and professionalism, holding members accountable for their actions and constantly working to achieving the department's mission to provide superior public safety services to the community.

<b>Farmington City Council Staff Report</b>	<b>Council Meeting Date: May 18, 2020</b>	<b>Item Number 31</b>
<b>Submitted by: Melissa Andrade</b>		
<b>Agenda Topic:</b> Resignation of Joy Montgomery from the Farmington Community Library Board or Directors		
<b>Proposed Motion:</b> NA		
<b>Background:</b> Joy submitted a letter of resignation effective immediately for personal reasons. She was appointed to the board in June 2018. Her current term of office was to be up on June 30, 2023.		
<b>Materials:</b> Letter of resignation		

From: **Joy Montgomery** <[joysellshouses@gmail.com](mailto:joysellshouses@gmail.com)>  
Date: Tue, May 12, 2020, 7:42 PM  
Subject: Resignation  
To: Sara Bowman <[sbowman@farmgov.com](mailto:sbowman@farmgov.com)>

Dear Sara,

I am writing to tell you that I have made the difficult decision to resign from the Farmington Community Library Board of Trustees, effective immediately. I will be listing my house for sale this week and relocating out of state as soon as the house sells.

It has been a pleasure serving on the FCL board and I appreciate your faith in me representing Farmington.

All my best,

Joy Montgomery

<b>Farmington City Council Agenda Item</b>	<b>Council Meeting Date:</b> May 18, 2020	<b>Item Number 3J</b>	
<b>Submitted by:</b> Melissa Andrade, Assistant to the City Manager			
<u><b>Agenda Topic</b></u> Proclamation: National Gun Violence Awareness Day, Friday June 5, 2020. Wear orange.			
<u><b>Proposed Motion</b></u> Consent Agenda			
<u><b>Materials Attached</b></u> Proclamation			
<b>Agenda Review</b>			
<b>Department Head</b>	<b>Finance/Treasurer</b>	<b>City Attorney</b>	<b>City Manager</b>



## **PROCLAMATION DECLARING THE FIRST FRIDAY IN JUNE TO BE NATIONAL GUN VIOLENCE AWARENESS DAY**

This proclamation declares the first Friday in June to be National Gun Violence Awareness Day in Farmington, Mi. to honor and remember all victims and survivors of gun violence and to declare that we as a country must do more to reduce gun violence.

WHEREAS, every day, 100+ Americans are killed by gun violence and on average there are nearly 13,000 gun homicides every year; and

WHEREAS, Americans are 25 times more likely to be killed with guns than people in other high-income countries; and

WHEREAS, protecting public safety in the communities they serve is mayors' highest responsibility; and

WHEREAS, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from people with dangerous histories; and

WHEREAS, mayors and law enforcement officers know their communities best, are the most familiar with local criminal activity and how to address it, and are best positioned to understand how to keep their citizens safe; and

WHEREAS, in January 2013, Hadiya Pendleton, a teenager who marched in President Obama's second inaugural parade and was tragically shot and killed just weeks later, should be now celebrating her 22nd birthday; and

WHEREAS, to help honor Hadiya – and the 100 Americans whose lives are cut short and the countless survivors who are injured by shootings every day – a national coalition of organizations has designated June 5, 2020, the first Friday in June, as the 6th National Gun Violence Awareness Day; and

WHEREAS, the idea was inspired by a group of Hadiya's friends, who asked their classmates to commemorate her life by wearing orange; they chose this color because hunters wear orange to announce themselves to other hunters when out in the woods and orange is a color that symbolizes the value of human life; and

WHEREAS, anyone can join this campaign by pledging to Wear Orange on June 5th, the first Friday in June in 2020, to help raise awareness about gun violence; and

WHEREAS, by wearing orange on June 5, 2020 Americans will raise awareness about gun violence and honor the lives of gun violence victims and survivors; and

WHEREAS, we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the wrong hands and encourage responsible gun ownership to help keep our children safe.

NOW, THEREFORE BE IT RESOLVED, that Mayor Sara Bowman declares the first Friday in June, June 5, 2020, to be National Gun Violence Awareness Day. I encourage all citizens to support their local communities' efforts to prevent the tragic effects of gun violence and to honor and value human lives.

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Sara Bowman,  
City of Farmington Mayor  
May 18, 2020

<b>Farmington City Council Staff Report</b>	<b>Council Meeting Date:</b> May 18, 2020	<b>Item Number 5A</b>
<b>Submitted by:</b> Melissa Andrade, Assistant to the City Manger		
<b>Description</b> Request for Special Event - Swing Farmington, Inc.		
<p><b>Requested Action</b> Move to approve the special event request for Swing Farmington, Inc. to holds its swing dancing at Riley Park and the Sundquist Pavilion scheduled on Thursday evenings, from 7:00 p.m. – 11:30 p.m., to begin only when the Governor’s Stay Home Stay Safe Executive Order prohibiting such activities is no longer in effect and the City Manager determines in writing that the activity can safely proceed, and continuing through October 15, 2020, with the following conditions:</p> <ol style="list-style-type: none"> <li>1. Waive the City Sound Ordinance to allow Swing Farmington, Inc. to extend operation until 11:30 p.m. through the September 3.</li> <li>2. Approve charge of \$25/week to defray the cost of maintenance – this is the amount we have charged Swing Farmington for at least five years;</li> <li>3. Allow set up to begin at 5 p.m. on August 6 for the live band, if Swing is permitted at that time.</li> </ol>		
<p><b>Background</b></p> <p>The City received a special event request from Alexander Steward, President for Swing Farmington, Inc. Since 2007 Mr. Steward and a group of about 100 young people assemble in Sundquist Pavilion every Thursday evening for swing dancing.</p>		
<b>Materials: Special Event Application</b>		

Event Name Swing Farmington's Thursday Night Swing

<b>CITY USE ONLY</b>
Approval Needed:
<input type="checkbox"/> City Manager
<input type="checkbox"/> City Council
<input type="checkbox"/> Approved
<input type="checkbox"/> Denied



## City of Farmington Special Event Application

This application is for all events in Riley Park and any other event in the City of Farmington that will bring in more than 25 people. Complete this application in accordance with the city of Farmington's Special Events Policy and return it to the City Manager's Office at least 30 days prior to the starting date of the event. If your event is approved, you will receive a written confirmation of approval.

Park fees are \$100 for residents and \$200 for non-residents.

Event Name Swing Farmington's Thursday Night Swing

CERTIFICATION AND SIGNATURE: I understand and agree on behalf of myself or the sponsoring organization, the following:

- a. For public events, a certificate of insurance and endorsement must be provided naming the City of Farmington as additional insured. See Parks Reservation, Facility Use, and Special Events Policy, page 19, item J, for specific requirements and limits.
- b. If the event includes solicitation by workers standing in street intersections, the required safety precautions will be maintained at all times in accordance with the Department of Public Safety. Reference the Parks Reservation, Facility Use, and Special Events Policy, page 20, item K.
- c. All food vendors must be approved by the Oakland County Health Department and follow all required health regulations. Each food vendor must provide the City with a Certificate of Insurance as well as an endorsement naming the City of Farmington as additional insured. Form CG 20 26 or its equivalent is recommended. See Parks Reservation, Facility Use, and Special Events Policy, page 20, item M for more details.
- d. The approval of this special event may include additional requirements and/or limitations based on the city's review of this application, and in accordance with the city's Parks Reservation, Facility Use, and Special Events Policy. The event will be operated in conformance with the written confirmation of approval. See Parks Reservation, Facility Use, and Special Events Policy, page 21, item Q.
- e. The sponsoring organization may provide a security deposit for the estimated fees as may be required by the city and will promptly pay any billing for city services which may be rendered. See Parks Reservation, Facility Use, and Special Events Policy, page 17, items E and F.

**To the fullest extent permitted by law, the individual or sponsoring organization assume(s) all risks and agrees to defend, pay on behalf of, indemnify, and hold harmless, the City of Farmington, including all of its elected and appointed officials, all employees and volunteers, against any and all claims, demands, suits, or loss, including all costs connected therewith, including but not limited to attorney fees, and for any damages which maybe asserted, claimed, or recovered against or from the City of Farmington, by reason of personal injury, including bodily injury or death, and/or property damage, including loss of use thereof, which arise out of your actions during this event.**

As the duly authorized individual or agent of the sponsoring organization, I hereby apply for approval of this special event, affirm the above understandings, and agree that I (or the sponsoring organization) will comply with the city's Parks Reservation, Facility Use, and Special Events Policy, the terms of the Written Confirmation of Approval and all other city requirements, ordinances and other laws which apply to this special event.

2/19/20

Date

Alexander Jones

Signature

RETURN THIS APPLICATION AT LEAST THIRTY (30) DAYS PRIOR TO THE FIRST DAY OF THE EVENT TO:

City Manager's Office  
23600 Liberty Street  
Farmington, MI 48336

Phone: 248-474 5500, ext. 2221

*Failure to provide the above items shall result in cancellation of the event. The city shall not be liable for any cost incurred.*



Sponsoring Individual/Organization's Name: Swing Farmington

Individual/Organization Phone: 313-231-2046

Individual/Organization Address: 1998 1/2 Pollyanna Dr. Livonia MI 48152

Organization's Contact: Alexander Steward Phone: 313-231-2046

Contact's Title: President E-mail: alexandersteward@gmail.com

Address: 1998 1/2 Pollyanna Dr. Livonia MI 48152

Event Name: Swing Farmington's Thursday Night Swing

- Type of Event:
- |   |   |
|---|---|
| <input type="radio"/> Sponsored/City Operated   | <input type="radio"/> Co-Sponsored (all parties must provide info and sign application) |
| <input checked="" type="radio"/> Non-Profit     | <input type="radio"/> For Profit  |
| <input type="radio"/> Political or Ballot Issue | <input type="radio"/> Wedding   |
| <input type="radio"/> Video or Film Production  | <input type="radio"/> Running Event   |
| <input type="radio"/> Block Party               | <input checked="" type="radio"/> Other (describe)                                       |

Swing Dance Event

Riley Park Permit Fee:  
\$100 residents/\$200 non-residents

Event Purpose: Weekly Swing Dancing for the Community  
Event Dates: Every Thursday from May 7 - October 15  
Event Times: 7:00 PM - 11:30 PM  
Event Location: Walter B. Syndgyst Pavilion and George F. Riley Park  
Number of People Expected: Average 200 weekly  
Contact Person on Day of Event: Alexander Steward and Calvin Butler  
Phone: For Alexander: 313-231-2046, For Calvin: 248-921-9413  
Email: For Alexander: alexandersteward@gmail.com For Calvin: nicknameKB@gmail.com  
Estimated Time of Setup: 7pm  
Estimated Time of Cleanup: 11:30pm

Crowd Control Plans:

Volunteers and staff will patrol park and pavilion.

Sidewalk use?  YES  NO

If yes, describe sidewalk use:

Reserved Parking: Are you requesting exempt Parking? (See Policy Section 5)

YES  NO

If yes, list the lots or locations where parking is requested:

Will street closures be necessary?  YES  NO

If yes, describe street closures, include time of closure and re-open:

Will music be provided?  YES  NO

If yes, describe amplification and proposed location of band, speakers, equipment, etc.:

DJ area will be in Northwest corner of pavilion with 2 large speakers, sound board, microphone, computers. Band on August 6th will be in the east side of pavilion.

Will electricity be needed for the event?  YES  NO

Will the following be constructed or located in event area?

Booths             YES     NO    Quantity:

Tents/Canopies     YES     NO    Quantity:

Rides             YES     NO    Quantity:

Tables             YES     NO    Quantity:

Portable Toilets     YES     NO    Quantity:

Inflatables         YES     NO    Quantity:

Food Vending       YES     NO    Quantity:

Other Vendors       YES     NO    Quantity:

Other (describe)

If yes to food vendors, concessions, and/or other vendors, please list all of the vendors by vendor name, refer to Policy Section IV.2.N for license and insurance requirements:

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*\*If mobile food vending is proposed as part of an activity that also requires a special event permit, no additional or separate mobile food vending permit shall be required as state in the City Cod of Ordinances (Appendix A in policy).*

**An Event Map [is] [is not] attached.** If your event will use streets and/or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. Also show any streets or parking lots that you are requesting to be blocked off.

**For events in Riley Park: Invitation to Civic Organizations and Merchants in the Event Vicinity.** Non-profit organizations and local merchants in the vicinity of Riley Park – the Central Business District -- should be given the opportunity to participate in the special event to the greatest extent practical; e.g., a local Deli might come out and sell bratwurst. You must demonstrate that reasonable efforts have been made with regard to such inclusion and participation. The City Manager’s office shall be responsible for determining whether this requirement has been met.

I have invited local businesses to participate.

Those invited include:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Event Signs:** Will this event include the use of signs  YES  NO

If yes, refer to Policy Section 8 for requirements and describe the size and location of your proposed signs. All signage must be approved by the City Manager’s Office.

**Event Cost Worksheet**

	Cost	Quantity	Total
Park usage fee			
Public Safety Assistance			
Public Services Assistance			
Cones			
Additional Barricades			
Additional Trash Barrels			
Other			
<b>Total</b>			<b>0</b>

Usage fee for Riley Park is \$100 for residents, \$200 for non-residents. Assistance from Public Services or Public Safety is \$65/hour with a minimum of two hours. The Public Services fee includes four trash barrels and four barricades. If additional equipment is needed, the fee will be determined by Public Services. Equipment is limited to cones, barricades and trash barrels.

Checks can be dropped off or mailed to the City Manager’s Office at Farmington City Hall: 23600 Liberty Street, Farmington, MI 48335. Make checks payable to the “City of Farmington.” There is a processing fee for credit cards payments. Credit card payments must be made at City Hall, we do not take credit card information via the phone.

<b>Farmington City Council Staff Report</b>	<b>Council Meeting Date:</b> May 18, 2020	<b>Item Number 6A</b>
<b>Submitted by:</b> Amy Norgard, Controller		
<b><u>Agenda Topic:</u></b> Consideration to Approve Resolution Renewing Participation in the Oakland County Community Development Block Grant (CDBG) Program for a Three-Year Period (2021-2023)		
<b><u>Proposed Motion:</u></b> Move to adopt Resolution renewing participation in the Oakland County CDBG program for a three year period (2021 thru 2023) and authorize the Mayor to sign the Cooperative Agreement on behalf of the City.		
<b><u>Background:</u></b> City Administration recently received correspondence from the Oakland County CDBG program that the City of Farmington needs to consider whether to continue its participation in the program for another three-year period (2021-2023). The current Agreement is in place for fiscal years 2018-2020. For those that participated in the County’s CDBG program for 2018-2020 there is a Cooperation Agreement in effect that offers automatic renewal.  The City receives approximately \$27,000 each year under the County program which we allocate to Senior Service programs administered by the City of Farmington Hills. This defrays our General Fund contribution to the Senior Programs. Our participation in the Oakland County program also allows eligible City residents to participate in the County’s Housing, Rehab and Assistance programs.  In order to continue to participate in the urban county Community Development Block Grant (CDBG) program the City must respond via email to spradlinc@oakgov.com by Monday, June 1, 2020. The email should indicate that the City intends to opt into the Oakland County urban county program for program years 2021-2023 and will remain through automatic renewals in successive three-year qualification periods, or until such time that it is in the best interest of the City to terminate the Cooperative Agreement.  City Administration is recommending that the City Council approve a resolution to continue with the Oakland County CDBG program for another three years.		
<b><u>Materials:</u></b> Resolution – CDBG 2021-2023 Cooperation Agreement.doc		

CITY OF FARMINGTON

RESOLUTION NO. \_\_\_\_\_

The City of Farmington resolves to opt into Oakland County's Urban County Community Development Block Grant (CDBG) programs for the-program years 2021, 2022 and 2023. Furthermore, we resolve to remain in Oakland County's Urban County Community Development programs, which shall be automatically renewed in successive three-year qualification periods of time, or until such time that it is in the best interest of the local Community to terminate the Cooperative Agreement.

Motion by:

Supported by:

Ayes:

Nays:

I, Mary Mullison, the duly appointed Clerk of The City of Farmington, Oakland County, MI do hereby certify that the above is a true copy of a resolution adopted by the City of Farmington City Council at a meeting held on May 18, 2020 at which time a quorum was present.

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Mary Mullison, City Clerk

<b>Farmington City Council Staff Report</b>	<b>Council Meeting Date:</b> May 18, 2020	<b>Reference Number 6B</b>	
<b>Submitted by:</b> David Murphy, City Manager			
<b>Description</b> Consideration to Approve Public Hearing Notice for Proposed Fiscal Year 2020-21 Budget and Property Tax Rates			
<b>Requested Action</b> Move to hold public hearing on Monday, June 15 at 7:00 p.m. regarding the proposed Fiscal Year 2020-21 Budget and property tax rates.			
<p><b>Background</b></p> <p>In accordance with the City Charter, Public Act 43 of the Extra Session of 1963 and Public Act 2 of 1968 as amended, it is necessary to hold a public hearing on the proposed budget and millage rate prior to their adoption. In accordance with the City Charter, the City Council must adopt the budget not later than June 21. It is recommended that the public hearing be held on Monday, June 15 at 7:00 p.m. Following the public hearing, it is recommended that the City Council adopt the budget and millage rates.</p> <p>Attached is the proposed public hearing notice. The proposed overall millage rate for the City is 18.3559 mills with 14.9115 mills for operating purposes, 2.0000 mills for capital improvements and 1.4444 mills for road improvements. The proposed overall millage rate for the DDA is 1.7818 for operating purposes. The City Council has the discretion to lower the millage rate once the notice has been published but cannot increase it without holding another public hearing. The City Council can still make changes before the budget is adopted.</p> <p>Please note, the expenditure total in the Capital Improvement Millage Fund has been increased by \$50,000 (from \$1,242,892 listed in Budget Document to \$1,292,892) to accommodate for the Flanders Playscape addition, as discussed at the April 27<sup>th</sup> Budget Presentation.</p>			
<b>Agenda Review</b>			
<b>Department Head</b>	<b>Finance/Treasurer</b>	<b>City Attorney</b>	<b>City Manager</b>



CITY OF FARMINGTON

NOTICE OF PUBLIC HEARING  
TO REVIEW THE PROPOSED FISCAL YEAR 2020-21 BUDGET

The City Council of the City of Farmington will hold a public hearing on the proposed Fiscal Year 2020-21 Budget at 7:00 p.m. on June 15, 200, in the Council Chamber in City Hall, 23600 Liberty Street, Farmington, Michigan 48335. In the event that this meeting must be held electronically, notice and instructions for attending will be posted on the City's webpage at [www.farmgov.com](http://www.farmgov.com) at least eighteen hours prior to the public hearing.

**THE PROPERTY TAX MILLAGE RATE PROPOSED TO BE LEVIED TO SUPPORT THE PROPOSED BUDGET WILL BE A SUBJECT OF THIS HEARING.**

The 2020 proposed property tax levy includes 14.0000 mills (\$14.0000 per \$1,000 of Taxable Value) for city operations as authorized by charter, 0.9115 mills (\$0.9115 per \$1,000 of Taxable Value) for city operations as provided by the 2018 voted millage, 2.0000 mills (\$2.0000 per \$1,000 of Taxable Value) for capital improvements as provided by the 2018 voted millage and 1.4444 mills (\$1.4444 per \$1,000 of Taxable Value) for road improvements as provided by the 2014 voted millage; for a total millage rate of 18.3559 (\$18.3559 per \$1,000 of Taxable Value.)

The Farmington Downtown Development Authority proposes to levy 1.7818 mills (\$1.7818 per \$1,000 of Taxable Value) on property in the Downtown Development District as allowed by statute.

Public comments, oral or written, are welcome at the hearing on the proposed budget and proposed property tax rate.

The proposed budget, as summarized below, will be on file in the office of the City Manager for public inspection and is also posted in detail on the City's website at [www.farmgov.com](http://www.farmgov.com).

<b><u>Fund</u></b>	<b><u>Revenues</u></b>	<b><u>Expenditures</u></b>
General Fund	\$10,087,208	\$10,087,208
Major Street Fund	1,510,597	2,225,295
Local Street Fund	1,208,950	1,270,377
Municipal Street Fund	531,083	727,400
Capital Improvement Fund	5,000	170,000
Capital Improvement Millage Fund	755,869	1,292,892
Water & Sewer Fund	5,136,487	5,951,150
Farmington Community Theater Fund	495,985	506,478
Nonvoted Debt Service Fund	273,152	273,152
Streetscape Debt Service Fund	72,810	72,810
Grove Special Assessment Debt Service Fund	39,608	80,350
OPEB 2013 LTGO Bonds	554,177	553,927
Employee Accrued Benefits Fund	11,000	15,000
Self Insurance Fund	206,737	206,737
DPW Equipment Revolving Fund	475,000	473,309

**Farmington City Council  
Staff Report**

**Council Meeting  
Date:** May 18, 2020

**Reference  
Number  
6C**

**Submitted by:** David Murphy, City Manager

**Description** Consideration to Amend Fiscal Year 2019-20 Budget

**Requested Action** Move to adopt resolution amending Fiscal Year 2019-20 Budget.

**Background**

Each year in June typically, City Administration requests that the City Council adopt a year-end budget amendment. In the current year 2020, due to the Covid19 Pandemic, the refunding of the City's debt, and the change in timing of various Street and Water & Sewer projects, City Administration is bringing this request to Council in May. Adjusting the budget in May will make it easier for Administration to track financial activity in comparison to the amended budget in this very unusual year, as we approach our fiscal year end.

This budget amendment will adjust the 2019-20 budget to department head estimates **prior to** the pandemic. As discussed in the Management Overview and Analysis of this year's budget document, there are several advantages to this treatment, including highlighting the effects of the pandemic on the City's finances. Administration will report to Council at each future council meeting on how City finances are tracking to the budget

The year-end amendment is based on the estimates provided by departments during the budget process. It includes any construction fund carryovers from the preceding year, one-time items that were discussed during the budget presentation, and simply refining original budget estimates. These estimates were shown in the "FY 2019-20 Projected Activity" column of the budget document presented to City Council on April 20, 2020.

Items to highlight include the following:

**General Fund**

**Revenues:**

- Fines and Forfeits decrease of \$50,000 – Overall decrease in ticket writing by public safety officers.
- Other Revenue increase of \$67,244 – Combination of increase in Investment Income, increased MMRMA distribution and a Brownfield reimbursement for Maxfield Training Center costs.
- Proceeds from debt increase of \$750,000 – Due to the Installment Purchase of the Maxfield Training Center from Farmington Public Schools.

**Expenditures:**

- General Government increase of \$51,444 – In Central Processing/Info Technology, additional laptops and licenses for remote computing purchased. In Treasurer and Building and Grounds, additional employee related expenses (part-time salaries with related fringe benefits) are included. In Attorney, additional attorney expenses related to employee matters and Maxfield Training Center.
- Public Safety increase of \$37,887 – Specifically in Building Inspection/Code Enforcement, the increase is due to a part time administrative position being changed to a full time position and the related fringe benefits associated with the full time position.
- Public Services increase of \$26,753 – Drains maintenance increase due to additional work on Shiawassee Road Storm Sewer Repairs. Also, Rubbish Recycling Collection incurred additional overtime costs and associated fringes due to early snow fall in November impacting leaf collection program.
- Community and Economic Development increase of \$35,807 – Due to costs related to Maxfield Training Center professional services.
- Transfer Debt Service decrease of \$30,948 – Transfer related to OPEB Debt Service reduced due to refunding of debt.
- Transfer, Other funds increase of \$25,000 – Transfer budgeted to Civic Theater Fund to cover operational costs while it is closed due to the Covid19 Pandemic.

**Major Street Fund****Revenues:**

- State Shared Revenues increase of \$39,296 – original estimates were very conservative.
- Contracts increase of \$42,475 – State Trunkline Maintenance revenue higher than originally anticipated because of Grand River drainage system repairs complete by City contractor but paid by the State
- Grants increase of \$267,419 – Freedom Road grant amount increase, more of the project will occur in 2019-20 than originally anticipated. Total grant amount \$1,234,838 and 50% is budgeted in 2019-20.
- Bond Proceeds increase of \$500,000 – Originally Bond Proceeds were budgeted in Major and Local Street Funds (\$1,000,000 and \$700,000 respectively), ultimately the proceeds were allocated only to the Major Street Fund for a total of \$1,500,000. The \$4,000,000 Bond is divided between Roads (\$1,500,000), Water & Sewer (\$2,000,000) and Capital Improvement Millage Fund (\$500,000). Original budgeted amount for the Bond was \$3,700,000 and due to lower than anticipated borrowing rates, the Bond was increased to \$4,000,000 with a Capital Improvement Millage Fund component of \$500,000 being added.

**Expenditures:**

- Construction increase of \$334,584 – due to Freedom Road construction project, more of the project will occur in 2019-20 than originally anticipated. Corresponding grant amount increase mentioned above. Project will continue in the 2020-21 Fiscal Year as well.
- Operation & Maintenance increase of \$50,668 - State Trunkline Maintenance expenditures higher than originally anticipated because of Grand River Drainage system repairs complete by City contractor (contractual services expense) but paid by the State, as mentioned above in Contracts revenue.

- Transfer, Local Street Fund increase of \$230,000 – Increase in Transfer to Local Street Fund to cover additional Concrete Patching & Crack Sealing projects, as well as Sidewalk program.

### **Local Street Fund**

#### **Revenues:**

- Bond Proceeds decrease of \$700,000 – Originally Bond Proceeds were budgeted in Major and Local Street Funds (\$1,000,000 and \$700,000 respectively), ultimately the proceeds were allocated only to the Major Street Fund for a total of \$1,500,000.
- Transfer, Municipal Street Fund increase of \$701,000 – due to increase in construction expenditures for Local Street road resurfacing projects, specifically Mayfield Street.
- Transfer, Major Street Fund increase of \$230,000 – increase to cover additional Concrete Patching & Crack Sealing projects, as well as Sidewalk program.

#### **Expenditures:**

- Construction increase of \$187,751 – increase to Concrete Patching & Crack Sealing projects, as well as Sidewalk program.

### **Municipal Street Fund**

#### **Expenditures:**

- Transfer, Local Street Fund increase of \$701,000 - due to Local Street Road resurfacing projects that were increased, specifically Mayfield Street (mentioned above).

### **Capital Improvement Millage Fund**

#### **Revenues:**

- Bond Proceeds increase of \$500,000 – The \$4,000,000 Bond issued in April 2020 was divided between Roads (\$1,500,000), Water & Sewer (\$2,000,000) and Capital Improvement Millage Fund (\$500,000). Original budgeted amount for the Bond was \$3,700,000 and due to lower than anticipated borrowing rates, the Bond was increased to \$4,000,000 with a Capital Improvement Millage Fund component of \$500,000 being added. The \$500,000 Debt Issue is for the Caddell Drain Major Repairs that will take place in the 2020-21 fiscal year.

#### **Expenditures:**

- Capital Outlay decrease of \$284,875 – Not all budgeted Capital Outlay will occur in 2019-2020, some projects being shifted to 2020-21 and future fiscal years. Projects include Downtown Parking lot, Shiawassee & Drake Park improvements, and Caddell Drain Minor Repairs.

### **Water & Sewer Fund**

#### **Revenues:**

- Bond Proceeds increase of \$1,670,000 – Amount equals Water & Sewer portion of the proceeds in the debt refunding issue of November 2019.

#### **Expenditures:**

- Operations & Maintenance decrease of \$206,042 – Water purchases were lower than budgeted, in addition, the IWC charge was also lower. Reduced staff time in maintenance of lines, meters and hydrants. Due to a more automated process, decrease in staff costs (salaries and related benefits) relating to meter reading and utility billing.
- Capital Outlay decrease of \$702,454 – Capital Projects shifted between Fiscal Years, specifically Belaire Sewer and Mayfield Street into 2020-2021.
- Debt, Principal and Interest increase of \$1,660,336 – Amount relates to the Bond Proceeds listed above. \$1,648,000 was transferred to the escrow agent from the Water & Sewer Fund as part of the debt refunding issue.

### **Farmington Community Theater Fund**

#### **Revenues:**

- Admissions/Rentals/Concessions decrease of \$103,869 – Overall decrease in attendance therefore resulting in lower box office and concession revenue.
- Transfer from General Fund increase by \$25,000 - to cover operational costs while Theater is closed due to the Covid19 Pandemic.

#### **Expenditures:**

- Decrease in Operations and Maintenance of \$53,462 – Lower film rental costs, concession supplies and maintenance expenses relating to the lower attendance mentioned above.

### **DPW Equipment Revolving Fund**

#### **Revenues:**

- Equipment Rental increase of \$40,000 – Anticipated increased use of equipment, therefore additional equipment rental charges to be received from various funds

#### **Expenditures:**

- Capital Outlay decrease of \$91,048 – Pickup truck with crane capital outlay purchase moved into 2020-2021 fiscal year from 2019-2020 fiscal year.

### **Streetscape Debt Service Fund**

#### **Revenues:**

- Bond Proceeds increase of \$630,000 – Amount equals Streetscape Debt portion of the proceeds in the debt refunding issue of November 2019.

#### **Expenditures:**

- Payment to Bond Refunding Escrow Agent increase of \$616,842 - Amount relates to the Bond Proceeds listed above. \$616,842 was transferred to the escrow agent from the Streetscape Debt Service Fund as part of the debt refunding issue.

### **Grove SA Debt Service Fund**

#### **Revenues:**

- Bond Proceeds increase of \$545,000 – Amount equals Grove SA Debt portion of the proceeds in the debt refunding issue of November 2019.

#### **Expenditures:**

- Payment to Bond Refunding Escrow Agent increase of \$897,040 - Amount relates to the Bond Proceeds listed above. \$897,040 was transferred to the escrow agent from the Grove SA Debt Service Fund as part of the debt refunding issue. Note the amount transferred to the escrow agent was significantly higher than the bond proceeds. This debt service fund had a large fund balance because of the payoff of the special assessment on the Groves development. These funds were earning a lower investment rate of return than the interest expense paid on the debt issue. Therefore, it was determined that most of the additional funds should be used to pay down the amount of bonds outstanding.

### **2013 LTGO Bonds (OPEB) Fund**

#### **Revenues:**

- Bond Proceeds increase of \$7,675,000 – Amount equals 2013 LTGO Bonds (OPEB) portion of the proceeds in the debt refunding issue of November 2019.

#### **Expenditures:**

- Payment to Bond Refunding Escrow Agent increase of \$7,406,834 - Amount relates to the Bond Proceeds listed above. \$7,406,834 was transferred to the escrow agent from the 2013 LTGO (OPEB) Fund as part of the debt refunding issue.

#### **Attachments:**

2019-20 Budget Amendment 4 Resolution

**Agenda Review**

**Department Head**

**Finance/Treasurer**

**City Attorney**

**City Manager**

**CITY OF FARMINGTON**

**RESOLUTION \_\_\_\_\_**

Motion by, \_\_\_\_\_ seconded by, \_\_\_\_\_, to adopt the following resolution:

BE IT RESOLVED that the Farmington City Council hereby adjusts the FY 2019-20 budget as shown below; Budget Amendment No. 4; and

<b>GENERAL FUND</b>			
	<u>From</u>	<u>To</u>	<u>Inc./(Decr)</u>
<b>Beginning Fund Balance</b>	<b>\$ 2,494,140</b>	<b>\$ 2,494,140</b>	<b>\$ -</b>
<b>Revenues</b>			
Property Taxes	\$ 5,401,187	\$ 5,416,230	\$ 15,043
Licenses & Permits	160,100	172,550	12,450
Federal Grants	122,161	135,469	13,308
State Shared Revenues & Grants	1,114,351	1,132,925	18,574
Charges For Services	2,058,912	2,076,644	17,732
Fines & Forfeits	500,500	450,500	(50,000)
Other Revenues	225,219	292,463	67,244
Transfer, Capital Improvement Fund	151,756	151,756	-
Proceeds from Debt	-	750,000	750,000
<b>Total Revenues</b>	<b>\$ 9,734,186</b>	<b>\$ 10,578,537</b>	<b>\$ 844,351</b>
<b>Expenditures</b>			
General Government	\$ 1,876,804	\$ 1,928,248	\$ 51,444
47th District Court	492,908	492,908	-
Public Safety	4,231,483	4,269,370	37,887
Public Services	1,304,679	1,331,432	26,753
Community and Economic Development	267,326	303,133	35,807
Health & Welfare	7,071	7,071	-
Recreation & Cultural	817,368	819,601	2,233
Contingency	20,000	20,000	-
Transfer, Debt Service	727,722	696,774	(30,948)
Transfer, Other Funds	-	25,000	25,000
<b>Total Expenditures</b>	<b>\$ 9,745,361</b>	<b>\$ 9,893,537</b>	<b>\$ 148,176</b>
<b>Revenues Over (Under) Expenditures</b>	<b>\$ (11,175)</b>	<b>\$ 685,000</b>	<b>\$ 696,175</b>
<b>Ending Fund Balance</b>	<b>\$ 2,482,965</b>	<b>\$ 3,179,140</b>	<b>\$ 696,175</b>



**STREET FUNDS**

<b>MAJOR STREET FUND:</b>			
	<u>From</u>	<u>To</u>	<u>Inc./(Decr)</u>
<b>Beginning Fund Balance</b>	\$ 961,661	\$ 961,661	\$ -
<b>Revenues</b>			
State Shared Revenue	\$ 665,704	\$ 705,000	\$ 39,296
Contracts	119,649	162,124	42,475
Grants	350,000	617,419	267,419
Other Revenue	203,552	203,531	(21)
Bond Proceeds	<u>1,000,000</u>	<u>1,500,000</u>	<u>500,000</u>
<b>Total Revenues</b>	\$ 2,338,905	\$ 3,188,074	\$ 849,169
<b>Expenditures</b>			
Construction	\$ 1,935,152	\$ 2,269,736	\$ 334,584
Operation & Maintenance	375,312	425,980	50,668
Transfer, Local Street Fund	120,000	350,000	230,000
Debt Service	<u>143,950</u>	<u>162,520</u>	<u>18,570</u>
<b>Total Expenditures</b>	\$ 2,574,414	\$ 3,208,236	\$ 633,822
<b>Revenues Over (Under) Expenditures</b>	\$ (235,509)	\$ (20,162)	\$ 215,347
<b>Ending Fund Balance</b>	\$ 726,152	\$ 941,499	\$ 215,347

<b>LOCAL STREET FUND:</b>			
	<u>From</u>	<u>To</u>	<u>Inc./(Decr)</u>
<b>Beginning Fund Balance</b>	\$ 274,757	\$ 274,757	\$ -
<b>Revenues</b>			
State Shared Revenue	\$ 281,284	\$ 297,000	\$ 15,716
Special Assessments	9,300	8,700	(600)
Other Revenues	20,727	19,260	(1,467)
Bond Proceeds	700,000	-	(700,000)
Transfer, Municipal Street Fund	70,000	771,000	701,000
Transfer, Major Street Fund	<u>120,000</u>	<u>350,000</u>	<u>230,000</u>
<b>Total Revenues</b>	\$ 1,201,311	\$ 1,445,960	\$ 244,649
<b>Expenditures</b>			
Construction	\$ 1,107,000	\$ 1,294,751	\$ 187,751
Operation & Maintenance	<u>241,197</u>	<u>263,815</u>	<u>22,618</u>
<b>Total Expenditures</b>	\$ 1,348,197	\$ 1,558,566	\$ 210,369
<b>Revenues Over (Under) Expenditures</b>	\$ (146,886)	\$ (112,606)	\$ 34,280
<b>Ending Fund Balance</b>	\$ 127,871	\$ 162,151	\$ 34,280

<b>MUNICIPAL STREET FUND:</b>			
	<u>From</u>	<u>To</u>	<u>Inc./(Decr)</u>
<b>Beginning Fund Balance</b>	\$ 659,919	\$ 659,919	\$ -
<b>Revenues</b>			
Property Taxes	\$ 508,424	\$ 508,071	\$ (353)
State Shared Revenue	3,881	3,900	19
Other Revenue	14,000	14,000	-
<b>Total Revenues</b>	<b>\$ 526,305</b>	<b>\$ 525,971</b>	<b>\$ (334)</b>
<b>Expenditures</b>			
Transfer, Local Street Fund	\$ 70,000	\$ 771,000	\$ 701,000
<b>Total Expenditures</b>	<b>\$ 70,000</b>	<b>\$ 771,000</b>	<b>\$ 701,000</b>
<b>Revenues Over (Under) Expenditures</b>	<b>\$ 456,305</b>	<b>\$ (245,029)</b>	<b>\$ (701,334)</b>
<b>Ending Fund Balance</b>	<b>\$ 1,116,224</b>	<b>\$ 414,890</b>	<b>\$ (701,334)</b>

### CAPITAL PROJECTS FUNDS

<b>CAPITAL IMPROVEMENT MILLAGE FUND:</b>			
	<u>From</u>	<u>To</u>	<u>Inc./(Decr)</u>
<b>Beginning Fund Balance</b>	\$ -	\$ -	\$ -
<b>Revenues</b>			
Property Taxes	\$ 723,000	\$ 722,398	\$ (602)
Other Revenue	1,000	7,000	6,000
Bond Proceeds	-	500,000	500,000
<b>Total Revenues</b>	<b>\$ 724,000</b>	<b>\$ 1,229,398</b>	<b>\$ 505,398</b>
<b>Expenditures</b>			
Capital Outlay	\$ 716,000	\$ 431,125	(284,875)
Debt	-	11,250	11,250
<b>Total Expenditures</b>	<b>\$ 716,000</b>	<b>\$ 442,375</b>	<b>\$ (273,625)</b>
<b>Revenues Over (Under) Expenditures</b>	<b>\$ 8,000</b>	<b>\$ 787,023</b>	<b>\$ 779,023</b>
<b>Ending Fund Balance</b>	<b>\$ 8,000</b>	<b>\$ 787,023</b>	<b>\$ 779,023</b>

**ENTERPRISE FUNDS**

<b>WATER &amp; SEWER FUND:</b>			
	<u>From</u>	<u>To</u>	<u>Inc./(Decr)</u>
<b>Beginning Fund Balance</b>	\$ 2,937,219	\$ 2,937,219	\$ -
<b>Revenues</b>			
Water Service Charges	2,224,183	2,219,383	(4,800)
Sewer Service Charges	2,774,739	2,769,239	(5,500)
Other Revenues	158,000	137,094	(20,906)
Bond Proceeds	2,000,000	3,670,000	1,670,000
<b>Total Revenues</b>	<b>\$ 7,156,922</b>	<b>\$ 8,795,716</b>	<b>\$ 1,638,794</b>
<b>Expenditures</b>			
Operations & Maintenance	\$ 4,403,305	\$ 4,197,263	\$ (206,042)
Capital Outlay	2,521,394	1,818,940	(702,454)
Transfer, OPEB Debt Service	23,280	21,663	(1,617)
Debt, Principal and Interest	324,716	1,985,052	1,660,336
<b>Total Expenditures</b>	<b>\$ 7,272,695</b>	<b>\$ 8,022,918</b>	<b>\$ 750,223</b>
<b>Revenues Over (Under) Expenditures</b>	<b>\$ (115,773)</b>	<b>\$ 772,798</b>	<b>\$ 888,571</b>
<b>Ending Fund Balance</b>	<b>\$ 2,821,446</b>	<b>\$ 3,710,017</b>	<b>\$ 888,571</b>

<b>FARMINGTON COMMUNITY THEATER FUND:</b>			
	<u>From</u>	<u>To</u>	<u>Inc./(Decr)</u>
<b>Beginning Fund Balance</b>	\$ 43,751	\$ 43,751	\$ -
<b>Revenues</b>			
Admissions/Rentals/Concessions	\$ 568,549	\$ 464,680	\$ (103,869)
Other Revenues	1,700	2,500	800
Transfer, General Fund	-	25,000	25,000
<b>Total Revenues:</b>	<b>\$ 570,249</b>	<b>\$ 492,180</b>	<b>\$ (78,069)</b>
<b>Expenditures</b>			
Operations & Maintenance	\$ 541,373	\$ 487,911	\$ (53,462)
Capital Outlay	15,000	-	(15,000)
<b>Total Expenditures</b>	<b>\$ 556,373</b>	<b>\$ 487,911</b>	<b>\$ (68,462)</b>
<b>Revenues Over (Under) Expenditures</b>	<b>\$ 13,876</b>	<b>\$ 4,269</b>	<b>\$ (9,607)</b>
<b>Ending Fund Balance</b>	<b>\$ 57,627</b>	<b>\$ 48,020</b>	<b>\$ (9,607)</b>

**INTERNAL SERVICE FUNDS**

<b>DPW EQUIPMENT REVOLVING FUND</b>			
	<u>From</u>	<u>To</u>	<u>Inc./((Decr)</u>
<b>Beginning Fund Balance (Projected)</b>	\$ 472,443	\$ 472,443	\$ -
<b>Revenues</b>			
Equipment Rental	\$ 430,000	\$ 470,000	\$ 40,000
Other Revenues	<u>7,000</u>	<u>7,000</u>	<u>-</u>
<b>Total Revenues</b>	<b>\$ 437,000</b>	<b>\$ 477,000</b>	<b>\$ 40,000</b>
<b>Expenditures</b>			
Operations & Maintenance	\$ 290,476	\$ 295,618	\$ 5,142
Capital Outlay	<u>645,548</u>	<u>554,500</u>	<u>(91,048)</u>
<b>Total Expenditures</b>	<b>\$ 936,024</b>	<b>\$ 850,118</b>	<b>\$ (85,906)</b>
<b>Revenues Over (Under) Expenditures</b>	<b>\$ (499,024)</b>	<b>\$ (373,118)</b>	<b>\$ 125,906</b>
<b>Ending Fund Balance</b>	<b>\$ (26,581)</b>	<b>\$ 99,325</b>	<b>\$ 125,906</b>

<b>SELF INSURANCE FUND</b>			
	<u>From</u>	<u>To</u>	<u>Inc./((Decr)</u>
<b>Beginning Fund Balance (Projected)</b>	\$ 221,938	\$ 221,938	\$ -
<b>Revenues</b>			
Charges for Service	\$ 215,028	\$ 199,075	\$ (15,953)
Other Revenues	<u>5,000</u>	<u>6,000</u>	<u>1,000</u>
<b>Total Revenues</b>	<b>\$ 220,028</b>	<b>\$ 205,075</b>	<b>\$ (14,953)</b>
<b>Expenditures</b>			
Claims Expense	\$ 30,000	\$ 30,000	\$ -
Admin and Reinsurance	<u>190,028</u>	<u>175,075</u>	<u>(14,953)</u>
<b>Total Expenditures</b>	<b>\$ 220,028</b>	<b>\$ 205,075</b>	<b>\$ (14,953)</b>
<b>Revenues Over (Under) Expenditures</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Ending Fund Balance</b>	<b>\$ 221,938</b>	<b>\$ 221,938</b>	<b>\$ -</b>

**DEBT SERVICE FUNDS**

<b>GENERAL DEBT SERVICE FUND</b>			
	<u>From</u>	<u>To</u>	<u>Inc./((Decr)</u>
<b>Beginning Fund Balance (Projected)</b>	\$ 2,662	\$ 2,662	\$ -
<b>Revenues</b>			
Transfer, General Fund	\$ 159,171	\$ 159,171	\$ -
Transfer, Special Assess Debt Service Fund	-	500	500
<b>Total Revenues:</b>	<b>\$ 159,171</b>	<b>\$ 159,671</b>	<b>\$ 500</b>
<b>Expenditures</b>			
Debt Service	\$ 159,171	\$ 159,171	\$ -
<b>Total Expenditures</b>	<b>\$ 159,171</b>	<b>\$ 159,171</b>	<b>\$ -</b>
<b>Revenues Over (Under) Expenditures</b>	<b>\$ -</b>	<b>\$ 500</b>	<b>\$ 500</b>
<b>Ending Fund Balance</b>	<b>\$ 2,662</b>	<b>\$ 3,162</b>	<b>\$ 500</b>

<b>SPECIAL ASSESSMENT DEBT SERVICE FUND</b>			
	<u>From</u>	<u>To</u>	<u>Inc./((Decr)</u>
<b>Beginning Fund Balance (Projected)</b>	\$ 338	\$ 338	\$ -
<b>Revenues</b>			
Transfer, General Fund	\$ 126,002	\$ 126,002	\$ -
Special Assessments	31,179	31,179	-
Other Revenue	1,219	1,381	162
<b>Total Revenues:</b>	<b>\$ 158,400</b>	<b>\$ 158,562</b>	<b>\$ 162</b>
<b>Expenditures</b>			
Bonds, Principal	\$ 155,000	\$ 155,000	\$ -
Bonds, Interest	3,100	3,100	-
Bonds, Paying Agent	300	300	-
Transfer, General Debt Service Fund	\$ -	\$ 500.00	-
<b>Total Expenditures</b>	<b>\$ 158,400</b>	<b>\$ 158,900</b>	<b>\$ 500</b>
<b>Revenues Over (Under) Expenditures</b>	<b>\$ -</b>	<b>\$ (338)</b>	<b>\$ (338)</b>
<b>Ending Fund Balance</b>	<b>\$ 338</b>	<b>\$ -</b>	<b>\$ (338)</b>

<b>STREETSCAPE DEBT SERVICE FUND</b>			
	<u>From</u>	<u>To</u>	<u>Inc./((Decr)</u>
<b>Beginning Fund Balance (Projected)</b>	\$ -	\$ -	\$ -
<b>Revenues</b>			
DDA Contribution	\$ 79,876	\$ 72,199	\$ (7,677)
Bond Proceeds	-	630,000	630,000
<b>Total Revenues:</b>	<b>\$ 79,876</b>	<b>\$ 702,199</b>	<b>\$ 622,323</b>
<b>Expenditures</b>			
Bonds, Principal	\$ 50,000	\$ 50,000	\$ -
Bonds, Interest	29,576	23,460	(6,116)
Bonds, Paying Agent Fees	300	300	-
Bond Costs	-	8,033	8,033
Payment to Bond Refunding Escrow Agent	-	616,842	616,842
<b>Total Expenditures</b>	<b>\$ 79,876</b>	<b>\$ 698,635</b>	<b>\$ 618,759</b>
<b>Revenues Over (Under) Expenditures</b>	<b>\$ -</b>	<b>\$ 3,564</b>	<b>\$ 3,564</b>
<b>Ending Fund Balance</b>	<b>\$ -</b>	<b>\$ 3,564</b>	<b>\$ 3,564</b>

<b>GROVE SA DEBT SERVICE FUND</b>			
	<u>From</u>	<u>To</u>	<u>Inc./((Decr)</u>
<b>Beginning Fund Balance (Projected)</b>	\$ 512,573	\$ 512,573	\$ -
<b>Revenues</b>			
DDA Contribution	\$ 38,495	\$ 38,445	\$ (50)
Bond Proceeds	-	545,000	545,000
Other Revenue	5,000	5,000	-
<b>Total Revenues:</b>	<b>\$ 43,495</b>	<b>\$ 588,445</b>	<b>\$ 544,950</b>
<b>Expenditures</b>			
Bonds, Principal	\$ 65,000	\$ 65,000	\$ -
Bonds, Interest	31,470	25,808	(5,662)
Bonds, Paying Agent	250	250	-
Bond Costs	-	6,953	6,953
Payment to Bond Refunding Escrow Agent	-	897,040	897,040
<b>Total Expenditures</b>	<b>\$ 96,720</b>	<b>\$ 995,051</b>	<b>\$ 898,331</b>
<b>Revenues Over (Under) Expenditures</b>	<b>\$ (53,225)</b>	<b>\$ (406,606)</b>	<b>\$ (353,381)</b>
<b>Ending Fund Balance</b>	<b>\$ 459,348</b>	<b>\$ 105,967</b>	<b>\$ (353,381)</b>

<b>2013 LTGO BONDS (OPEB) FUND</b>			
	<u>From</u>	<u>To</u>	<u>Inc./ (Decr)</u>
<b>Beginning Fund Balance (Projected)</b>	\$ 11,857	\$ 11,857	\$ -
<b>Revenues</b>			
Transfer, General Fund	\$ 442,311	\$ 411,601	\$ (30,710)
Transfer, Water & Sewer	23,280	21,663	(1,617)
Bond Proceeds	-	7,675,000	7,675,000
Other Income	1,500	250	(1,250)
<b>Total Revenues:</b>	<b>\$ 467,091</b>	<b>\$ 8,108,514</b>	<b>\$ 7,641,423</b>
<b>Expenditures</b>			
Bonds, Principal	\$ 70,000	\$ 290,000	\$ 220,000
Bonds, Interest	395,590	308,741	(86,849)
Bonds, Paying Agent	250	250	-
Bond Costs	-	97,863	97,863
Payment to Bond Refunding Escrow Agent	-	7,406,834	7,406,834
<b>Total Expenditures</b>	<b>\$ 465,840</b>	<b>\$ 8,103,688</b>	<b>\$ 7,637,848</b>
<b>Revenues Over (Under) Expenditures</b>	<b>\$ 1,251</b>	<b>\$ 4,826</b>	<b>\$ 3,575</b>
<b>Ending Fund Balance</b>	<b>\$ 13,108</b>	<b>\$ 16,683</b>	<b>\$ 3,575</b>

BE IT FURTHER RESOLVED that the City Treasurer is hereby authorized to pay all claims and accounts properly chargeable to the forgoing appropriations, as may be amended by the Council from time to time, provided that said claims and accounts have been lawfully incurred and approved by Council or any other elected or appointed officer of the City authorized to make such expenditures; and

BE IT FURTHER RESOLVED that the City Manager shall prepare for the Council a financial report each quarter on the status of City funds as contained within the City budget.

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L:  
 AYES:  
 NAYS:  
 ABSENT:  
 RESOLUTION DECLARED ADOPTED

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MARY MULLISON, CITY CLERK

I, Mary Mullison, duly authorized Clerk for the City of Farmington, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Farmington City Council at a regular meeting held on Monday, May 18, 2020, in the City of Farmington, Oakland County, Michigan.

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MARY MULLISON, CITY CLERK

<b>Farmington City Council Staff Report</b>	<b>Council Meeting Date:</b> May 18, 2020	<b>Item Number 6D</b>
<b>Submitted by:</b> Charles Eudy, Superintendent		
<b>Agenda Topic:</b> Great Lakes Water Authority Industrial Pretreatment Program & Resolution		
<b>Proposed Motion:</b> Move to adopt resolution implementing the Great Lakes Water Authority Industrial Pretreatment Program.		
<b>Background:</b> <p>As the transition from Detroit Water &amp; Sewerage (DWSD) to Great Lakes Water Authority (GLWA) evolves, the need to adopt the GLWA Industrial Pretreatment Program (IPP) is required. DWSD is no longer the National Pollution Discharge Elimination System (NPDES) permittee for the regional system, GLWA is now the permittee of the NPDES permit issued by the State of Michigan for the regional system. DWSD is only responsible for the sewage system discharge within the City of Detroit and the discharge to GLWA.</p> <p>The City of Farmington sanitary sewage discharges to the GLWA regional system, the City of Farmington must approve the resolution and update the Code of Ordinances. .</p> <p>The GLWA Rules also includes the new requirements for PFOS/PFOA minimization, a surcharge for high strength discharge, hauled waste and Special Discharge &amp; General Permits. In the end, the new Rules will replace and update 30-40 year old language and requirements.</p>		
<b>Materials:</b> Attachment from legal council GLWA Rules Resolution		



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ROSATI | SCHULTZ  
JOPPICH | AMTSBUECHLER

May 13, 2020

Charles Eudy  
Superintendent, Department of Public Works  
City of Farmington  
33720 West Nine Mile Road  
Farmington, MI 48335

**RE: Great Lakes Water Authority - Industrial Pretreatment Program and Resolution**

Dear Chuck:

We have reviewed the proposed Rules governing enforcement of Industrial Pretreatment Program Requirements that have been provided by the Great Lakes Water Authority (GLWA) for the purpose of regulating industrial discharge into the City's sanitary sewage disposal system. The City is required to implement the updated Rules because the City's sanitary sewage system discharges to GLWA's system. The proposed Rules will eventually update and replace the existing Detroit Water and Sewerage Department Discharge Prohibitions and corresponding industrial pretreatment regulations set forth in Chapter 34 of the City Code, Sections 34-125 through 34-134, which are 30-40 years old.

The updated Industrial Pretreatment Program regulations have been provided by GLWA in connection with the requirements of their most recent NPDES Permit issued by the State of Michigan in accordance with state and federal law, including the Federal Water Pollution Control Act, 33 USC Section 1251, et. seq., the General Pretreatment Regulations for Existing and New Sources of Pollution, 40 CFR 403, and the National Categorical Pretreatment Standards contained in 40 CFR Sections 405-471. The updated Rules include new regulations regarding PFOS/PFOA minimization, a surcharge for high strength discharge, hauled waste, and Special Discharge & General Permits.

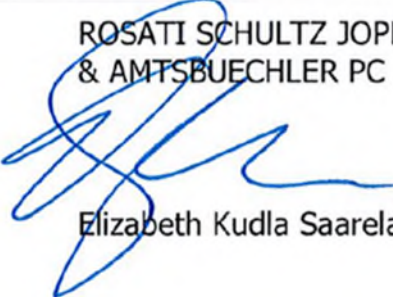
Because the updated Rules are required by state and federal law for compliance with GLWA's NPDES Permit, we see no legal impediment to passing the Resolution. Once all communities discharging into GLWA's sanitary sewage system have adopted the Resolution, GLWA will adopt and publish the updated Rules as required by applicable law. Once published, the City of Farmington should repeal Sections 34-125 through 34-134, which will conflict with the updated Rules. The updated Rules are contractually binding pursuant to the Resolution.

Please feel free to contact me with any questions or concerns in regard to this matter.

Charles Eudy  
Superintendent, Department of Public Works  
City of Farmington  
May 13, 2020  
Page 2

Very truly yours,

ROSATI SCHULTZ JOPPICH  
& AMTSBUECHLER PC

A handwritten signature in blue ink, appearing to read 'Elizabeth Kudla Saarela', is written over the printed name. The signature is stylized with large loops and a long horizontal stroke at the end.

Elizabeth Kudla Saarela

EKS

Enclosure

C: Mary Mullison, Clerk(w/Enclosure)  
David Murphy, City Manager(w/Enclosure)  
Thomas R. Schultz, Esquire (w/Enclosure)

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**PREAMBLE**

WHEREAS, the GREAT LAKES WATER AUTHORITY (the “GLWA”), a municipal authority and public body corporation organized and existing under and pursuant to the provisions of Act No. 233, Public Acts of Michigan, 1955, as amended (“Act 233”), for the purpose of establishing a regional Sewage Disposal System to operate, control, and improve the Sewage Disposal System leased from the City of Detroit;

WHEREAS, the GLWA has been incorporated for the purpose of, among other things, acquiring, owning, leasing, improving, enlarging, extending, financing, refinancing, and operating a sewage disposal system, including stormwater collection and treatment system, or combination of such systems.

WHEREAS, the GLWA promulgates these rules and regulations for the protection of the environment, the public health and safety by abating and preventing pollution through the regulation and control of the quantity and quality of sewage, industrial wastes, and other wastes admitted to or discharged into the sewerage systems, and sewage treatment facilities under the jurisdiction of the GLWA and enabling the GLWA to comply with all applicable state and federal laws required by the Federal Water Pollution Control Act, being 33 U.S.C. 1251, et. seq.; the General Pretreatment Regulations for Existing and New Sources of Pollution (40 CFR 403); and the National Categorical Pretreatment Standards at 40 CFR 405 – 471.

WHEREAS, the GLWA seeks to create a uniform code for the regulation of wastes and wastewaters discharged into the collection system for all participating municipalities; prevent the introduction of pollutants into the wastewater systems which will interfere with the operation of the system; contaminate the resulting sludge; would pose a hazard to the health or welfare and safety of people, their communities and to employees of the GLWA; prevent the introduction of pollutants into the wastewater system which will pass inadequately treated, through the system, into receiving waters, the atmosphere, the environment or otherwise be incompatible with the system; provide for the recovery of the costs from Users of the wastewater collection and treatment system sufficient to administer regulatory activities and meet the costs of the operation, maintenance, improvement or replacement of the system;

WHEREAS, the GLWA promulgates these rules and regulations to establish additional requirements and limitations for classes of wastewater originating from non-domestic sources, and those qualifying under one or more of the promulgated National Pretreatment Standards, establishes systems for authorizing and permitting wastewater discharges and the enforcement of the limitations and requirements stated herein.

**NOW, THEREFORE, THE GREAT LAKES WATER AUTHORITY ENACTS THESE RULES AND REGULATIONS AS FOLLOWS IN CHAPTERS I – VIII:**

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**CHAPTER I - DEFINITIONS**

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There are a number of regulatory phrases and terms which are used in these Rules and Regulations that warrant definition. The terms included in this Chapter apply to all successive chapters and rules that have been or may be developed by the Control Authority. Where applicable, the terms reference the applicable federal regulation. Terms that have not been listed and defined here have their standard and ordinary meaning.

The meaning of the terms used in these Rules and Regulations shall be as follows:

“**Act**”, or “**Clean Water Act**” means the Federal Water Pollution Control Act as amended by the Clean Water Act of 1977 (Pub. L. 95-217), 33 U.S.C. 1251, et seq. It establishes responsibilities of Federal, State, and local government, industry and the public to implement National Pretreatment Standards to control pollutants which pass through or interfere with treatment processes in Publicly Owned Treatment Works (“POTWs”) or which may contaminate sewage sludge.

“**Administrator**” means the Administrator of the USEPA.

“**Authorized Representative**” means:

(1) If the Industrial User is a corporation; (a) the president, vice-president, secretary, or treasurer of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or (b) the manager of one or more manufacturing, production, or operation facilities employing more than two hundred fifty (250) persons or having gross annual sales or expenditures exceeding twenty-five million dollars (\$25,000,000.00) in second-quarter 1980 dollars, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures; or

(2) If the Industrial User is a partnership or sole proprietorship: a general partner or proprietor respectively; or

(3) if the Industrial User is a Federal, State or local government facility: a director or highest official appointed or designated to oversee the operation and performance of activities of the government facility, or their designee.

The individual described in sub-paragraphs 1 through 3, above, may designate another duly-Authorized Representative if the authorization is in writing; the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for the environmental matters for the company; and the written authorization is submitted to the GLWA.

“**Baseline Monitoring Report**” or “**BMR**” means the report containing information required by 40 CFR 403.12(b) from any Industrial Users subject to a Categorical Pretreatment Standard.

“**Best Management Practice Plan**” or “**BMP**” means schedules of activities, prohibitions of practices,

maintenance procedures, and other management practices to implement the prohibitions listed in 40 CFR 403.5(a)(1) and (b). BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

**“Biochemical Oxygen Demand”** or **“BOD”** means the quantity of dissolved oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure five (5) days at twenty (20) degrees centigrade expressed in terms of mass and concentration (milligrams per liter (mg/l)) as measured by standard methods.

**“Board”** means the Board of the Great Lakes Water Authority.

**“Bypass”** means the intentional diversion of wastestreams from any portion of an Industrial User’s treatment facility.

**“Categorical Significant Industrial User”** or **“CSIU”** means a Significant Industrial User subject to a categorical pretreatment standard or a categorical standard.

**“Categorical Pretreatment Standard”** or **“Categorical Standard”** means any regulation containing pollutant discharge limits promulgated by EPA in accordance with sections 307(b) and (c) of the Act (33 U.S.C. 1317) that apply to a specific category of Industrial Users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

**“Centralized Waste Treatment Facility”** or **“CWT”** means any facility that treats any hazardous or nonhazardous industrial waste received from off-site by tanker truck, trailer/roll-off bins, drums, barges, or any other forms of shipment including: a facility that treats industrial waste received exclusively from off-site; and a facility that treats industrial waste generated on-site as well as industrial waste received from off-site.

**“Chief Compliance Officer”** means the Chief Compliance Officer for GLWA or his/her designee.

**“Chief Executive Officer”** means the Chief Executive Officer of the GLWA, or his or her designee.

**“Code of Federal Regulations”** or **“CFR”** means the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the United States Government.

**“Collection System”** means the sewers, pump stations, force mains, air release valves, vacuum release valves, flow meters, sampling equipment, regulators, and other appurtenant equipment or devices used to convey sewage to the Water Resource and Recovery Facility.

**“Combined Wastestream Formula”** means the formulae contained in 40 CFR 403.6(e) for calculating alternative concentration limits or alternative mass limits where regulated wastewater is mixed prior to treatment with unregulated and diluting wastewater; and necessary for determining compliance with categorical pretreatment standards.

**“Control Authority”** means the GLWA, upon being officially designated as such by the State of Michigan under the provisions of 40 CFR 403.11, and the persons included in the designation enumerated in Chapter II, Article I.

## GLWA Rules

“**Cooling Water**” means the noncontact water discharged from any use, including but not limited to air conditioning, cooling or refrigeration, and whose only function is the exchange of heat.

“**Daily Maximum**” means the arithmetic average of all effluent samples for a pollutant collected during a 24-hour period used to represent a day.

“**Daily Maximum Limit**” means the maximum allowable discharge limit of a pollutant during a 24-hour period used to represent a day. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

“**Days**” mean consecutive calendar days for the purpose of computing a period of time prescribed or allowed by these Rules.

“**Direct Discharge**” means the discharge of treated or untreated wastewater directly into the waters of the State of Michigan.

“**Discharger**” means a person who, directly or indirectly, with or without intent, contributes, causes, or permits wastewater to be discharged into the POTW by means of, but not limited to, pipes, conduits, pumping stations, ditches or tank trucks and all constructed devices and appliances appurtenant thereto.

“**Domestic Sewage**” means the liquid and water-carried waste and wastewater typically generated from humans or household operations which is discharged to, or otherwise enters, a treatment works from sanitary activities such as kitchens, bathrooms, lavatories and toilets.

“**Domestic Strength of Sewage**” means the pollutant and pollutant concentrations adopted by the Board for the purpose of representing waste and wastewater contributions from Domestic Sources for the Surcharge Program for High Strength Wastewater.

“**Domestic Source**” means residential dwellings including single family and multifamily (regardless of size) from which only domestic sewage is discharged.

“**Environmental Remediation Wastewater**” means wastewater in the form of leachate or wastewaters from clean-up actions pursuant to Comprehensive Environmental Response, Compensation, and Liability Act, or sites of leaking underground storage tanks which are discharged to and commingled with sewage and conveyed to the GLWA sewerage system.

“**Existing Source**” means any facility that is not a “New Source.”

“**Fats, Oils and Greases or “FOG”** mean organic polar and non-polar compounds. Polar compounds are derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. Organic non-polar fraction of oil and grease (petroleum hydrocarbons) is identified as Silica gel treated n-hexane extractable materials (SGT-HEM) in the pretreatment standards.

“**Hazardous Waste**” means any industrial waste, production residue, sewage or sludge which is classified as a hazardous waste pursuant to 40 CFR 261.

“**High Strength Wastewater**” includes any wastewater discharged from a User in excess of the

Domestic Strength of Sewage maximum level, and for which a Pollutant Surcharge has been developed and adopted.

**“Michigan Department of Environment, Great Lakes, and Energy”** or **“EGLE”** means the Agency of the State of Michigan responsible for Environmental Protection and designated by US EPA as the Approval Authority.

**“Indirect discharge”** means the discharge or the introduction of pollutants into the POTW from any non-domestic source regulated under 33 U.S.C. § 1317(b), (c) or (d).

**“Industrial User”** or **“IU”** means a User who is a source of indirect discharge.

**“Industrial Waste”** means the liquid and water-carried wastes and all solid, liquid or gaseous waste components thereof, resulting from any commercial, industrial, manufacturing, agricultural, trade or business operation or process or from the development, recovery or processing of natural resources, but does not include Domestic sewage.

**“Industrial Waste Control Group”** or **“IWC”** means the organizational group responsible for administration, implementation and enforcement of the Industrial Pretreatment Program, Surcharge r Program, Hauled Waste Program and similar regulatory programs on behalf of the Control Authority.

**“Industrial Waste Control Operations Manager”** means the Operations Manager of Industrial Waste of the Control Authority, and authorized staff of the Industrial Waste Control Group.

**“Infiltration”** means water entering a sewer system, including sewer service connections from the ground through such means as, but not limited to, defective pipes, porous pipes, pipe joints, connections or manhole walls. Infiltration does not include, and is distinguished from, inflow.

**“Inflow”** means water discharged into a sewer system, including service connections, from such sources as, but not limited to, roof leaders, cellars, yards, and area drains, foundation drains, cooling water discharges, drains from springs and swampy areas, manhole covers, cross connections from storm sewers and combined sewers, catch-basins, stormwater, surface run-off, street wash-waters, or drainage and river inflow. Inflow does not include, and is distinguished from, infiltration.

**“Instantaneous Limit”** means the maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

**“Interference”** means a discharge which, alone or in conjunction with a discharge or discharges from other sources, both: (i) inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and (ii) therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): Section 405 of the Act, the Solid Waste Disposal Act (“SWDA”) (including Title II, more commonly referred to as the Resource



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Conservation and Recovery Act (“RCRA”), and including state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA, the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

“**Member Community**” means any county, township, city or village receiving wastewater services from the GLWA.

“**Minor User**” a User who does not meet the definition of a Significant Industrial User but is authorized to discharge to the POTW.

“**Monthly Average**” means the sum of all “daily discharges” measured during a calendar month divided by the number of “daily discharges” measured during that month.

“**National Pretreatment Standard**”, “**Pretreatment Standard**” or “**Standard**” means any regulation containing pollutant discharge limits promulgated by the USEPA in accordance with Section 307 (b) and (c) of the Act, which applies to Industrial Users. This term includes prohibitive discharge limits established pursuant to 40 CFR 403.5.

“**National Pollutant Discharge Elimination System**” or “**NPDES**” means the permit and regulation system governing direct discharges into navigable waters administered by the EGLE and USEPA.

“**New Source**” means any building, structure, facility or installation from which there is or may be the discharge of pollutants, the construction of which is commenced after the publication of proposed regulations prescribing a standard of performance under Section 307(c) of the Act which will be applicable to such source if such standard is thereafter promulgated in accordance with section 307(c) of the Act.

“**Non-detect**” means the achievable laboratory testing quantification level for ascertaining the amount of a pollutant in a wastestream using analytical methods specified in or approved under 40 CFR 136, or pursuant to rules adopted by the EGLE or the USEPA.

“**North American Industrial Classification System**” or “**NAICS**” means a standard used by Federal statistical agencies to classify business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the United States business economy, as developed by the Office of Management and Budget (OMB), and adopted in 1997 to replace the Standard Industrial Classification (SIC) system.

“**Rules and Regulations**” mean the Sewage and Waste Control Rules and Regulations of the Control Authority and any rules, regulations and orders adopted by the Board pertaining thereto.

“**Pass-through**” means a discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW’s NPDES permit (including an increase in the magnitude or duration of a violation).

“**Person**” means any individual, partnership, co-partnership, firm, company, corporation, association, joint venture, joint stock company, sole proprietorship, trust, estate, co-partnership, unit of government, school authority, or private corporation organized or existing under the laws of the State of Michigan or any other

state or country.

“**PFAS Compounds**” mean the list of perfluoroalkyl and polyfluoroalkyl substances that the EGLE has identified as emerging contaminants; which includes: Perfluorotetradecanoic acid (PFTeA), Perfluorotridecanoic acid (PFTriA), Perfluorododecanoic acid (PFDoA), Perfluoroundecanoic acid (PFUnA), Perfluorodecanoic acid (PFDA), Perfluorononanoic acid (PFNA), Perfluorooctanoic acid (PFOA), Perfluoroheptanoic acid (PFHpA), Perfluorohexanoic acid (PFHxA), Perfluoropentanoic acid (PFPeA), Perfluorobutanoic acid (PFBA), Perfluorodecanesulfonic acid (PFDS), Perfluorononanesulfonic acid (PFNS), Perfluorooctanesulfonic acid (PFOS), Perfluoroheptanesulfonic acid (PFHpS), Perfluorohexanesulfonic acid (PFHxS), Perfluoropentanesulfonic acid (PFPeS), Perfluorobutanesulfonic acid (PFBS), Perfluorooctanesulfonamide (PFOSA), Fluorotelomer sulphonic acid 8:2 (FtS 8:2), Fluorotelomer sulphonic acid 6:2 (FtS 6:2), Fluorotelomer sulphonic acid 4:2 (FtS 4:2), 2-(N-Ethylperfluorooctanesulfonamido) acetic acid (N-EtFOSAA), 2-(NMethylperfluorooctanesulfonamido) acetic acid (N-MeFOSAA); or as amended.

“**pH**” means the intensity of the acid or base condition of a solution, calculated by taking the negative base-ten logarithm of the hydrogen ion activity. Activity is deemed to be equal to concentration in moles per liter.

“**Pollution**” means the man-made or man induced alteration of the chemical, physical, biological and radiological integrity of water.

“**Pollutant Strength Level**” means the concentrations of BOD, TSS, Phosphorus and FOG determined to be present in the wastewater discharged from a User and used to calculate the Surcharge for the High Strength Wastewater contributed by the User.

“**Phosphorus**” means the total concentration of all forms of organic and inorganic phosphorus compounds as measured by standard methods, expressed in mg/l.

“**Pretreatment**” means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into a POTW. This reduction or alteration can be obtained by physical, chemical or biological processes; by process changes; or by other means, except by diluting the concentration of pollutants unless allowed by an applicable Pretreatment Standard.

“**Pretreatment Requirements**” means any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard, imposed on an Industrial User.

“**Process Wastewater**” means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product or waste product.

“**Publicly Owned Treatment Works**” or “**POTW**” means a treatment works as defined by 33 U.S.C. 1292(2)(A) which is owned by a state or municipality, as defined in 33 U.S.C. 1362, including: Any devices and systems used in the storage, treatment, recycling, or reclamation of municipal sewage or industrial

wastes of a liquid nature; or sewers, pipes and other conveyances only if they convey wastewater to a POTW treatment plant; or the municipality, as defined in 33 U.S.C. 1362, which has jurisdiction over the Indirect Discharges to and the discharges from such a treatment works. For these Rules and Regulations, POTWs include the Control Authority's wastewater facilities.

**“Regulatory Activities”** mean all programs and activities conducted by the Industrial Waste Control Group to meet its obligations under the NPDES Permit MI 0022802 and the Clean Water Act, and any rules adopted by the Board, including, but not limited to, an Industrial Pretreatment Program; Surcharge Program; Hauled Waste Program, Groundwater and Special Discharge Program.

**“Septage” or “Septage Waste”** means Domestic Sewage generated by sources without a direct connection to the sewerage system, including untreated and partially treated sewage solids, liquids, and sludge of human or domestic origin that is removed from a wastewater system for disposal through truck or other hauling.

**“Sewerage System”** means sewers, intercepting sewers, pipes or conduits, pumping stations, force mains, constructed drainage ditches, surface water intercepting ditches, and all other constructions, devices and appliances appurtenant thereto used for collecting or conducting sewage, industrial waste or other wastes to a point of treatment or ultimate disposal.

**“Significant Noncompliance”** means any Significant Industrial User who violates one (1) or more of the criteria of 40 CFR 403.8(f)(2)(viii)(a)-(h); or any Industrial User who violates one (1) or more of the criteria of 40 CFR 403.8(f)(2)(viii)(c), (d) or (h). (See Article XIII).

**“Significant Industrial User” or “SIU”** means any User who discharges to the POTW and which:

- (1) Has an average discharge flow of twenty-five thousand (25,000) gallons per day or more of process wastewater excluding sanitary, boiler blowdown, and noncontact cooling water; or
- (2) Has discharges subject to the national categorical pretreatment standards; or
- (3) Requires pretreatment to comply with the specific pollutant limitations of these Rules; or
- (4) Has in its discharge, toxic pollutants as defined pursuant to 33 U.S.C. 1317, or other applicable federal and state laws or regulations, that are in concentrations and volumes which are subject to regulation under these Rules as determined by the Control Authority; or
- (5) Is required to obtain a permit for the treatment, storage or disposal of hazardous waste pursuant to regulations adopted by this state or adopted under the Federal Solid Waste Disposal Act, as amended by the Federal Resource Conservation and Recovery Act, as amended, and may or does contribute or allow waste or wastewater into the POTW including, but not limited to, leachate or runoff; or
- (6) Is found by the Control Authority to have a reasonable potential for adverse effect, either singly or in combination with other contributing industries, on the POTW operation, the quality of sludge, the POTW's effluent quality, or air emission generated by the POTW.

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“**Sludge**” means liquid and precipitated or suspended solid material therein contained, generated from the treatment of water, sewage, industrial waste or other wastes.

“**Slug Discharge**” means any discharge of a non-routine, episodic nature, including, but not limited to, an accidental spill or non-customary batch Discharge, which has a reasonable potential to cause interference, pass-through, or in any other way to cause a violation of the Rules and Regulations, local limits or Permit conditions.

“**Standard Industrial Classification** or “**SIC**” means a classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1987, as amended.

“**Standard Methods**” means the *Standard Methods for the Examination of Water and Wastewater*, published by the American Public Health Association, and the version(s) approved for use by 40 CFR 136.

“**Storm Water**” means any waste or wastewater occurring during or following any form of natural precipitation and resulting therefrom.

“**Surcharge or Pollutant Surcharge**” means a fee representing the cost of service determined by the Control Authority for each pollutant comprising Domestic Sewage, expressed in Dollars per pound (\$/lb.).

“**Total Suspended Solids**” or “**TSS**” means the total suspended matter which floats on the surface of, or is suspended in, water, wastewater or other liquids, and is removable by laboratory filtration or as measured by standard methods.

“**Total Phenolic Compounds**” means the sum of the individual analytical results for each of the following phenolic compounds during any single sampling event: 2-Chlorophenol, 4-Chlorophenol, 4-Chloro-3-methylphenol, 2,4-Dichlorophenol, 2,4-Dinitrophenol, 4-Methylphenol (p-cresol), and phenol.

“**Total Poly-Chlorinated Biphenyls**” or “**Total PCB**” means the sum of the individual analytical results for each of the following PCB aroclors 1016, 1221, 1232, 1242, 1248, 1254, and 1260 during any single sampling event with any aroclor result less than the quantification level, or non-detect, being numerically treated as zero.

“**Toxic Pollutant**” means any pollutant or combination of pollutants designated as toxic in regulations promulgated by the Administrator of the USEPA under the provisions of the Clean Water Act, being 33 U.S.C. 1317, or included in the Critical Materials Register promulgated by the EGLE, or by other federal or state laws, rules or regulations.

“**Upset**” means an exceptional incident in which there is unintentional and temporary noncompliance with limits imposed under these Rules or with national categorical pretreatment standards due to factors beyond the reasonable control of the Industrial User but does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.

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“Users” or “Nondomestic User” or “Industrial User” means an industry, commercial establishment, or other entity that discharges wastewater to a publicly owned treatment works other than, or in addition to, sanitary sewage; and is a source of indirect discharge.

“United States Environmental Protection Agency” or “USEPA” means the Environmental Protection Agency of the United States Government and its designated agents.

“Wastewater Treatment Facilities” mean any method, construction, device, arrangement or appliance appurtenant thereto, installed for the purpose of treating, neutralizing, stabilizing, disinfecting, or disposing of sewage, industrial wastes or other wastes, or for the recovery of by-products from such sewage, industrial waste or other wastes and includes sewers, pipes and other conveyances if they convey wastewater to a POTW.

“Waters” mean all accumulations of water, surface and underground, natural or artificial, public or private or parts thereof which flow through the territory of the GLWA.

“Wastewater” or “Sewage” means the liquid and water-carried wastes of dwellings, commercial buildings, industrial facilities, and institutions, whether treated or untreated, which are contributed to or permitted to enter the POTW including Infiltration and Inflow water, Storm Water and Cooling Water.

“Wastewater Discharge Permits” mean a control mechanism issued by the Control Authority in accordance with these Rules specifying the Pretreatment Standards and Requirements, pollutant discharge limitations, reporting and monitoring requirements, and other conditions under which an Industrial User may discharge to the sewerage system.

“Wholesale Sewer Contract Customer” means any county, township, city or village that has contracted for sewerage services with the GLWA.

For purposes of these Rules, the following acronyms shall have the meanings designated by this section:

Term	Full Term Description	Term	Full Term Description
		EGLE	Michigan Department of Environment, Great Lakes, and Energy
BMP	Best Management Practice Plan		
BMR	Baseline monitoring report	mg/l	milligrams per liter
BOD	Biochemical Oxygen Demand	NPDES	National Pollutant Discharge Elimination System
CSIU	Categorical Significant Industrial User		
CFR	Code of Federal Regulations	POTW	Publicly Owned Treatment Works
		RCRA	Resource Conservation and

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			Recovery Act, being 42 U.S.C. § 6901 et seq.)
FOG	Fats, Oils and Grease	SDP	Special Discharge Permit
GLWA	Great Lakes Water Authority	SIU	Significant Industrial User
HIW	Hauled-in Waste	SNC	Significant Noncompliance
IWC	Industrial Waste Control	SWDA	Solid Waste Disposal Act, being 42 U.S.C. § 6901 et seq.
IU	Industrial User	TSS	Total Suspended Solids
IPP	Industrial Pretreatment Program		
USEPA	Environmental Protection Agency	ug/l	Micrograms per liter

Board Approved

**CHAPTER II – RULES GOVERNING IMPLEMENTATION,  
ADMINISTRATION AND ENFORCEMENT OF INDUSTRIAL  
PRETREATMENT PROGRAM REQUIREMENTS**

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The Board has adopted an Industrial Pretreatment Program and received approval from the State of Michigan for GLWA to be a Control Authority to implement, administer and enforce the program within the GLWA Service Area. The following rules have been adopted to describe a uniform means of carrying out the duties and obligations placed upon the GLWA as the Control Authority.

**Article I CONTROL AUTHORITY RESPONSIBILITIES**

The Board assigns and authorizes the Chief Executive Officer as the person responsible for carrying out the administration, duties, and enforcement responsibilities as the Control Authority, consistent with the intent of these rules.

**Article II GENERAL SEWER USE REQUIREMENTS**

Section II-201. Unlawful Discharges

It shall be unlawful for any Person to discharge Industrial Waste or Wastewater from non-Domestic Sources, directly or indirectly, into the Sewerage System, without authorization from the Control Authority; or to discharge any Wastewater in violation of the terms and conditions contained in these rules or contrary to any discharge authorization granted by the Control Authority.

Section II-202. Lawful Discharges

It is the duty of every Person seeking to lawfully discharge Sewage, Industrial Wastes, or other wastes or Wastewater of any kind directly or indirectly, into the Sewerage System to conform to the criteria or effluent quality standards established and/or adopted hereunder, and to seek authorization from the Control Authority in accordance with these rules; to comply with these rules, as amended from time to time; and to provide notice to the Control Authority of any substantial changes in the volume, quality, or character of their discharge.

- a) Users and Minor Users who were previously authorized, whether by permit or a letter of authorization, by the Detroit Water and Sewerage Department in its prior capacity as the Control Authority, and have and are complying with such authorization, shall be deemed authorized by the GLWA, as the new Control Authority, until (i) a subsequent survey application, permit application or Baseline Monitoring report is filed with or requested by the GLWA; or (ii) a subsequent permit or a letter of authorization is issued by GLWA.

Section II-203. General Pollutant Prohibitions

No User shall discharge or cause to be discharged into the POTW, directly or indirectly, any pollutant or

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Wastewater which will cause Interference or Pass-through. These general discharge prohibitions shall apply to all Users of the POTW whether or not the User is subject to national categorical pretreatment standards or to any other federal, state, or local pretreatment standards or requirements. In addition, it shall be unlawful for any User to discharge into the POTW:

- a) Any liquid, solid or gas, which by reason of its nature or quantity, is sufficient either alone or by interaction with other substances to create a fire or explosion hazard or to be injurious in any other way to persons, to the POTW, or to the operations of the POTW. Pollutants, which create a fire or explosion hazard in a POTW, include, but are not limited to, wastestreams with a closed cup flash point of less than 140°F or 60°C using the test methods specified in 40 CFR 261.21; or
- b) Any solid or viscous substance in concentrations or quantities, which are sufficient to cause obstruction to the flow in a sewer or other encumbrances to the operation of the POTW, including, but not limited to, grease, animal guts or tissues, bones, hair, hides or fleshing, entrails, whole blood, feathers, ashes, cinders, sand, cement, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, strings, fibers, spent grains, spent hops, wastepaper, wood, plastics, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes, or tumbling and deburring stones; or
- c) Any Wastewater having a pH of less than 5.0 units or greater than 11.5 units; or
- d) Any Wastewater containing petroleum oil, non-biodegradable cutting oil, products of mineral oil origin, or toxic pollutants in sufficient concentration or quantity either singly or by interaction with other pollutants to cause Interference, or Pass through, or constitute a hazard to humans or animals; or
- e) Any liquid, gas, solid or form of energy, which either singly or by interaction with other waste is sufficient to create toxic gas, vapor, or fumes within the POTW in quantities that may cause acute worker health and safety problems, or may cause a public nuisance or hazard to life, or are sufficient to prevent entry into the sewers for their maintenance and repair; or
- f) Any noxious or malodorous liquids, gases, solids, or other Wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair; or
- g) Any substance which is sufficient to cause the POTW's effluent or any other product of the POTW, such as residue, sludge, or scum to be unsuitable for reclamation processing where the POTW is pursuing a reuse and reclamation program. In no case shall a substance discharged into the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria guidelines or regulations developed under 33 U.S.C. 1345, with any criteria, guidelines, or developed and promulgated regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Federal Clean Air Act, the Federal Toxic Substances Control Act, or with state criteria applicable to the sludge management method being used; or



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- h) Any trucked or hauled pollutants, except at discharge points designated by the POTW and authorized by the Control Authority (see Chapter IV); or
- i) Any substance which will cause the POTW to violate the NPDES permit; or
- j) Any discharge having a color uncharacteristic of the wastewater being discharged; or
- k) Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in interference, but in no case wastewater with a temperature at the introduction into a public sewer which exceeds 150°F or which will cause the influent at the wastewater treatment facility to rise above 104°F (40°C); or
- l) Any pollutant discharge which constitutes a Slug; or
- m) Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established in compliance with applicable federal or state regulations; or
- n) Any floating FOG which are sufficient to create an obstruction in the collection system, cause interference with the collection system or pass through the POTW; or
- o) Any solid materials having a specific gravity greater than 1.2 or a cross section dimension of one-half (½) inch or greater which are sufficient to cause interference with the POTW; or
- p) Wastewater causing a reading on an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW, of more than 20 percent (20%) of the Lower Explosive Limit of the meter; or
- q) Any pollutant, including oxygen demanding pollutants (BOD, etc.) released in a Discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW.

### Section II-204. Specific Pollutant Discharge Limitations

- a) National Categorical Pretreatment Standards. All Industrial Users shall comply with the applicable National Categorical Pretreatment Standards and requirements promulgated pursuant to the Act as set forth in 40 CFR Subchapter N, Effluent Guidelines and Standards, which are hereby incorporated by reference and with all other applicable standards and requirements. Affected dischargers shall comply with applicable reporting requirements under 40 CFR Part 403 and as established by the Control Authority. The National Categorical Pretreatment Standards that have been promulgated as of the effective date of this section are delineated in Appendix A.
- b) Local Pollutant Discharge Limitations. The Control Authority has developed specific Local Pollutant Discharge Limitations to protect the sewage disposal system from (pollutant) Interference, Inhibition or Pass-through, and worker health & safety in accordance with 40 CFR 403.5(c), which are to be deemed as Pretreatment Standards pursuant to Section 307(d) of the Act. The following specific Local Pollutant Discharge Limitations are adopted, and shall be enforced by the Control Authority:

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1) Compatible Pollutants:

Pollutant Name & Symbol	Daily Maximum Limitation (mg/l)
Biochemical Oxygen Demand (BOD)	10,000
Total Suspended Solids (TSS)	10,000
Fats, Oils, and Grease (FOG)	1,500
Total Phosphorus (P)	150

2) Metals

Pollutant Name & Symbol	Daily Maximum Limitation (mg/l)
Arsenic (As)	1.0
Cadmium (Cd)	3.0
Chromium (Cr)	25.0
Copper (Cu)	3.0
Cyanide, Amenable (CNA)	1.5
Lead (Pb)	1.0
Mercury (Hg)	0.01
Nickel (Ni)	5.0
Silver (Ag)	1.0
Zinc (Zn)	12.0

3) Organic Pollutants

Pollutant Name & Symbol	Daily Maximum Limitation (mg/l)
PCB, Total	Non-detect

4) Phenolic Compounds

i) The limitation for Total Phenolic Compounds shall be 1 mg/l using the 4AAP method.

ii) A Significant Industrial User may elect, in lieu of the limit for Total Phenolic Compounds specified in sub-paragraph i above, to substitute the specific limitations for the individual eight (8) phenolic compounds identified in the following table:

Pollutant Name & Symbol	Daily Maximum Limitation (mg/l)
2-Chlorophenol	8.0
4-Chlorophenol	8.0
4-Chloro-3-methylphenol	3.0
2,4-Dichlorophenol	6.0
2,4-Dinitrophenol	30
4-Methylphenol	40.0
Phenol	86

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Upon written election, the wastewater discharge permit shall be modified to incorporate these substituted parameters and a Significant Industrial User shall be responsible for monitoring and reporting compliance with these parameters.

c) Non-Detectable Limitations. For any pollutant parameter which has a Local Pollutant Discharge Limitation of Non-detect, a User will be in violation of the limitation when the measurement result exceeds by any magnitude the method detection level of the pollutant, using analytical methods authorized under 40 CFR 136, unless a higher level is appropriate because of demonstrated sample interference.

1) Total PCB shall not be discharged at detectable levels, based upon USEPA Method 608, and the quantification level shall not exceed 0.2 ugms/l, unless a higher level is appropriate because of demonstrated sample interference.

Any User may develop and implement a Best Management Practice Plan in accordance with Section II-1006 to demonstrate compliance with a Non-detect local pollutant discharge limitation

d) Applicability of most stringent limitation. Where a National Categorical Pretreatment Standard includes a pollutant parameter that also has a Local Pollutant Discharge Limitation, the Control Authority shall apply the most stringent Daily Maximum limitation for that pollutant parameter in a permit issued to the discharger. Where a 4-day, monthly or 30-day limitation contained in a National Categorical Pretreatment Standard is greater than the Local Pollutant Discharge Limitation Daily Maximum limitation, the Control Authority shall apply the more stringent value as the applicable average.

e) Development of Pollutant Discharge Limitations. The Control Authority may periodically review and re-evaluate new or existing wastewater pollutant discharge limitations in accordance with 40 CFR 403.5(c). The Control Authority reserves the right to establish additional or more stringent limitations or requirements on discharges to the POTW.

f) Development of Pollutant Concentration and Mass limits. When limits in a categorical pretreatment standard are expressed only in terms of mass of pollutants per unit of production, the Control Authority may convert the limits to equivalent limitations expressed either as mass of pollutant discharged per day or effluent concentration for purposes of calculating effluent limitations applicable to individual Significant Industrial Users. Equivalent limitations shall be calculated in accordance with Sections 40 CFR 403.6(c)(3) and/or 40 CFR 6(c)(4) and shall be deemed pretreatment standards for the purposes of 33 USC 1317(d) and of these rules. Significant Industrial Users will be required to comply with the equivalent limitations in lieu of the promulgated categorical standards from which the equivalent limitations were derived.

### Section II-205. Net/Gross Determinations

An Industrial User, subject to a Categorical Pretreatment Standard may obtain a net/gross adjustment to a Categorical Pretreatment Standard in accordance with the following paragraphs of this Section.

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- a) Categorical Pretreatment Standards may be adjusted to reflect the presence of pollutants in the Industrial User's intake water. Any Industrial User wishing to obtain credit for intake pollutants must make application to the Control Authority. Upon request of the Industrial User, the applicable Standard will be calculated on a "net" basis (i.e., adjusted to reflect credit for pollutants in the intake water) if the requirements of paragraph (2) of this Section are met.
- b) Criteria.
  - 1) Either (i) the applicable Categorical Pretreatment Standards contained in 40 CFR subchapter N specifically provide that they shall be applied on a net basis; or (ii) the Industrial User demonstrates that the control system it proposes or uses to meet applicable categorical Pretreatment Standards would, if properly installed and operated, meet the Standards in the absence of pollutants in the intake waters.
  - 2) Credit for generic pollutants such as biochemical oxygen demand (BOD), Total Suspended Solids (TSS), and fats, oil and grease should not be granted unless the Industrial User demonstrates that the constituents of the generic measure in the Industrial User's effluent are substantially similar to the constituents of the generic measure in the intake water or unless appropriate additional limits are placed on process water pollutants either at the outfall or elsewhere.
  - 3) Credit shall be granted only to the extent necessary to meet the applicable Categorical Pretreatment Standard(s), up to a maximum value equal to the influent value. Additional monitoring may be necessary to determine eligibility for credits and compliance with Standard(s) adjusted under this Section.
  - 4) Credit shall be granted only if the Industrial User demonstrates that the intake water is drawn from the same body of water as that into which the POTW discharges. The Control Authority may waive this requirement if it finds that no environmental degradation will result.

### Section II-206. Prohibition of Dilution

Except where expressly authorized to do so by an applicable Pretreatment Standard or Requirement, an Industrial User cannot increase the use of process water, or in any other way attempt to dilute prior to discharge as a partial or complete substitute for adequate pretreatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable Pretreatment Standard or requirement. The Control Authority may impose mass limitations on Industrial Users who are using dilution to meet applicable Pretreatment Standards or Requirements, or in other cases when the imposition of mass limitations is appropriate.

## **Article III     **PRETREATMENT OF WASTEWATER****

### Section II-301. Pretreatment Facilities

- a) Industrial Users shall provide Wastewater Treatment Facilities, as necessary, to comply with these rules

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and shall achieve compliance with all Categorical Pretreatment Standards, Local Pollutant Discharge Limitations, and other requirements of these rules within the time limitations specified by EPA, the State, or these rules. Any Wastewater Treatment Facilities necessary for compliance shall be provided, operated, and maintained at the Industrial User's expense. Detailed plans describing such Wastewater Treatment Facilities and operating procedures shall be submitted to the Control Authority for review, before such Wastewater Treatment Facilities are constructed. The Industrial User shall obtain any plan approvals required from any member community or Wholesale Sewer Contract Customer prior to submitting them to the Control Authority for review. The review of such plans and operating procedures shall in no way relieve the Industrial User from the responsibility of modifying such Wastewater Treatment Facilities, as necessary, to produce a discharge that will meet any Wastewater discharge permit, or necessary to comply with these rules.

- b) Additional Pretreatment Measures - Whenever deemed necessary, the Control Authority may require Industrial Users through written notice, to restrict their discharge during peak flow periods, designate that certain Wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW and/or to determine the Industrial User's compliance with the requirements of these Rules and Regulations. This written notice shall state the reasons for the restriction and be incorporated into an individual Wastewater discharge permit, or equivalent control mechanism.
- c) As part of the Collection System and Combined Sewer Overflow Plans required by NPDES Permit MI0022802, the Control Authority may require any Person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. Before such action is taken, a written notice stating the reasons for the requirements shall be given to the User and incorporated into an individual Wastewater discharge permit or equivalent control mechanism. An individual Wastewater discharge permit, or equivalent control mechanism, may be issued solely for flow equalization.

### Section II-302. Pretreatment Protection Requirements

- a) Protection from Flammable and Combustible Substances - All Users who discharge wastewater containing a flammable and combustible substance shall install, operate and maintain a combustible gas monitoring system acceptable to the Control Authority which provides a method of early detection and recording of any discharge of a flammable or combustible substance so that preventive measures can be taken to avoid loss of life, damage to the Sewerage System, and/or damage to public and/or private property.
  - 1) Flammable and combustible substances include, but are not limited to, gasoline, benzene, naptha, solvents, fuel oil; or any other liquid, solid, or gas that would cause or tend to cause flammable or explosive conditions to result in the Sewerage System.

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- 2) Applicability: Petroleum refineries, gasoline storage and transfer facilities, and chemical manufacturing plants having a discharge of 25,000 gallons or more per day of process Wastewater per day shall be required to submit a plan and schedule to install and implement a combustible gas monitoring system, within ninety (90) days, and complete implementation of the plan and schedule within 6 months of these rules adoption or upon commencement of discharge,
- 3) The Control Authority may issue written notice to any User requiring the installation of a combustible gas monitoring system upon a finding of 15% or greater of the Lower Explosive Level (LEL) from the User's discharge to the POTW.
- 4) Specific requirements for a combustible gas monitoring system shall be included by the Control Authority in a Significant Industrial User's Wastewater discharge permit, and include the following basic requirements:
  - i. The system shall be continuous and fixed (permanent rather than portable) and shall be installed near the company's approved monitoring location (where applicable).
  - ii. The system shall have an indicator as well as an automatic continuous recorder capable of maintaining a permanent record of readings (i.e., chart recorder).
  - iii. The system shall be equipped with a two-stage alarm system that is adjustable. The upper alarm level must be set at 20% LEL (Lower Explosive Limit).
  - iv. The system shall be calibrated for methane detection.
  - v. The control unit for the combustible gas detection meter should be located where the alarm will be heard and acted upon promptly (i.e., control room)
- b) pH Monitoring Plan and Monitoring Requirement. All Significant Industrial Users, as specified below, who process acidic and/or caustic wastes and Wastewaters; or whose pH is adjusted on-site, whether done for operational or treatment purposes; shall (i) develop an approvable pH Monitoring plan, and (ii) install appropriate pH monitoring and recording devices.
  - 1) pH Monitoring Plan – In accordance with sub-paragraph 2) below, a pH monitoring Plan shall be provided within 90 days and complete implementation of the plan and schedule within 6 months of the adoption of these rules or included with a new permit application or Baseline Monitoring Report, which shall include the following:
    - i. A description of the location of the pH monitor(s)
    - ii. Equipment specifications identifying the manufacturer & model of the (a) pH meter; (b) pH probe; (c) pH transmitter (if applicable); and (d) the pH recorder (chart, electronic, other)
    - iii. Maintenance procedures to be used for cleaning the pH monitoring system used, including the frequency of cleaning. A step by step description of the calibration procedure used shall be maintained by the SIU

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- iv. Calibration procedure information including (a) whether the probe can or cannot be removed for calibration; (b) whether the direct or indirect method is used for calibration; (c) whether the pH meter is capable of temperature compensation; (d) the pH buffers (reagents) used; and (e) the frequency of meter calibration, with weekly (as a minimum)
  - v. All records shall be retained for a minimum of three years and shall be made available to the Control Authority's representative upon request. A summary of records shall be provided with the six-month report to demonstrate compliance during the period. This may be submitted as a hard-copy or in electronic form.
- 2) pH Monitoring - shall be provided by all Significant Industrial Users as follows:
- i. The following Significant Industrial Users will provide a pH monitoring plan addressing continuous monitoring for pH consistent with USEPA method 150.2 using appropriate pH monitoring and recording devices:
    - a. All SIUs classified as a Centralized Waste Treatment facility in accordance with 40 CFR 437.
    - b. All SIUs who discharge 25,000 gpd or more of Wastewater and who process acidic and/or caustic wastes and Wastewaters; or whose pH is adjusted on-site, whether done for operational or treatment purposes.
  - ii. Significant Industrial Users who discharge less than 25,000 gpd of Wastewater will provide a pH Monitoring Plan and monitor for pH using appropriate pH monitoring and recording devices, which are representative of the period of discharge.
  - iii. The Control Authority may require any User to install pH monitoring upon finding pH levels below 5.0 or greater than 11.5, and by serving written notice to the User.
- 3) The pH monitoring plan shall be acknowledged within the Wastewater discharge permit for the SIU. The following criteria shall also be included in the permit:
- i. No individual excursion from the range of pH values shall exceed 15 minutes.
  - ii. Where continuous pH monitoring is used, the maximum and minimum pH readings will be reported. Regardless of the number of pH measurements recorded for each day, only one violation per day shall be determined.
  - iii. A summary of pH monitoring records shall be provided with the six-month report to demonstrate compliance during the period. This may be submitted as a hard-copy or in electronic form.

### Section II-303. Protection from Accidental Discharges

- a) All Users shall provide protection from accidental discharge, spill or Slug discharge of materials prohibited by these rules, contained in any raw materials, chemicals and/or wastes kept on the premises.
- b) Users shall develop detailed plans against accidental discharge and/or spill discharge, and construct facilities, develop and implement measures reasonably necessary to avoid loss of life, damage to the

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Sewerage System, and/or damage to public and/or private property. These shall be implemented, provided, and maintained at the owner's or User's cost or expense.

- c) At a minimum, plans against accidental discharge and/or spill discharge will be required when prohibited materials or substances are kept on the premises in a form which could readily be carried into the POTW; constitute a concentration of five (5%) percent or greater in the raw material, chemical solution or waste material; or are stored in volumes of more than fifty-five (55) gallons. Such plans shall include the following information:
  - 1) Description of facilities and operating procedures to be implemented to provide protection against such accidental discharge, spill or slug discharge. Such facilities and measures to prevent and abate these discharges shall be implemented, provided, and maintained at the owner's or User's cost or expense.
  - 2) Provide the approximate average and maximum quantities of such prohibited materials or substances kept on the premises in the form of raw materials; chemicals and/or waste therefrom and the containment capacity for each.
  - 3) Identify facility contacts responsible for implementation and keeping the plan current.
  - 4) Include notification procedures and post such requirements advising employees whom to contact in the event of any accidental, spill or slug discharge.
  - 5) Include information on the secondary containment capacity available and the capacity available for containing rainfall or freeboard. Supporting calculations shall be maintained by the User and made available to the Control Authority upon request.
  - 6) Include a certification statement signed by the facility's Authorized Representative.
- d) Significant Industrial Users shall develop plans to control Slug discharges, as defined by 40 CFR 403.8(f)(2)(v). The Control Authority shall evaluate whether any Significant Industrial User is required to develop, modify or revise a slug discharge plan at a frequency of at least once every two (2) years.
- e) Existing Users who are required to develop any plan under sub-section b and/or c shall complete and submit such a plan within sixty (60) days of the effective date of these rules. Users who have previously filed such plans are not required to resubmit these plans unless the information has been revised or changed. New Users shall submit plans under sub-section b and/or c prior to the time they commence discharging.
- f) The User shall promptly notify the Control Authority of changes or modifications to the plan including, but not limited to, a change in the contact person(s), or substance inventory.
- g) The User shall immediately notify the Control Authority of any change at its facility affecting the potential for a Slug discharge.
- h) The Control Authority shall include as a requirement in a Wastewater discharge permit issued under these Rules, the development, revision and submittal of these plans described in sub-section b and/or c.



**Article IV CLASSIFICATION OF WASTEWATER SOURCES**

Section II-401. Specific Wastewater Source Classifications

- a) The Control Authority shall recognize the following specific Wastewater source classifications for purposes of these Rules:
  - 1) Septage and waste haulers.
  - 2) Groundwater sources and occasional or special waste sources.
  - 3) Grease, oil and solid sources; and
  - 4) Utility wastes and Wastewater.
- b) The Control Authority may establish additional Industrial User classifications where necessary to efficiently carry out the intent of these Rules, or to administer the requirements of these Rules on a defined Industrial User group.

Section II-402. Septage and Waste Haulers

- a) The Control Authority has developed a program for the regulation of Septage and hauled wastes that are authorized for treatment from non-point sources. The regulatory requirements for this program are more fully described in Chapter V of these rules.
- b) Domestic Sewage and Wastewater from recreational vehicles, individual portable toilets, and vessels and ships shall also be authorized in accordance with Chapter V of these rules.
- c) The Control Authority shall not accept any waste or wastewater at its POTW on 9300 West Jefferson delivered by truck, rail or dedicated pipeline, other than Septage Waste and the contents of domestic waste septic tanks, cesspools, seepage pits, sewage lift stations and portable toilets may be discharged to the Sewerage System by haulers authorized to unload such materials and subject to the requirements of the Chapter V rules.
- d) Hauled-in industrial wastes, other than described in paragraph b, shall not be discharged into the Sewerage System either directly or indirectly because of the risk potential to the well-being of the system and the receiving waters. Such wastes are to be disposed of in commercial facilities specializing in the reclamation, rendering, disposal, destruction or burial of non-hazardous, hazardous or potentially hazardous wastes.

Section II-403. Special Discharge Environmental Remediation, Groundwater Sources and Occasional or Special Waste Sources may not be discharged unless authorization has been granted by the Control Authority.

- a) The Control Authority has developed a program for the regulation of Environmental Remediation, Groundwater Sources and Occasional or Special Waste Sources that are authorized for treatment from non-point sources. The regulatory requirements for this program are described in Chapter V of these rules.

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- b) Special wastes and Wastewaters not described by subparagraph (a) above, may be authorized for discharge if they do not pose harm or risk of harm to the sewerage system as determined by the Control Authority in its reasonable discretion. Such wastes include, but are not limited to, spoiled beer, wine, milk or other beverages, non-hazardous waste materials, and water and Wastewater from tanks or vessels, ships, freighters or barges.

### Section II-404. Grease, Oil and Solids Interceptors

The contributions of FOGs and the discharge of solid or viscous pollutants can cause or contribute to obstructions in the POTW and collection system. The installation and maintenance of grease, oil, and solids interceptors can minimize these occurrences. The Control Authority will work with Member Communities and/or Wholesale Sewer Contract Customers to correct improper handling from sources found to cause or contribute to obstructions in the POTW and collection system.

- a) Grease, oil, and solids interceptors shall be provided when, in the opinion of the Control Authority, they are necessary for the proper handling of Wastewater containing excessive amounts of grease and oil, or solids; except that such interceptors shall not be required for Domestic Sources. All interception units shall be of a type and capacity acceptable to the User's Member Communities and/or Wholesale Sewer Contract Customers and the Control Authority.
- b) The Control Authority may require Users to provide records or other information concerning the inspection, cleaning and maintenance practices of the User.
- c) The Control Authority may require any User to install and/or repair, maintain and operate grease, oil, and solids interceptors when, in the opinion of the Control Authority, they are found to cause or contribute to obstructions in the POTW and collection system. The Control Authority shall notify the User of grease, oil and solids sources in writing of such requirement(s).
- d) All interception units shall be of a type and capacity acceptable to the local Health Department, community agency or Member Community, and the Control Authority. Such interceptors shall be regularly inspected, cleaned, and repaired by the User at their expense.

### Section II-405. General Permits.

- a) The Control Authority may authorize the discharge of utility wastes and Wastewater resulting from maintenance and related activities of telephone, gas, steam, or electrical utilities, whether public or private, through the use of general permits. Subject to appropriate reporting requirements, the general permit shall authorize discharge in accordance with the terms of the permit.
- b) General Permits may be used by the Control Authority to carry out these rules, for Users other than Significant Industrial Users, to authorize the discharge from User's activities. General Permits shall authorize discharge in accordance with the terms of the permit and include appropriate reporting requirements.

**Article V      REPORTING AND NOTIFICATION REQUIREMENTS**

The Control Authority may require any User to provide any of the reports or notifications described within this section whenever there is a reasonable potential or actual finding.

Section II-501. General Notification Requirements

- a) Notification requirements. Within one (1) hour of becoming aware of a discharge into the POTW which has the potential to cause, or does cause, the User to implement any accidental discharge, spill or Slug discharge, or to report the occurrence of an unanticipated by-pass or upset event, the User shall telephone the Control Authority at its System Control Center (313-267-6000), and notify the Control Authority of the discharge event.
  - 1) The notification shall include the name of the caller, the location and time of discharge, the type of Wastewater, the estimated concentration of excessive or prohibited pollutants and estimated volume, and the measures taken, or being taken, to abate the discharge into the POTW.
  - 2) Within five (5) calendar days after the discharge, the User shall submit a detailed written report to the Control Authority describing the cause of the discharge and the measures to be taken by the User to prevent similar future occurrences and, when required by the Control Authority, the User's Wastewater discharge permit may be modified to include additional measures to prevent such future occurrences.
- b) Such notification shall not relieve the User of any expense, cost of treatment, loss damages or other liability which may be incurred as a result of, among other things, damage to the POTW, fish kills, or any other environmental impairment or any other damage to persons or property.
- c) Recovery of costs. Any User discharging in violation of any of the provisions of these rules, which produces a deposit or obstruction or causes damages to or impairs the POTW, or causes the Control Authority to violate its NPDES permit, shall be liable for any expense, loss, damage, penalty or fine incurred because of said violation or discharge. Prior to assessing such costs, the Control Authority shall notify the User of its determination that the User's discharge was the proximate cause of such damage, obstruction, impairment, or violation of the NPDES permit and the intent to assess such costs to the User. Any such notice shall include written documentation which substantiates the determination of proximate cause and a breakdown of cost estimates. Failure to pay the assessed costs shall constitute a violation of these rules. Such charge shall be in addition to, and not in lieu of, any penalties or remedies provided under these rules, or this Code, or other statutes and regulations, or at law or in equity.

Section II-502. Specific Notification Requirements

- a) All Users, whether required to have a Wastewater discharge permit, Authorization or not, shall notify the Control Authority at its System control center (313-267-6000) of any discharge or release that is contrary to the requirements of these rules.

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- b) The Control Authority may identify additional requirements for notice through a Wastewater discharge permit or authorization to discharge.

### Section II-503. Hazardous Waste Notification

- a) All Industrial Users, who discharge into the Sewerage System, shall notify the Control Authority in writing of any discharge of a substance which, if otherwise disposed of, would be a hazardous waste as set forth in 40 CFR 261. Such notification must comply with the requirements of 40 CFR 403.12(p).
- b) At a minimum, any Significant Industrial User regulated under a Wastewater discharge permit issued by the Control Authority shall review their previous notification(s) and report any additions or other changes to the hazardous wastes discharged, in accordance with 40 CFR 403.12(j), to the POTW and provide the current information specified in paragraph (a) above at the time of seeking a Permit Renewal.
- c) This provision does not create a right to discharge any substance not otherwise permitted to be discharged by these rules, or any permit issued thereunder, or any applicable Federal or State law.

### Section II-504. Authorized Representative.

The Authorized Representative, or a duly Authorized Representative if applicable, shall sign and certify any survey, permit application or re-application, Baseline Monitoring Report, 90-day report, or periodic report or a request for reconsideration or appeal hearing. Other documents, responses or reports may be signed by any other agent as long as the agents name, role and any limitations of the agency, are made known to the Control Authority in writing.

### Section II-505. Best Management Practice Plans and Pollution Prevention Plans

The Control Authority shall allow Users to develop and to implement Best Management Practice Plans and Pollution prevention plan initiatives as a partial response to non-compliance and incorporate such plans as an enforceable part of a Wastewater discharge permit. Upon demonstration of compliance, the User may request to be relieved of the Best Management Practice Plans and Pollution prevention implementation requirement.

### Section II-506. Centralized Waste Treatment Facility Requirements

A Centralized Waste Treatment Facility receive hazardous and non-hazardous materials for treatment and disposal through the local POTW and collection system.

- a) Any new or existing Industrial User who operates a Centralized Waste Treatment Facility as described by 40 CFR 437, Subpart D (Multiple Wastestream Subcategory), shall provide an Equivalent Treatment that satisfies the requirements of 40 CFR 437.2(h), and applicable certification statement to the Control Authority when applying for a new Wastewater discharge permit, when submitting its Baseline Monitoring Report, or when re-applying for a Wastewater discharge permit. The statement shall be certified by a professional engineer registered in the State of Michigan. The statement must be provided with the Baseline Monitoring Report, or Wastewater discharge permit application or reapplication form.
- b) Any new or existing Industrial User who operates a Centralized Waste Treatment Facility as described

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by 40 CFR 437, Subpart A, B or C shall provide a statement that the Centralized Waste Treatment Facility has treatment processes capable of treating the Wastewater received or collected by the Centralized Waste Treatment Facility, and necessary to meet the applicable discharge limitations. The statement shall be certified by a professional engineer registered in the State of Michigan. The statement must be provided with the Baseline Monitoring Report, or Wastewater discharge permit application or reapplication form.

- c) A Centralized Waste Treatment Facility granted a permit under this section shall provide supplemental information with the periodic reports required under section II-705, that includes the volume (in gallons) of Subpart A (metal bearing wastes), Subpart B (oily wastes), and Subpart C (organic bearing wastes) received each month, held in inventory or removed off-site each month, and discharged to the sewer system each month.
- d) A Centralized Waste Treatment Facility granted a permit under this section shall maintain records which, at a minimum, identify the source, volume, character, and constituents of the Wastewater accepted for treatment and disposal. These records may be reviewed at any time by the Control Authority.

## **Article VI INSPECTION & MONITORING REQUIREMENTS**

### Section II-601. Right of Entry: Inspection and Monitoring.

- a) The Control Authority shall have the right to enter the premises of any User to determine through inspection and monitoring, whether that User is complying with all requirements of these rules; and any Wastewater discharge permit issued hereunder. Such rights shall also permit the Control Authority to collect independent samples at the facility and install and retrieve monitoring equipment and instrumentation. The Control Authority shall perform these activities at reasonable times, and in a reasonable manner.
- b) Users shall allow the Control Authority, or the Control Authority's representative, ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties authorized by these rules. The Control Authority may access any easement, street or other public location without notice.
- c) Upon arrival at the User's premises, the Control Authority's representative shall notify and inform the User, or the User's employees, of their purpose. The Control Authority's representative shall bear proper credentials and identification, and at the User's option may be accompanied by a representative authorized by the User.
- d) Where a User has security measures in force, the User shall make prompt and necessary arrangements with the security personnel so that, upon presentation of appropriate credentials, the Control Authority's representative will be permitted to enter for the purposes of performing their specific responsibilities. The Control Authority shall neither refrain from, nor be prevented or delayed from, carrying-out its

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inspection or sampling duties due to the unavailability of the Authorized Representative of the facility.

- e) While performing work on private property, the Control Authority shall observe all reasonable safety, security and other reasonable rules applicable to the premises as established by the User.
- f) Should the Control Authority require photographs of the User's facilities, the User shall be notified, provided a consent form, and provided with electronic or printed copies of any such photographs within 48 hours. If requested by the User, these may be transmitted electronically.
- g) Upon the request of the Control Authority, Users shall furnish access to information and records relating to discharges into the POTW. The User shall be notified, provided a consent form, and the Control Authority shall be permitted to photograph or copy such records.
- h) Noncompliance with this subsection shall be addressed in accordance with the enforcement authority available through Article X of these rules.

### Section II-602. Inspection, sampling and record-keeping.

- a) Significant Industrial Users shall sample and analyze their discharge in accordance with the provisions of their permit. The Control Authority may require such samples to be split for the Control Authority's independent analysis.
- b) Significant Industrial Users shall maintain records of all information from monitoring activities required by these rules, or by 40 CFR 403.12(o), for no less than three (3) years. This period of record retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Industrial User, or the operation of the Control Authority's Industrial Waste Program, or when requested by the Control Authority, by the State, or by the USEPA.
- c) In the event the Control Authority obtains samples, and analyses are made of such samples, a copy of the results of such analyses shall be promptly furnished upon written request by the Industrial User's Authorized Representative.
- d) When requested by the Industrial User, the Control Authority's representative shall leave with the Industrial User, a portion of any sample of the Industrial User's discharge taken from any sampling point on or adjacent to the premises for the Industrial User's independent analysis. Users must provide their own containers for receipt of such samples. Where the sampling protocol, e.g. grab-sampling, would affect the integrity of the sample, the User may be provided with a contemporaneously collected sample.
- e) In cases of disputes arising over shared samples, the portion taken and analyzed by the Control Authority shall be controlling unless proven invalid. The Industrial User may request a conference with the Control Authority to review and discuss the shared sample results in dispute, including pertinent supporting materials and documents. The Control Authority shall issue a written conference report following such discussion.

### Section II-603. Sampling Plans

- a) All Significant Industrial Users shall provide a sampling plan describing the manner and form intended

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for representative wastewater self-monitoring. At a minimum, the plan shall include:

- 1) A description of the sample collection method(s) based on grab, flow-proportional composite or time-proportional composite methods.
  - 2) Designate applicable requirements for batch and/or continuous discharges, including the release time.
  - 3) If applicable, the sampler settings, such as pulse, time, sample volume; and
  - 4) If applicable, the flow-measurement equipment.
- b) The sampling plan shall be submitted to the Control Authority and shall be implemented by the Significant Industrial User.

### Section II-604. Sample Collection Methods

- a) Users shall collect representative samples of the waste and Wastewater discharges using sampling procedures described by 40 CFR 403, Appendix E.

Except for samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds, wastewater samples must be collected using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the Control Authority. A Significant Industrial User may request the use of time-proportional composite sampling or grab sampling rather than flow-proportional composite sampling by demonstrating that the use of time-proportional composite sampling or grab sampling will provide samples representative of the SIU's discharge. The User shall provide supporting documentation including any statistical analysis submitted in support of the request.

- 1) The Control Authority may authorize the use of alternative sampling methods, where such methods are representative of the Significant Industrial User's Discharge and shall document its decision in the SIU file.
- 2) If granted by the Control Authority, the authorization shall be limited to the duration of the Wastewater discharge permit. A Significant Industrial Users shall request re-authorization of a waiver request with any permit re-application form filed with the Control Authority. The Control Authority shall review any such request *de novo*.

### Section II-605. Sampling & Monitoring Facilities

- a) All Significant Industrial Users, and any other Industrial User who discharge under an effective Wastewater discharge permit or other control mechanism, shall provide, operate, and maintain at their own expense a sampling and monitoring facility to enable the Control Authority to conduct such other monitoring and sampling as required for determining compliance. The sampling and monitoring facility include but is not limited to, a manhole or special structure to facilitate monitoring, inspection, sampling, and flow measurement of the facility's discharge, if applicable.
- b) Consistent with Section II-603(a), the Industrial User shall provide the following technical information to the Control Authority:

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- 1) A drawing or sketch showing all sewer connections and sampling manholes by the size, location, elevation, and points or places of discharges into the POTW; and
  - 2) A flow schematic showing (i) the connections receiving each national categorical process wastestreams, (ii) connections receiving other process wastestreams, storm water, sanitary water or Cooling Water, and (iii) any conveying a combined wastestream; and
  - 3) A sampling plan in accordance with section II-603 above.
  - 4) Where flow-proportional composite sampling is performed on-site, information describing the Industrial User's flow monitoring instruments, including make and model number; recording devices used, including make and model number; and must include a non-resettable flow totalizer; and
  - 5) Where flow-proportional composite sampling is performed on-site, the specific criteria for sampling is described in Chapter VI of these rules shall also be followed.
- c) In the event the Control Authority determines that the monitoring facility identified in the permit application is inadequate, or fails to include Wastewater regulated under these rules, a new monitoring facility must be identified, or provided by the Industrial User, which shall allow for collection of a representative sample of the Wastewater discharged from the facility, by serving written notice to the Industrial User.
- d) The sampling and monitoring facility should be situated on the Industrial User's premises in a location readily accessible to the Control Authority. There shall be ample room in or near such sampling or monitoring manhole or facility to allow accurate sampling and preparation of samples for analysis. The facility and any permanently installed sampling and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the Industrial User.
- e) When such a location would be impractical or cause undue hardship to the Industrial User, the Industrial User may seek approval for the facility to construct the sampling manhole in the public streets, or sidewalk area when there is room and the location will not be obstructed by landscaping or parked vehicles. It shall be the responsibility of the Industrial User to obtain any necessary approvals which may be required from other government entities for the location and construction of monitoring facilities. Whether constructed upon public or private property, the sampling and monitoring facilities shall be provided in accordance with all applicable local construction standards and specifications.
- f) The sampling and monitoring facility shall be properly operated, kept clean, and maintained in good working order at all times. The failure of an Industrial User to keep its monitoring facility in good working order shall be grounds for the Control Authority to issue a written finding that sample results are unrepresentative of the Industrial User's discharge.

## **Article VII WASTEWATER DISCHARGE PERMITS & OTHER CONTROL MECHANISMS**

### Section II-701. Survey, Permit Applications and Baseline Monitoring Reports



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- a) Duty to apply. No User may discharge Wastewater, other than Domestic Sewage, without receiving authorization from the Control Authority. Any new or existing User who has not obtained authorization for discharge shall comply with the following:
  - 1) Any new or existing User, who does not have an effective Wastewater discharge permit but meets the definition of a Significant Industrial User after the effective date of these rules, is required to submit a complete permit application in accordance with Section II-703, to the Control Authority and obtain a Wastewater discharge permit for its discharge. The permit application must be provided by a new User at least ninety (90) days prior to the commencement of any discharge; or for an existing User (as of the effective date of these rules), within thirty (30) days of the effective date of these rules. A failure to apply is a violation of these rules.
  - 2) Any new or existing Industrial User who performs an operation covered by a National Pretreatment Standard shall file a Baseline Monitoring Report in accordance with Section II-702 to the Control Authority and obtain authorization for its discharge.
  - 3) All other new or existing Users discharging Wastewater, other than Domestic Sewage and Cooling Water, must file a survey application and receive authorization from the Control Authority for its discharge.
  - 4) Users who have previously filed a survey, permit application, or Baseline Monitoring Report with the Detroit Water & Sewerage Department or GLWA prior to the effective date of these rules and have received an effective Wastewater Discharge Permit or Letter of Authorization, are not required to resubmit their survey, permit application, or Baseline Monitoring Report.
- b) The Control Authority may require any User to complete a survey or permit application to determine whether the User is a Significant Industrial User or is subject to other regulatory requirements (described in Chapter III, IV, or VII). Users shall comply within thirty (30) days of receiving written notice. Failure of the Control Authority to so notify a User, shall not relieve the User of its duty to obtain a wastewater discharge permit as required by these rules.
- c) Upon receipt of any survey, permit application, or Baseline Monitoring Report, the Control Authority shall notify the User that:
  - 1) The User is not authorized to discharge. The notice will be in writing and shall indicate what additional information, pretreatment facilities, monitoring facilities or other requirements are necessary for authorization.
  - 2) The User is a Significant Industrial User and is authorized to discharge, conditioned upon issuance of a Wastewater discharge permit or other control mechanism; or
  - 3) The User is not a Significant Industrial User and is authorized to discharge as a Minor User under a Wastewater authorization letter.

### Section II-702. Baseline Monitoring Report Requirements

- a) Within one hundred eighty (180) days after the effective date of a Categorical Pretreatment Standard,

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or one hundred eighty (180) days after the final administrative decision made upon a category determination submission under Section 40 CFR 403.6(a)(4), whichever is later, existing Industrial Users subject to such Categorical Pretreatment Standards and currently discharging into or scheduled to discharge into the POTW, shall submit to the Control Authority, a report containing the information listed in 40 CFR 403.12(b)(1-7).

- b) At least ninety (90) days before commencement of any discharge, each new source and any existing sources that become Industrial Users after the promulgation of an applicable Categorical Pretreatment Standard, shall submit to the Control Authority, a report which contains the information listed in 40 CFR 403.12(b)(1-5). In such report, new sources shall include information concerning the method of pretreatment that the source intends to use to meet applicable Categorical Pretreatment Standards. New sources shall provide estimates of the information requested in 40 CFR 403.12(b)(4) and (5).
- c) The USEPA has established regulations at 40 CFR 405 through 471, National Categorical Pretreatment Standards applicable to specific industrial activities. The Control Authority adopts these by reference, as listed in Appendix A, of these rules.
  - 1) Any Industrial User subject to a National Categorical Pretreatment Standard, or any Industrial User who becomes subject to a new or revised National Categorical Pretreatment Standard, shall apply for a Wastewater discharge permit within ninety (90) days after the promulgation of the applicable National Categorical Pretreatment Standard, unless an earlier date is specified or required by 40 CFR 403.12(b).
  - 2) The Control Authority may require any Industrial User to complete a Baseline Monitoring Report to determine whether the Industrial User performs an operation described by a National Categorical Pretreatment Standard. The Industrial User shall provide information demonstrating that it does not perform an operation described by a National Categorical Pretreatment Standard or provide a Baseline Monitoring report within thirty (30) days of being so notified.
  - 3) New Sources. Industrial Users who meet the New Sources criteria shall install, maintain in operating condition, and "startup" all Pollution control equipment required to meet applicable Categorical Pretreatment Standards and requirements before beginning to discharge. Within the shortest feasible time and not to exceed ninety (90) days, new sources must meet all applicable Categorical Pretreatment Standards.

### Section II-703. Contents of Survey or Permit Application

- a) In support of a survey, permit application or re-application, the User shall submit, in units and terms appropriate for evaluation, the following information:
  - 1) Corporate or individual name, any assumed name(s), address, and location of the discharging facility.
  - 2) Name and title of the Authorized Representative of the User who shall have the authority to bind the User financially and legally. Where the Authorized Representative is represented by an agent,

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the authorized representative shall also identify the agent and any applicable limitations or restrictions of their agency.

- 3) The Standard Industrial Classification codes of all processes at this location according to the Standard Industrial Classification manual, issued by the Executive Office of the President, Office of Management and Budget, 1987, or the equivalent based upon the North American Industrial Classification System (NAICS), as amended.
- 4) Actual or proposed Wastewater constituents and characteristics for each parameter listed in the permit application form. At a minimum, such parameters shall include the applicable Categorical Pretreatment Standards from any applicable National Categorical Pretreatment Standard or any pollutant parameter for which there is a local Pollution discharge limitation; and any other toxic pollutants known or suspected to be present in the discharge, regulated in the previous permit, or specifically requested by the Control Authority. For each parameter, the expected or experienced maximum and average concentrations during a one (1) year period shall be provided.
- 5) For industries subject to National Categorical Pretreatment Standards, the data requested herein shall be separately shown for each categorical process wastestream. Combined wastestreams proposed to be regulated by the combined wastestream formula shall also be identified. Sampling and analysis shall be performed in accordance with procedures established by the USEPA pursuant to 33 U.S.C. 1314(g) and contained in 40 CFR 136, as amended. Where 40 CFR 136 does not include sampling or analytical techniques for the pollutants in question, sampling and analysis shall be performed using validated analytical methods approved by the administrator.
- 6) A listing and description of activities, facilities and plant processes on the premises, and the pollutants associated with each process. Those processes, which are subject to National Categorical Pretreatment Standards, shall be so designated.
- 7) A listing of raw materials and chemicals which are either used in the manufacturing process or could yield pollutants requiring pretreatment prior to discharge to the Sewerage System. Any User claiming immunity from having to provide such information for reasons of national security shall furnish acceptable proof of such immunity.
- 8) A description of typical daily and weekly operating cycles for each process in terms of starting and ending times for each of the seven (7) days of the week.
- 9) Information on the average and maximum twenty-four (24) hour wastewater flow rate based on actual measurements, or estimated and the means of estimation, of (i) each process wastestream subject to a National Categorical Pretreatment Standard, (ii) each process wastestream not subject to a National Categorical Pretreatment Standard, (iii) non-process wastestreams including but not limited to Cooling Water, sanitary water, or any other Wastewater. This information shall include any applicable daily, monthly or seasonal variations for each wastestream.
- 10) Each combined wastestream, specifying the flow rate of regulated, unregulated and diluting

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wastestreams.

- 11) A drawing showing all sewer connections and sampling manholes by the size, location, elevation and points or places of discharges into the POTW; also a flow schematic showing which connections receive each national categorical process wastestream and which connections receive Storm Water, sanitary water or Cooling Water; also show which lines handle each combined wastestream;
- 12) The rate of production as pertains to processes subject to production-based limits under the National Categorical Pretreatment Standards.
- 13) A statement regarding whether or not the requirements of these rules and of the National Categorical Pretreatment Standards and requirements are being met on a consistent basis and, if not, what additional operation and maintenance work and/or additional construction is required for the Industrial User to meet the applicable standards and requirements. This statement shall be reviewed and signed by the Authorized Representative and, as appropriate, certified by a qualified professional.
- 14) Basic information on the program for the prevention of accidental discharges.
- 15) Proposed or actual hours of operation of each pretreatment system for each production process.
- 16) A schematic and description of each pretreatment facility which identifies whether each pretreatment facility is of the batch type or continuous process type.
- 17) The source of any intake water if other than through the GLWA and the basis for measurement.
- 18) The volume of any discharge water other than potable water obtained through any source and the basis of measurement.
- 19) If additional construction and/or operation and maintenance procedures will be required to meet the requirements of these rules and the National Categorical Pretreatment Standards, the shortest schedule by which the Industrial User will provide such additional construction and/or implement the required operation and maintenance procedures.
- 20) Identify whether the Industrial User has conducted a waste minimization assessment or audit of its operations in order to identify all feasible source reduction and recycling practices that may be employed to reduce or eliminate the generation of pollutants and other wastes at the facility; and
- 21) Any other information as may reasonably be required to prepare and process a Wastewater discharge permit.

### Section II-704. Permit Issuance

Upon receipt of any survey, permit application, or Baseline Monitoring Report, the Control Authority shall review the information and advise the User of:

- a) The User does not meet the definition of a Significant Industrial User and is authorized to discharge as a Minor User under a Wastewater authorization letter; or
- b) The User meets the definition of a Significant Industrial User and is authorized to discharge under a

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Wastewater discharge permit or other control mechanism; or

- c) The User meets the definition of a Significant Industrial User and is conditionally authorized to discharge under an administrative order including schedules for additional information, pretreatment facilities, monitoring facilities or other requirements are necessary for processing a Wastewater discharge permit; or
- d) The User is not authorized to discharge. The Control Authority may withhold issuance of a permit to a Significant Industrial User, which has not submitted an adequate or timely report, or permit application, to the control authority in accordance with the reporting requirements of 40 CFR 403.12, or whose discharge is in violation of these rules. The failure of the Industrial User to cease discharging following notification shall be considered a violation of these rules.
- e) Procedure for Permit Issuance. Only one (1) facility location shall be included in each permit. If the Control Authority determines that the User meets the definition of a Significant Industrial User, is required to have a Wastewater discharge permit, and has evaluated and accepted the data furnished, the Significant Industrial User will be notified by U.S. mail, using certified mail.
  - 1) Draft Wastewater Discharge Permit. The notification shall contain a copy of the draft permit, so marked, for review. A Significant Industrial User has thirty (30) days from the date of mailing to file comments and/or a response to the draft permit. The Control Authority will evaluate the comments and response to the draft permit and consider them for inclusion in a final Wastewater discharge permit.
  - 2) Final Wastewater Discharge Permit. Following expiration of the thirty (30) day comment period, or consideration of any comments or responses made, the Control Authority shall prepare a Final Wastewater discharge permit. The Final Wastewater discharge permit will be transmitted by U.S. Mail. The Significant Industrial User has twenty (20) days from the date of mailing to file a request for reconsideration and/or appeal hearing in accordance with Chapter VIII. During the appeal process, the SIU will comply with all uncontested terms or conditions which shall be in full force and effect. Upon disposition of any contested terms or conditions, the Wastewater discharge permit shall be issued as final.

### Section II-705. Types and Contents of Wastewater Discharge Permits

- a) The Control Authority shall develop Wastewater discharge permit formats meeting the needs of Significant Industrial Users as well as the special Wastewater sources discharging to the Sewerage System. Such formats include, but are not limited to, general permits for multiple location facilities, special discharge permits, and unloading permits for hauled-in wastes and Wastewater.
- b) Every Wastewater discharge permit shall contain all requirements of 40 CFR 403.8(f)(1)(iii) and shall be deemed to incorporate all provisions of these rules, other applicable laws, rules, regulations, and charges and fees established by the Control Authority without repetition therein.
- c) A Wastewater discharge permit may also contain the following:

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- 1) The Wastewater discharge permit shall specify the wastes and Wastewaters which the Control Authority authorizes an Industrial User to discharge to the Sewerage System; and identify any wastes or Wastewater for which the request to discharge is denied; and the wastes and Wastewater requiring imposition of special conditions in order to comply with the permit.
- 2) Limits on the average and maximum Wastewater constituents or characteristics which are equivalent, more restrictive than, or supplemental to the numeric limits enumerated in these rules, or the applicable National Categorical Pretreatment Standards.
  - i. Limits on average, and/or maximum rate and time of discharge or requirements for flow regulation and equalization.
  - ii. Limits on the average volume, and/or maximum volume of Wastewater that is authorized for discharge. The ratio of average to maximum volume shall not exceed three (3), except where seasonal variations of the average and/or maximum volume are noted in the permit.
  - iii. Requirements for installation, operation, and maintenance of discharge sampling manholes and monitoring facilities by the Significant Industrial User.
  - iv. Restrictions on which of the Significant Industrial User's discharge wastestreams are to be allowed to be discharged at each point of connection to the POTW.
  - v. Specifications for Significant Industrial User monitoring programs which may include sampling locations, frequency and type of sampling, number, types and standards for tests and reporting schedules.
  - vi. Requirements for the prevention of accidental discharges and the containment of spills or Slug discharges.
  - vii. Restrictions based on the information furnished in the application.
  - viii. Additional reporting requirements:
    - a. All permittees shall submit a report on the form prescribed by the Control Authority, or on an alternative form approved by the Control Authority, indicating the status of compliance with all conditions enumerated or referred to in the Wastewater discharge permit, or made applicable to the permit by these rules. Unless required more frequently, the reports shall be submitted on a periodic basis (generally six months), on a schedule to be established by the Control Authority. Analytical data generated by the Control Authority shall not be submitted in lieu of the facility's own self-monitoring data as required by the Wastewater discharge permit.
    - b. The report shall show the concentration of each substance for which there is a specific limitation in the permit. The report will include all calculations necessary to demonstrate compliance with any 4-day, 30-day or monthly average, or mass limitation that may be included in the permit.
    - c. Permittees subject to National Categorical Pretreatment Standards shall submit

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compliance reports at the times and intervals specified by federal regulations and by the Control Authority. A compliance report shall be submitted to the Control Authority no later than ninety (90) days following the final compliance date for a National Categorical Pretreatment Standard, or in the case of a New Source, no later than ninety (90) days, following commencement of the introduction of wastewater into the POTW, and in accordance with 40 CFR 403.12(d).

A ninety (90) day report shall also be provided where the facility's treatment system(s) are upgraded, modified or replaced so as to demonstrate compliance with applicable limitations.

- d. A report on continued compliance shall be submitted at six-month intervals thereafter on the schedule established by the Control Authority and incorporated into the Significant Industrial User's discharge permit. The reports shall be either on a form prescribed by the Control Authority or on an alternative form approved by the Control Authority, and shall indicate the nature and concentration of all pollutants in the discharge from each regulated process which are limited by National Categorical Pretreatment Standards, or which there is a specific limitation in the permit, or which may be identified by the Control Authority. The report shall include a record of measured or estimated average and maximum daily flows for the reporting period for the discharges regulated by the permit. The combined wastestream formula may be used for reporting purposes after the initial information has been furnished to the Control Authority, provided there have been no changes to the elements composing the combined wastestream.
- e. Reports shall contain the results of representative sampling performed during the period covered by the report and of the discharge and analysis of pollutants contained therein, and, for Significant Industrial Users subject to production based standards, shall be cross-referenced to the related flow or production and mass as required to determine compliance with the applicable pretreatment standards. The frequency of monitoring shall be as prescribed in the applicable general pretreatment regulations, being 40 CFR 403, or by the Control Authority, but no less than is necessary to assess and assure compliance by the Significant Industrial User with the most stringent applicable pretreatment standards and requirements. All sampling and analysis shall be performed in accordance with applicable regulations contained in 40 CFR 136 and amendments thereto. Where 40 CFR 136 does not include sampling or analytical techniques for the pollutants in question, sampling and analysis shall be performed using validated analytical methods approved by the Administrator.
- f. If any Significant Industrial User monitors any pollutant more frequently than

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required by the Control Authority, collects the sample(s) at monitoring locations specified in the wastewater discharge permit, and analyzes such samples using approved analytical procedures, the results of this monitoring shall be included in such report.

- g. The report shall state whether the applicable pretreatment standards are being met on a consistent basis and, if not, what additional operation and maintenance practices and/or pretreatment system improvements or changes are necessary to bring the Significant Industrial User into compliance with the applicable pretreatment standards.
  - h. All Significant Industrial Users shall include the following certification statement with the periodic (six-month) report: *"I certify under penalty of law that this document and all attachments were prepared under my direction, or supervision, in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of a fine and/or imprisonment for knowing violations."* Said certification shall be signed by the facility's Authorized Representative. If an authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the company, a new authorization satisfying the requirements of the Authorized Representative must be submitted to the Control Authority prior to, or together with, any reports to be signed by an Authorized Representative.
  - i. If sampling performed by a permittee indicates a violation, the Significant Industrial User shall notify the Control Authority within twenty-four (24) hours of the time said Significant Industrial User knows, or should have known, of the violation. In addition, the Significant Industrial User shall repeat the sampling and analysis, and submit the results of the repeat analysis to the Control Authority within thirty (30) days after said Industrial User becomes, or should have become, aware of the violation in accordance with its Wastewater discharge permit.
- d) In the event the Control Authority determines that any Significant Industrial User is discharging substances in quality, quantity or at locations which may cause problems to the POTW, or the receiving stream, the Control Authority has the authority to develop and enforce effluent limits applicable to the Significant Industrial User. To the extent the Control Authority seeks to impose restrictions in a permit



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which are more restrictive than established in these rules, the Control Authority shall provide written documentation to explain its rational basis for the greater restriction, or protection against pass through, interference, or violation of the NPDES permit, to the Significant Industrial User;

- e) Requirement for pollution prevention plan initiatives or Best Management Practice Plans; and
- f) Other requirements reasonably necessary to ensure compliance with these rules.

### Section II-706. Permit Duration, Notification of Changed Conditions, Modification and Transfer

- a) Permit duration. Any permit issued by the Control Authority shall be issued for a specified time period, but in no case shall a permit have a term greater than five (5) years. The effective date and the expiration date shall be included in every permit issued by the Control Authority.
- b) Notification of Changed Conditions. It is the duty of each Significant Industrial User to promptly notify the Control Authority of (i) material or substantial changes to its facility or operation, (ii) substantial change in the volume of Wastewater discharged, or (iii) changes in the characteristics of its effluent, including the listed or characteristic Hazardous Wastes for which initial notification under 40 CFR 403.12(p) has been made. The Significant Industrial User shall notify the Control Authority by filing a completed permit application form at least thirty (30) calendar days prior to the change identifying the changes and including supporting documentation. The Control Authority will evaluate the permit application in accordance with sub-paragraph (d) below. The failure of the Significant Industrial User to so apply shall be considered a violation of these rules.
- c) Finding of Changed Conditions. Where the Control Authority finds or discovers (i) material or substantial changes to a Significant Industrial User's facility or operation, (ii) substantial change in the volume of Wastewater discharged, or (iii) changes in the characteristics of its effluent, including the listed or characteristic Hazardous Wastes for which initial notification under 40 CFR 403.12(p), it shall require the Significant Industrial User to provide a permit application and supporting documentation within 30 days. The Control Authority will evaluate the permit application in accordance with sub-paragraph (d) below. The failure of the Significant Industrial User to so apply shall be considered a violation of these rules.
- d) Permit modification. The terms and conditions of the permit may be subject to modification and amendment by the Control Authority during the term of the permit. The modification may be based upon information provided by the Significant Industrial User or discovered by the Control Authority, which includes:
  - 1) A permit application provided in accordance with Section II-706. Sub-paragraph b or c.
  - 2) Changes in the monitoring location or method of sampling.
  - 3) Typographical errors or omissions discovered in permits.
  - 4) Amendments or changes to the limitations or pretreatment standards and requirements identified in Section II-204.
  - 5) Material or substantial changes to a Significant Industrial User's facility or operation, or changes

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in the characteristics of its effluent.

- 6) A Significant Industrial User's noncompliance with portions of an existing permit.
  - 7) A finding of interference or pass through attributable to the Significant Industrial User.
  - 8) A change of conditions within the POTW.
  - 9) Embodiment of the provisions of a legal settlement or of a court order.
  - 10) Change(s) in the Control Authority's NPDES permit.
  - 11) Any changes necessary to fulfill the Control Authority's role under federal or state law.
  - 12) Amendments to, or promulgation of, national categorical pretreatment standards or requirements including 40 CFR 403 and those delineated in Appendix A of these rules.
- e) Permit modification Procedure. The Control Authority shall inform the Significant Industrial User of any proposed change in its permit. The Control Authority will issue a draft permit using certified mail and provide the Significant Industrial User thirty (30) days to file a response to the draft modified permit. Thereafter, the Control Authority will issue a final permit and, unless appealed, the permit will become effective twenty (20) days after issuance.
- f) Permit custody and transfer. Wastewater discharge permits are issued to a specific person as defined herein for a specific discharge. A Wastewater discharge permit shall not be reassigned or transferred or sold to a different person, new owner, new Significant Industrial User, different premises, or a new or changed operation without notice to and written approval of the Control Authority and providing a copy of the existing permit to the new owner or operator. It shall be the permit holder's duty to notify the Control Authority of any such change at least thirty (30) days before the date of the change. Wastewater discharge permits, which do not receive the written approval of the Control Authority prior to the change, shall be null and void regardless of reassignment, or transfer, or sale. If it determines that an unreported change has occurred, the Control Authority may revoke a permit. If a change takes place, the Control Authority may require the application for a new or modified permit. Any succeeding person shall comply with the terms and conditions of any existing permit which the Control Authority allows to be retained.

### Section II-707. Permit Re-application.

A Significant Industrial Users whose Wastewater discharge permit is expiring apply for reissuance of the permit by submitting a complete permit re-application form a minimum of ninety (90) days prior to the expiration date of its existing permit. The permit re-application form shall include all information specified in Section II-703, which includes, but is not limited to, updates and re-certification of the spill or Slug control plans, updates to the 40 CFR 403.12(p) Hazardous Waste notifications, and for a Centralized Waste Treatment Facility, the current equivalent treatment study or treatment statement in accordance with Section II-506. The evaluation and review of a permit re-application by the Control Authority will be *de novo*, and in accordance with Section II-705.

- a) Where a Significant Industrial Users has submitted a complete and timely re-application form, the

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existing permit shall be automatically extended until a permit is issued as final by the Control Authority.

- b) Where a Significant Industrial Users has not submitted a complete or timely re-application form, the Control Authority may issue an administrative order authorizing the discharge for a period not to exceed six (6) months.
- c) Where a Significant Industrial Users fails to submit a permit re-application, or submits the re-application after the permit expiration date, the Wastewater discharge permit will be expired as of the date specified in the permit. The failure of the Significant Industrial Users to so apply shall be considered a violation of these rules.

### **Article VIII SIGNIFICANT INDUSTRIAL USER REQUESTS**

#### Section II-801: Periodic Compliance Reporting Frequency

- a) Significant Industrial Users may request modification and an offset of the time period included in their periodic compliance report. Example, where a Significant Industrial User is required to submit data on the discharge for a six-month period of January through June, or July through December, the Significant Industrial User may request an offset period of December through May and June through November.
- b) The Control Authority may authorize the modifications requested by the Significant Industrial User as long as it does not violate any federal or state requirement, or court order. When authorized, the Wastewater discharge permit or permit addendum shall be issued by the Control Authority.

#### Section II-802. Electronic Reporting

The Control Authority may choose to receive electronic documents and notices described in these rules, upon satisfaction of the electronic reporting requirements of 40 CFR 3. The Control Authority will notify Users if electronic (digital) documents can be accepted in accordance with 40 CFR 3, and the specific requirements for submission of such documents. Users that send electronic (digital) documents must satisfy the specific requirements of the Control Authority.

### **Article IX. PUBLIC INFORMATION AND CONFIDENTIAL INFORMATION**

#### Section II-901. Public information

- a) All information and data on any User obtained from a User or created by the Control Authority, from any written reports, questionnaires, permit applications, permits and monitoring programs, and from inspections, or any other sources shall be available to the public or other governmental agencies without restriction unless the User specifically requests and is able to demonstrate that the release of such information would divulge information, processes, or methods of production entitled to protection as confidential information under State law.
- b) Any person may request the above information in accordance with the written procedures and guidelines of the Control Authority found at [www.glwater.org](http://www.glwater.org).

#### Section II-902. Confidential information

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- a) A User claiming a submission contains confidential information must assert such claim at the time of submission of the information or data; and demonstrate that such information should be held confidential or disclosure would pose a risk to trade secrets or secret processes and mark the information and documentation accordingly. The Control Authority's Office of General Counsel shall determine whether the information requested is to be treated as confidential information and provide their decision in writing.
- b) Where the User has demonstrated that confidential information is present in the submission, those portions of the report shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report.
- c) Wastewater constituents and characteristics and other effluent data, as defined at 40 CFR 2.302, shall not be recognized as confidential information and shall be available to the public without restriction.
- d) A User may appeal the decision of the Control Authority's Office of General Counsel in accordance with the Michigan Freedom of Information Act.

### **Article X      ENFORCEMENT**

#### Section II-1001. Enforcement Response Guide

The Control Authority has developed an enforcement response guide to include a range of enforcement responses available to the Control Authority to effectively enforce the terms and conditions of its rules. The Control Authority shall implement the industrial pretreatment program and enforce these rules in accordance with the enforcement response guide approved by the EGLE.

The Control Authority, using information provided by a User or independently collected by the Control Authority's representative, shall identify any User violating these rules and initiate the remedies enumerated in the enforcement response guide to abate the violation and/or restore the User to a compliant condition through administrative and judicial enforcement remedies authorized by these rules.

#### Section II-1002. Test of Good Faith Effort

The Control Authority may consider the good faith of a User as a factor in determining the enforcement response(s) to invoke to an incident of noncompliance. The good faith of a User may be established by considering the cooperation and efforts made by a User in achieving and maintaining compliance with these rules; and in the promptness with which a User responds to resolution of an incident of noncompliance. If the User appears to be acting in good faith to comply with the rules, the Control Authority may choose an enforcement action on a more conciliatory level than if the User does not appear to be acting in good faith to comply with the rules.

#### Section II-1003. Violations

- a) Violations shall include any act or conduct by a User that includes:
  - 1) The failure of a User to provide a permit application, Baseline Monitoring Report or other

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application form for any discharge of Wastewater to the Sewerage System prior to the commencement of discharge, whether from a new or existing source.

- 2) The failure of a User to completely and/or accurately report the Wastewater constituents and/or characteristics of the User's discharge.
- 3) The failure to report significant changes in the User's operations or Wastewater constituents and/or characteristics within the time frames provided in Section II-706 (b) of these rules.
- 4) The failure or refusal to grant reasonable access to the User's premises, waste discharge, or sample location for the purpose of inspection or monitoring.
- 5) Restricting, locking out or preventing, directly or indirectly, access to any monitoring facilities constructed on public or private property. The locking or securing of the monitoring facility shall not constitute a violation pursuant to this subsection, provided, that upon request, reasonable access to the facility is promptly provided to the Control Authority representatives.
- 6) Restricting, interfering, tampering with, or rendering inaccurate any of the Control Authority's monitoring devices including, but not limited to, samplers.
- 7) Failing to obtain a Wastewater discharge permit prior to discharging Wastewater to the POTW.
- 8) Failing to comply with any condition or requirement of the User's Wastewater discharge permit, or other control mechanism.
- 9) Failing to provide notification of any self-monitoring violation, accidental release, or other notice required under these rules.
- 10) Failing to comply with any limitation, prohibition, or requirement of these rules, or order issued hereunder. Users acting in full compliance with wastewater discharge permits issued prior to the effective date of these rules shall be deemed to be in compliance with the requirements of these rules, and such permits shall remain in effect and be enforceable under these rules until a superseding permit is effective.
- 11) Users shall comply with applicable National Categorical Pretreatment Standards on the date specified in the Federal Regulations regardless of compliance schedules.

### Section II-1004. Administrative Enforcement Actions

The Control Authority shall initiate the appropriate administrative enforcement action, except in the case of an emergency or a flagrant violation, in order to compel the User to eliminate or to remedy such violation as soon as possible. These administrative enforcement actions include:

- a) Notice of Violation - The Control Authority shall take care to enforce these rules and use reasonable efforts of on-site inspections, records review and independent authority monitoring, to identify violations of the rules. Except in the case of an actual or threatened discharge as specified in subparagraph (g) of this section, whenever the Control Authority has reason to believe that any User has violated or is violating these rules, whether as an individual event or pattern, the Control Authority shall serve a written notice upon such User, stating the nature of the violation including its date, time

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and place, and the action and/or response required from the User.

- b) Issuance of Citation of Violation – The Control Authority is authorized to enforce these rules and issue a citation ticket to any person or User who is reasonably believed to have violated these rules. The following fines are authorized for inclusion with the citation:

Violation Type	Criteria	Event	Within a Calendar Year (per violation)	
			First Violation	Succeeding Violation
Reporting Violation	>45 days after specified due date	Any occurrence	\$ 250.00	\$ 500.00
Notification Violation	>24 hrs. beyond specified time	Any occurrence	\$ 100.00	\$ 250.00
Effluent Violation	Pollutant parameter exceeds applicable TRC (See Article XII)	Daily Maximum	\$ 100.00	\$ 250.00
Effluent Violation	Pollutant parameter exceeds applicable TRC (See Article XII)	Monthly Average	\$ 250.00	\$ 500.00
Effluent Violation	Pollutant parameter exceeds applicable chronic criteria (See Article XII)	Daily Maximum	\$ 250.00	\$ 500.00
Effluent Violation	Pollutant parameter exceeds applicable chronic criteria (See Article XII)	Monthly Average	\$ 500.00	\$ 1,000.00
Effluent Violation	Stipulated penalty as part of administrative enforcement	Daily Maximum	\$ 250.00	\$ 500.00
Effluent Violation	Stipulated penalty as part of administrative enforcement	Monthly Average	\$ 500.00	\$ 1,000.00

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The Citation shall be in writing and shall specify the date, time and violation alleged, signed by the Control Authority and be served on the Authorized Representative in person or by certified mail. The User may appeal any written citation under the reconsideration and appeal procedures of these rules.

- c) Conferences - The Control Authority may order any person, who violates these rules, to attend a conference wherein the Control Authority may endeavor to establish a program wherein the User agrees to eliminate or remedy the violation pursuant to an enforceable compliance schedule. Any notice of violation ordering attendance to a conference, shall be served at least ten (10) days before the scheduled conference and shall set forth the date, time, and place thereof. The conference shall be conducted by the Control Authority or its designated representative. The User may present a plan and schedule for achieving compliance with these rules. Nothing contained herein shall require the Control Authority to accept or agree to any proposed plan or schedule, or to prevent the Control Authority from proceeding with a show cause hearing as set forth in subsection (4) of this section. If the attendees agree upon a compliance schedule, the User and the Control Authority may enter, by consent, into a compliance agreement or an administrative order setting forth the terms of such agreement. A User must exhibit good faith and expeditious efforts to comply with these rules and any procedures, requirements, and agreements hereunder.
- d) Compliance schedules - The User and the Control Authority may agree upon a schedule which sets forth the terms and conditions, and time periods or schedules for completion of actions to remedy or to eliminate the causes of violation. These schedules may be developed as part of a conference compliance agreement, or administrative consent order. Schedules developed under this subsection shall adhere to the following conditions:
  - 1) The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of upgraded or additional pretreatment facilities, or to the implementation of additional operation and maintenance procedures required for the User to meet the applicable pretreatment requirements and standards including, but not limited to, hiring an engineer, completing preliminary plans, completing final plans, executing contracts for major components, commencing construction, and completing construction;
  - 2) No single increment referred to in subsection (1) of this section shall exceed nine (9) months.
  - 3) Not later than fourteen (14) days following each date in the schedule and the final date for compliance, the User shall submit a progress report to the Control Authority including, at a minimum, whether it has complied with the increment of progress to be met on such date and, if not, the date which it expects to comply with this increment of progress, the reason(s) for delay, and the steps being taken by the User to return to the established schedule; and
  - 4) Any deviation from the compliance schedule may result in the User being found in violation of these rules or being recommended for an escalated enforcement action.

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- e) Administrative orders - The Control Authority may order any User, who violates or continues to violate these rules or duly issued permit, to install and to properly operate devices, treatment facilities, or other related appurtenances. In addition, orders may contain such other requirements as might reasonably be necessary and appropriate to address the violation including the installation of pretreatment technology, additional self-monitoring and management practices, implementation of a waste minimization assessment to identify and implement feasible source reduction, and recycling practices to reduce the generation or release of pollutants at the facility. An order may be either an administrative consent order, which is the result of an agreement, or a unilateral administrative order.
- f) Show cause hearing - Where a conference, compliance agreement or administrative order has not been effective in remedying the violation(s), or are deemed an inadequate response to an actual or threatened discharge to the POTW, the Control Authority may order any User who violates these rules or allows such violation to occur, to show cause why a proposed enforcement action should not be taken. A notice shall be served upon the User specifying the time and place of a hearing regarding the violation, and the reason(s) why the show cause action and proposed enforcement action is being taken. The notice of the hearing shall be served personally, or by, registered or certified mail with return receipt requested, at least ten (10) days before the hearing. Service shall be made upon the Authorized Representative, or to its agent.
- 1) Hearing proceeding. The hearing shall be conducted by the Control Authority's Chief Compliance Officer or his/her designee, who shall serve as hearing officer and conduct the show cause hearing and take the evidence, and may:
    - i) Issue notices of hearing requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearing.
    - ii) Prepare a report of the evidence and hearing, including transcripts and other evidence.
    - iii) Transcript. At any show cause hearing held pursuant to these rules, testimony shall be recorded by a court reporter.
  - 2) Actions. After a show cause hearing has been conducted, the hearings officer shall issue an order directing any of the following actions:
    - i) A finding that the User has demonstrated by a preponderance of the evidence that the violation(s) contained within the show cause notice did not occur.
    - ii) A finding that the User has failed to demonstrate by a preponderance of the evidence that the violation(s) contained within the show cause notice did not occur, and that the following additional actions are required.
    - iii) Immediate compliance with the User's Wastewater discharge permit and/or control mechanism; or with any applicable limitation, condition, restriction or requirement of these rules, or applicable local, state or federal law or regulation.
    - iv) Pretreatment of wastes and Wastewater by installation of adequate treatment equipment,



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monitoring facilities, or proper operation and maintenance of existing treatment equipment be accomplished within a specified time period.

- v) Submission of periodic reports on effluent quality and quantity determined by self-monitoring analysis throughout the final period set by a compliance date.
  - vi) Control of discharge quantities or volumes.
  - vii) Payment of costs for reasonable and necessary inspection, monitoring, and administration of the User's activities by the Control Authority during compliance efforts; and/or
  - viii) Any such other orders as are appropriate including, but not limited to, immediate termination of sewer or wastewater treatment services, revocation of a wastewater discharge permit, or orders directing that following a specified time period sewer or Wastewater treatment service will be discontinued unless adequate treatment facilities, devices, or operation and maintenance practices have been employed;
  - ix) The User may appeal the decision of the hearing officer in accordance with Chapter VIII.
- g) Emergency suspensions and orders - The Control Authority may order suspension of the sewer or Wastewater treatment service and/or a wastewater discharge permit where, in its opinion, such suspension is necessary to stop any actual or threatened discharge which presents or may present an imminent or significant hazard to the health or welfare of persons or to the environment, interferes or may interfere with the POTW, or causes or may cause the Control Authority to violate any condition of its NPDES permit. Any person notified of a suspension of the sewer or wastewater treatment service and/or the wastewater discharge permit shall immediately stop or eliminate the contribution.
- 1) In the event the Control Authority provides verbal notification under this section, written confirmation providing a detailed written statement from the Control Authority and the basis of its findings in support of its order to suspend contributions by the User, within twenty-four (24) hours of such action, and include the specific recourse available to the User. In any event, the written confirmation order shall provide the User with an opportunity for a hearing before the Control Authority, or its designated representative, within ten (10) days of such action. The User shall submit a detailed written statement at the hearing describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, or, if the hearing has been waived, a report describing the causes of the harmful contribution and the measures taken to prevent any future occurrence shall be provided to the Control Authority within fifteen (15) days of the written confirmation order. Upon proof of elimination of the noncomplying discharge, the Control Authority shall reinstate the Wastewater discharge permit and/or the sewer or Wastewater treatment service.
  - 2) In the event of a failure of the person to comply voluntarily with any suspension or revocation order, the Control Authority shall take such judicial enforcement actions as deemed necessary, including immediate severance of the sewer connection or services, to prevent or minimize

damage to the POTW system or danger to any individual or the environment.

- 3) Where the Control Authority has issued a show cause order, or hearing decision in paragraph (g)(1) above, calling for the suspension of the sewer or Wastewater treatment service and/or a wastewater discharge permit, and where the Control Authority has not reinstated the wastewater discharge permit and/or the sewer or wastewater treatment service, the User may exercise the appeal provision in Chapter VIII. The Show Cause order and the hearing transcript and report shall substitute for the Reconsideration statement requirement of Chapter VIII of these rules.

#### Section II-1005. Judicial Enforcement Actions

Where administrative enforcement actions have been unable to eliminate or to remedy the violation(s) or where in the case of emergency or flagrant violation, the Control Authority determines that the enforcement action should be escalated to compel the User to eliminate or to remedy such violation as soon as possible, the following judicial enforcement actions are authorized:

- a) Civil action: Whenever the Control Authority has reasonable grounds to believe that a User is violating, or has violated, a provision of its wastewater discharge permit, a pretreatment standard or requirement or any requirement of these rules, including the failure to pay any fee, fine, charge or surcharge imposed hereby, the Control Authority may commence a civil action to compel compliance in a court of competent jurisdiction to enjoin the User from discharging, and/or to obtain appropriate legal and/or equitable relief to remedy the violations and impose the fees, fines, charges and surcharges requested. The commencement of a suit neither constitutes an exclusive election of remedies nor prohibits the Control Authority from commencing action in federal court for discharges believed to be in violation of these rules, state and federal requirements contained in the Clean Water Act, the NPDES permit, or other applicable laws or requirements. In addition, the Control Authority may recover the reasonable attorney fees, court costs, court reporters' fees, and other unusual expenses related to enforcement activities or litigation against the person found to have violated these rules, or the orders, rules, regulations and permits issued hereunder.
- b) Criminal action:
  - 1) Any User, who knowingly makes any false statement, representation of certification, is guilty of a misdemeanor, punishable by imprisonment for not more than ninety (90) days, or a fine of not more than \$500.00, or both. Each violation constitutes a separate and distinct offense.
  - 2) Any User, who knowingly tampers with or alters a monitoring device or process, causing inaccurate readings or results, is guilty of a misdemeanor, punishable by imprisonment for not more than ninety (90) days, or a fine of not more than \$500.00, or both. Each violation constitutes a separate and distinct offense.
  - 3) For all other violations of a rule or regulation adopted and promulgated herein, a User shall be punished by a civil fine not to exceed one thousand dollars (\$1,000.00) for each violation

per day.

- 4) The Control Authority is hereby authorized, through its general counsel, to seek prosecution of criminal charges against any person violating any provision of these rules.
- c) Any fines, costs, and penalties which are imposed by any court of competent jurisdiction shall be payable to the Control Authority.

Section II-1006. Supplemental Enforcement Actions

- a) Pollution Prevention Plans and Best Management Practice Plans. The Control Authority may require a User to develop and implement pollution prevention plans or Best Management Practice Plans, designed to eliminate or reduce pollutant contributions beyond the levels required by these rules. Where required, the plans shall be incorporated into a modified or revised Wastewater discharge permit; and include a schedule for periodically reporting implementation progress and results for the plan(s).
- b) Local Pollutant Discharge Limitations for Total PCB. In the event where one (1) or more of the measurements taken for Total PCB during a six (6) month period exceeds by any magnitude the method detection level of 0.2 ugms/l, the Control Authority may require a User to develop and implement Pollution prevention plan initiatives or a BMP, as part of its response to the exceedance. Upon acceptance of the Pollution prevention plan initiatives or BMP, the Control Authority will recognize continued performance under the Pollution prevention plan initiative or BMP as continued compliance. Upon approval of the Control Authority, these Pollution prevention plan initiatives or BMPs, shall be made an enforceable part of the Wastewater discharge permit.
- c) Local Pollutant Discharge Limitations for Mercury (Hg). In the event where one (1) or more of the measurements taken for Hg during a six (6) month period exceeds by any magnitude the limitation of 10 ugms/l, the Control Authority may require a User to develop and implement Pollution prevention initiatives or a BMP, as part of its response to the exceedance. Upon acceptance of the Pollution prevention plan initiatives or BMP, the Control Authority will recognize continued performance under the Pollution prevention plan initiatives or BMP as continued compliance. Upon approval of the Control Authority, these Pollution prevention plan initiatives or BMPs, shall be made an enforceable part of the Wastewater discharge permit.
- d) PFAS Compounds:
  - 1) General Requirement: Any User who manufactured PFAS Compounds; previously used, currently uses, or plans to use materials containing PFAS Compounds; and who has a discharge of wastes and Wastewaters to the POTW, shall be required to develop, submit and implement plans for the reduction and elimination of the PFAS Compounds.
    - i) Plans shall be submitted to the Control Authority and shall include, but not limited to, monitoring, treatment, product substitutions, BMP or other management protocols, that the User will implement.

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- a) For existing Users, these plans shall be submitted to the Control Authority within ninety (90) days of the effective date of these rules.
  - b) For Users initiating discharge after the effective date of these rules, these plans shall be submitted to the Control Authority within ninety (90) days of the commencement of discharge to the POTW.
  - c) Any monitoring program shall be conducted in accordance with sample collection methods defined by the EGLE or USEPA and analyzed in accordance with 40 CFR 136 or other approved methods recognized by the State of Michigan; or where USEPA or the State of Michigan has not established sample collection methods or approved analytical methods in 40 CFR 136, the methods shall be specified by GLWA.
- ii) The Control Authority may require any User to conduct discharge monitoring; or the development and implementation of additional source reduction, control and elimination actions for PFAS Compound through a Wastewater discharge permit or equivalent control mechanism.
  - iii) This paragraph shall not apply to facilities classified as a Centralized Waste Treatment Facility or any active/inactive landfill.
  - iv) This paragraph does not apply to domestic sources or activities involving commercial maintenance activities for carpet & upholstery cleaning.
- 2) Centralized Waste Treaters & Landfills: Any Centralized Waste Treatment Facility or an active/inactive landfill who either (i) accepts wastes and Wastewater containing PFAS Compounds for treatment and/or disposal, or (ii) who identifies PFAS Compounds in any wastes or Wastewaters received in accordance with paragraph II-1006-d)(2)(i), or (iii) who becomes or is made aware of PFAS Compounds present in the wastes and Wastewaters from any source, and discharges to the POTW, or (iv) who is notified by the Control Authority that its discharge contains PFAS Compounds; shall, develop, submit and implement a comprehensive “PFAS Compound Program” describing methods and procedures to identify, control, reduce, dispose of, eliminate and/or treat wastes and Wastewaters containing PFAS Compounds. At a minimum, the PFAS Compound Program shall include the following information, as appropriate:
- i) The PFAS Compound Program must describe the method(s) and procedures used for screening and monitoring program for PFAS Compounds that may be present in any wastes or Wastewaters received for treatment or disposal.
    - a) Any monitoring program shall be conducted in accordance with sample collection methods defined by the EGLE or USEPA and analyzed in accordance with 40 CFR 136 or other approved methods recognized by the State of Michigan; or where USEPA or the State of Michigan has not established sample collection methods or approved

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analytical methods in 40 CFR 136, the methods shall be specified by GLWA.

- b) The screening and monitoring program shall include a protocol for notifying the Control Authority when wastes and Wastewaters containing PFAS Compounds are identified.
  - c) All results and information from the screening and monitoring program shall be available to the Control Authority and copies of such information shall be made available upon written request.
- ii) The PFAS Compound Program must describe the waste and Wastewater treatment or disposal protocols and practices used, and any disposal and/or treatment technologies used to remove and/or treat wastes and Wastewaters containing PFAS Compounds.
- a) This information shall be supported by technical documentation defining the effectiveness of such treatment protocols and/or practices used, including the removal efficiency based on mass loadings (lbs.) of PFAS Compounds before and after treatment, and account for dilution effects resulting from the combination of other waste streams, if applicable. Such demonstration may be made through bench-scale testing or site-specific data. Where site-specific data is used, a minimum of one (1) week of data must be collected.
  - b) The facility shall assess or re-assess, the removal efficiency of its operations for PFAS Compounds at least annually.
- iii) The PFAS Compound Program must describe a self-monitoring program acceptable to the Control Authority. This self-monitoring program shall include the discharge to the POTW and may include samples within the treatment process. The self-monitoring program shall identify the sampling protocols and methods of analysis used, and the authority for such methods or analysis (if other than the State of Michigan or USEPA).
- iv) The PFAS Compound Program must describe a Recordkeeping Program that at a minimum, documents the volume(s) of PFAS Compounds wastes and Wastewaters received; the mass of PFAS Compounds in pounds received by the facility and any mass (in pounds) removed by treatment, discharged to the POTW and disposed of through any other off-site source. Such information shall be summarized for each calendar month and submitted to the Control Authority by the 10<sup>th</sup> of the succeeding month.
- v) The PFAS Compound Program may include BMP or other management protocols that will be used to control, reduce or eliminate PFAS Compounds from their discharge. Where a User develops BMP or other management protocols, it may submit such plans to the Control Authority for acceptance and incorporation into the facility's Wastewater discharge permit.
- vi) The requirements of subparagraphs (i) – (v) shall be submitted as a Material and Substantial

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change and request for Permit Modification within ninety (90) days of the effective date of these rules or ninety (90) days from the commencement of discharge.

- vii) The Control Authority may require any Centralized Waste Treatment Facility or an active/inactive landfill to conduct discharge monitoring; or to develop a PFAS Compound Program; or the development and implementation of additional source reduction, control and elimination actions for PFAS Compound through a Wastewater discharge permit or equivalent control mechanism.

Following acceptance of the facility's PFAS Compound Program, the Control Authority shall review and incorporate its PFAS Compound Program into a Wastewater discharge permit or equivalent control mechanism, as an enforceable part of the permit.

- 3) Perfluorochemical Fire-fighting Foams and Agents – Any user who stores or uses Firefighting foams using Perfluorochemicals with a carbon chain of 6 or more, shall develop and implement the following plans:
  - i) Specific reference and controls for contained in a spill/Slug control plan and submit this to the Control Authority. At a minimum, such plans shall identify areas where the Fire-fighting Foams and Agents would be contained and have no potential to reach a drain or sewer; and areas that are not contained and have a potential to reach a drain or sewer and shall be reviewed and updated as necessary but shall not exceed three (3) years.
  - ii) Training Operations and Exercises – Plans for the proper use and storage and use of firefighting foams during the exercise and shall employ best environmental and public health practices for the use of Perfluorochemical Fire-fighting Foams and Agents in training including but not limited to containment, and proper disposal.
  - iii) Fire or Emergency Events – (Potential to drain to sewer) – For those areas where there is a potential for the Fire-fighting Foam and Agents to reach a drain or sewer, the User shall provide notice to the POTW within forty-eight (48) hours of a Fire or other emergency event where Perfluorochemical Fire-fighting Foams and Agents were used including:
    - a) Purpose for use of foam or agent.
    - b) Physical address where foam or agent was used.
    - c) Actual or estimated quantities of foam or agent concentrate used, and quantity of water used to produce foam
    - d) Name(s) of water bodies potentially affected by foam and agent or other firewater to storm or combined sewer
    - e) Practices employed for cleanup and disposal of materials contaminated by the foam or firewater.

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- iv) Fire or Emergency Events (No potential to drain to sewer) – For those areas where there is no potential for the Fire-fighting Foam and Agents to reach a drain or sewer, the User shall collect, clean-up and dispose of the Fire-fighting Foam and Agents and any fire-fighting water, in accordance with their BMP. A report shall be provided to the POTW addressing the completion of the clean-up and disposal of the materials within 5-days of the event and, as applicable, include a schedule for completion of the clean-up and disposal.
- v) A BMP or other management program shall be established and implemented for the collection and disposal of Perfluorochemical Fire-fighting Foams and Agents with a carbon chain of six or greater. The plan shall include any efforts to identify alternative products.
- vi) Any monitoring program shall be conducted in accordance with sample collection methods defined by the EGLE or USEPA and analyzed in accordance with 40 CFR 136 or other approved methods recognized by the State of Michigan; or where USEPA or the State of Michigan has not established sample collection methods or approved analytical methods in 40 CFR 136, the methods shall be specified by GLWA.

Copies of these plans shall be submitted to the Control Authority within ninety (90) days of the effective date of these rules.

- 4) The GLWA may assign any User who has previously used or received, or will use or receive PFAS Compounds, to a User Class for reimbursement of costs incurred by GLWA to monitor and enforce this requirement, and for which the Board determines costs should be assigned.
- 5) The GLWA reserves the right to take enforcement action for any violations as described in Section II-1003, and as described in Sections II-1004 and II-1005.
- f) The Control Authority may require any User to implement Pollution prevention plan initiatives, or BMP, as part of an enforcement response, or as necessary to comply with its NPDES permit.
- g) A User may seek to terminate a BMP when it has demonstrated compliance for a twelve (12) month period supported by a minimum of four (4) analytical test results and a report describing the management and operating procedures used to support the compliance status. Upon acceptance of this demonstration of compliance, the User shall be relieved of this implementation requirement.

### Section II-1007. Remedies Nonexclusive

The remedies provided for in these rules are not exclusive. Enforcement of pretreatment violations will generally be in accordance with the Control Authority's enforcement response plan. However, the Control Authority may take other action against any User when the circumstances warrant. Further, the Control Authority is empowered to take more than one enforcement action against any noncompliant User.

## **Article XI AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS**

### Section II-1101. Upsets.

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An upset shall constitute an affirmative defense to an action brought for noncompliance with National Categorical Pretreatment Standards where the requirements of subsection (a) of this section are met.

- a) An Industrial User who wishes to establish an upset as an applicable affirmative defense shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence, that:
  - 1) An upset occurred and the Industrial User can identify the cause(s) of the upset.
    - i. At the time, the facility was being operated in a prudent and workmanlike manner and in compliance with applicable operation and maintenance procedures.
    - ii. The Industrial User has submitted the following information to the Control Authority, orally or in writing, within twenty-four (24) hours of becoming aware of the upset and, where this information is provided orally, a written submission must then be provided within five (5) days:
      - a) A description of the discharge and cause of noncompliance.
      - b) The period of noncompliance including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
      - c) Steps being taken and/or planned to reduce, eliminate and prevent recurrence of the noncompliance.
  - 2) In any enforcement proceeding, the Industrial User seeking to establish the occurrence of an upset shall have the burden of proof.
  - 3) The Industrial User shall control production of all discharges to the extent necessary to maintain compliance with these rules upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost or fails.

### Section II-1102. Bypass.

A bypass includes any intentional diversion of a wastestream from any portion of an Industrial User's treatment facility. A bypass shall constitute an affirmative defense to an action brought for noncompliance with national categorical pretreatment standards and/or local pollutant discharge limitations where the requirements of subsection (a) of this section are met.

- a) The affirmative defense of bypass may be claimed where:
  - 1) The bypass is for essential maintenance to ensure efficient operation of the treatment system and does not cause a violation of pretreatment standards or requirements.
  - 2) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage.
  - 3) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated waste, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise



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- of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
- 4) The Industrial User properly notified the Control Authority as described in subsection (2) of this section.
- b) Notice of Bypass Event. An Industrial User shall have properly notified the Control Authority as follows:
- 1) Anticipated bypass. Any Industrial User anticipating a bypass shall submit notice to the Control Authority at least ten (10) days in advance of the anticipated date.
  - 2) Unanticipated bypass. The Industrial User shall submit oral notice of an unanticipated bypass that exceeds applicable pretreatment standards within twenty-four (24) hours from the time the Industrial User becomes, or should have become, aware of the bypass.
  - 3) For any bypass event, a written submission shall be provided to the Control Authority within five (5) days of the time the Industrial User becomes, or in the case of an unanticipated bypass, should have become aware of the bypass. The written submission shall contain a description of the bypass including exact dates and times, and if the bypass has not been corrected or the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate and prevent reoccurrence of the bypass.
- c) Bypass approval. Where it meets all conditions in subsections (1) and (2) of this section, the Control Authority shall recognize the affirmative defense. However, the Industrial User may still be held liable for costs and fees incurred by the Control Authority as a result of the bypass, including treatment costs, charges and surcharges.

## **Article XII PUBLICATION OF INDUSTRIAL USERS IN SIGNIFICANT NONCOMPLIANCE**

### Section II-1201. Public notification of significant noncompliance.

The Control Authority shall publish in the largest daily newspaper published in the jurisdictional limits of the Control Authority, a list of all Users which, at any time during the previous twelve (12) months, were in significant noncompliance with applicable pretreatment standards and requirements.

### Section II-1202. Significant Noncompliance Criteria.

A Significant Industrial User (or any Industrial User which violates paragraphs (c), (d), or (h) of this section) is in significant noncompliance if its violation meets one or more of the following criteria:

- a) Chronic violations of wastewater Discharge limits, defined here as those in which 66 percent or more of all of the measurements taken for the same pollutant parameter during a 6-month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined by 40 CFR 403.3(l);

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- b) Technical Review Criteria (TRC) violations, defined here as those in which 33 percent or more of all of the measurements taken for the same pollutant parameter during a 6-month period equal or exceed the product of the numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR 403.3(l) multiplied by the applicable TRC (TRC=1.4 for BOD, TSS, fats, oil, and grease, and 1.2 for all other pollutants except pH);
- c) Any other violation of a Pretreatment Standard or Requirement as defined by 40 CFR 403.3(l) (daily maximum, long-term average, instantaneous limit, or narrative Standard) that the POTW determines has caused, alone or in combination with other Discharges, Interference or Pass Through (including endangering the health of POTW personnel or the general public);
- d) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the POTW's exercise of its emergency authority under paragraph (f)(1)(vi)(B) of this section to halt or prevent such a discharge.
- e) Failure to meet, within 90 days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance.
- f) Failure to provide, within 30 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules.
- g) Failure to accurately report noncompliance.
- h) Any other violation or group of violations, which may include a violation of Best Management Practices, which the POTW determines will adversely affect the operation or implementation of the local Pretreatment program.

### Section II-1203. Publication Process.

Any User who is identified for publication as being in Significant Noncompliance shall be notified in writing at least thirty (30) days before the proposed publication; provided with a copy of the proposed notice to be published; the proposed time frame for the publication; and allowed an opportunity to comment. The Control Authority shall incorporate any comments with the proposed publication, or incorporate any comments with a revised publication, but may exercise its discretion to summarize any comments where space or word count is deemed excessive. In addition, the Control Authority may place this information on its web page at [www.glwater.org](http://www.glwater.org).

### **Article XIII FEES AND CHARGES**

Fees and charges may be established by the Board to meet the costs of the operation, maintenance, improvement or replacement of the system and regulatory programs, or as provided by law or by Board action. The specific fees and charges are discussed more fully in Chapter V of these rules.

**Article XIV APPEAL PROCEDURES**

The decisions and actions taken by the Industrial Waste Control Group and the Control Authority affecting the administration, implementation, and enforcement of the industrial pretreatment program requirements are subject to review through a two-step appeal process. Although the majority of disputes are resolved through open communication, there may be a point where a User seeks to formalize their objection(s) and seek administrative review. The appeal procedures recognized under these rules are described in Chapter VIII.

**Article XV STATUTES, LAWS AND REGULATIONS**

Section II-1501. Unless otherwise provided, any reference in these rules to a code, standard, rule, regulation, or law enacted, adopted, established, or promulgated by any government or private organization, or by any element or organization of government other than the Control Authority shall be construed to apply to such code, standard, rule, regulation, or law in effect or as amended or promulgated, from the date of enactment of these rules.

Section II-1502. The National Categorical Pretreatment Standards defined in 40 CFR Chapter I, Subchapter N, Parts 405-471, shall be and are incorporated by reference herein and made a part hereof.

Section II-1503. The Board may amend these rules or adopt additional rules necessary and proper for carrying out the conditions and intent of these rules.

Section II-1504. Nothing in these rules shall be deemed to limit the Control Authority from developing explanatory policies, guidance, or opinions to carry out the terms of the industrial pretreatment program which is not in conflict or otherwise prohibited by these rules.

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**Appendix A – National Categorical Pretreatment Standards (NCPS) Categories**

NCPS Category	CFR Reference	NCPS Category	CFR Reference
Aluminum Forming	40 CFR Part 467	Meat Products	40 CFR Part 432
Asbestos Manufacturing	40 CFR Part 427	Metal Finishing	40 CFR Part 433
Battery Manufacturing	40 CFR Part 461	Metal Molding and Casting	40 CFR Part 464
Builder's Paper and Board Mills	40 CFR Part 431	Metal Products and Machinery	40 CFR Part 438
Canned and Preserved Fruits and Vegetables	40 CFR Part 407	Mineral Mining and Processing	40 CFR Part 436
Canned and Preserved Seafood Processing	40 CFR Part 408	Nonferrous Metals Forming	40 CFR Part 471
Carbon Black Manufacturing	40 CFR Part 458	Nonferrous Metals Manufacturing I	40 CFR Part 421
Cement Manufacturing	40 CFR Part 411	Nonferrous Metals Manufacturing II	40 CFR Part 421
Centralized Waste Treatment	40 CFR Part 437	Ore Mining and Dressing	40 CFR Part 440
Coal Mining	40 CFR Part 434	Organic Chemicals, Plastics, and Synthetic Fibers	40 CFR Part 414
Coil Coating	40 CFR Part 465	Paint Formulating	40 CFR Part 446
Copper Forming	40 CFR Part 468	Paving and Roofing Materials	40 CFR Part 443
Dairy Products Processing	40 CFR Part 405	Pesticide Chemicals	40 CFR Part 455
Dental Office (Mercury Amalgam)	40 CFR Part 441	Petroleum Refining	40 CFR Part 419
Electrical and Electronic Components I & and II	40 CFR Part 469	Pharmaceutical	40 CFR Part 439
Electroplating	40 CFR Part 413	Phosphate Manufacturing	40 CFR Part 422
Explosives Manufacturing	40 CFR Part 457	Photographic	40 CFR Part 459
Feed Lots	40 CFR Part 412	Plastics Molding and Forming	40 CFR Part 463
Ferroalloy Manufacturing	40 CFR Part 424	Porcelain Enameling	40 CFR Part 466
Fertilizer Manufacturing	40 CFR Part 418	Pulp, Paper, and Paperboard	40 CFR Part 430 and 431

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Glass Manufacturing	40 CFR Part 426	Rubber Manufacturing	40 CFR Part 428
Grain Mills	40 CFR Part 406	Soap and Detergent Manufacturing	40 CFR Part 417
Gum and Wood Chemicals Manufacturing	40 CFR Part 454	Steam Electric	40 CFR Part 423
Hospital	40 CFR Part 460	Sugar Processing	40 CFR Part 409
Ink Formulating	40 CFR Part 447	Textile Mills	40 CFR Part 410
Inorganic Chemicals Manufacture (I & and II)	40 CFR Part 415	Timber products	40 CFR Part 429
Iron and Steel	40 CFR Part 420	Transportation Equipment Cleaning	40 CFR Part 442
Landfills	40 CFR Part 445	Waste Combusters	40 CFR Part 444
Leather Tanning & finishing	40 CFR Part 425		

**CHAPTER III: SURCHARGE PROGRAM FOR HIGH-STRENGTH  
WASTEWATER DISCHARGES**

The Control Authority’s POTW receives Wastewater from residential, commercial and industrial sources for treatment and discharge under its NPDES Permit MI0022802. The sewer charge rate charged to Member Communities is based upon the Domestic Strength of sewage. A Surcharge program for High Strength Wastewater discharges has been established to capture the additional treatment and operations costs incurred for Wastewater conveying additional pollutants to the Control Authority’s POTW for specific Users.

The purpose of these rules are to establish an orderly and fair system whereby the operations, maintenance, and replacement costs incurred by the Control Authority in treating and disposing of the sewage, Industrial Wastes, and other wastes generated by each User is charged to that User for its use of the Control Authority’s POTW, as required by the Federal Water Pollution Control Act Amendments of 1972 and the Clean Water Act of 1977 (33 U.S.C. 1251-1387) and the rules of the USEPA, promulgated pursuant thereto. These rules are promulgated pursuant to the statutory authority contained in Act No. 233, Public Acts of Michigan, 1955, as amended (“Act 233”).

**Article I Domestic Strength of Sewage**

The Control Authority has established the following Domestic Strength levels for wastewater discharged to the POTW.

Domestic Strength Levels	
Biochemical Oxygen Demand (BOD)	275 mg/l
Fats, Oils & Grease	100 mg/l
Phosphorus (P)	12 mg/l
Total Suspended Solids (TSS)	350 mg/l

**Article II: High Strength Wastewater Sources**

Section III-201. Applicability: Domestic Sources

Domestic Sources shall not be subject to a surcharge for High Strength Wastewater where a property is used for the exclusive purpose of a residential dwelling, including but not limited to single or multi-family units or apartments.

Section III-202. Applicability: Users

Users and any source who does not qualify as a Domestic Source under section III-201 of these rules, are subject to the Surcharge program for High Strength Wastewater sources, as follows:

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- a) Users, who as of the date of adoption of these rules have been previously assigned Pollutant Strength Levels (or “Surcharge basis”) by the Detroit Water and Sewerage Department, or the GLWA, shall retain these Pollutant Strength Levels, until changed under Article IV.
- b) All other Users will be assigned the Pollutant Strength basis equivalent to the Domestic Strength Levels of Article I, until changed under Article IV.

### Article III. Surcharge and Surcharge Formula

#### Section III-301. Domestic Strength Levels.

As part of the annual rate-making process, a surcharge fee will be established for each pollutant included in the Article I Domestic Strength Level, which reflects the actual cost of treating the pollutant by the Control Authority. The Control Authority, through the Board, shall approve the Surcharge Rates as part of its annual Rate-making process.

#### Section III-302. Surcharge Fee Calculation.

The Surcharge fee will be calculated for each User in accordance with the following formula:

Total Surcharge Fee =

$$0.0624 \times \text{Volume} \times [a (\text{BOD-275}) + b (\text{TSS-350}) + c (\text{P} - 12) + d (\text{FOG-100})]$$

Where the terms constituting the total surcharge fee shall have the following meaning:

TERM	Description	Units of Measurement
0.0624	Conversion factor	
Volume	Volume of Wastewater Discharged for a billing period	Thousand Cubic Feet (Mcf)
BOD	BOD Strength Level	Milligrams/liter (mg/l)
TSS	TSS Strength Level	Milligrams/liter (mg/l)
P	Phosphorus Strength Level	Milligrams/liter (mg/l)
FOG	The Fats, Oils & Grease Strength Level	Milligrams/liter (mg/l)
a, b, c, d	The Surcharge Rate	\$ per pound

Note: Where the difference between the pollutant strength level and domestic strength level is less than zero (0), the difference shall be deemed zero (0).

### Article IV Determination of Pollutant Strength Levels of High Strength Wastewater

Following the adoption of these rules, the Pollutant Strength Levels of High Strength Wastewater may be established or revised in accordance with any of the following methods. The Control Authority or User

shall not seek to revise the Pollutant Strength Levels of High Strength Wastewater more frequently than every 12-months.

Section III-401. Pollutant Strength Levels from Historical Data Records

A User, or the Control Authority, may use historical data to establish or revise its Pollutant Strength Levels. The Pollutant Strength Level will be determined using a numerical average of the self-monitoring and Control Authority monitoring data for the surcharge pollutant parameters that have been collected in a 12-month period.

a) User Initiated use of Historical Data

- 1) Where the User performs this calculation, it shall complete a Waste Strength Determination Form and provide it to the Control Authority, with all supporting data and calculations.
- 2) No data shall be excluded from the above calculation unless the User or the Control Authority can demonstrate that the data is non-representative of the facility's discharge and actual operations.
- 3) Within fifteen (15) days of receiving the report, the Control Authority will review all data and the User's detailed report and accept or reject the report. If rejected, the Control Authority will provide the reasons for rejection in writing. If not rejected, the new values shall be applied to the next billing cycle following receipt of the User information.

b) Control Authority use of Historical Data

- 1) Where the Control Authority performs this calculation, it shall notify the User in writing of the calculated Pollutant Strength Levels. The User has thirty (30) days to file a waste strength determination form and propose a Sample Test (see Section III-402), and unless rejected, the results shall be used for billing purposes.

Section III-402. Pollutant Strength Levels from Sample Test Period Data

a) A User may, on its own initiative, or upon receipt of written notice under section II-401(2) above, file a waste strength determination form and propose a sample test and sampling plan. The sampling plan shall be based upon a 5-day, 6-day or 7-day operating week for all Pollutant Surcharge parameters.

- 1) The sampling plan must be provided in writing to the Control Authority no less than fourteen (14) calendar days prior to commencement of the sampling program.
- 2) The sampling plan must include the following:
  - i) Locations of sampling
  - ii) Method(s) of sampling at each location
  - iii) Date(s) of sampling
  - iv) Measurement or determination of volume of Wastewater discharged during the testing period
  - v) Sample collection for all Pollutants Surcharge (BOD, FOG, P, and TSS).

b) The sampling plan shall be submitted to the Industrial Waste Control Group by one of the following methods:

- 1) U.S. mail addressed to the Industrial Waste Control Group.



## GLWA Rules

- 2) Facsimile transmission sent to 313-297-5860; or
  - 3) PDF sent via electronic mail to IWC@GLWATER.org.
- c) These submittals shall be considered “not received” if deficient or incomplete, including for any of the following reasons:
- 1) The sampling plan has not been signed and dated by the User.
  - 2) The User has failed to enclose all supporting documents necessary to aid in the Control Authority’s review of the sampling plan.
- d) The User shall be authorized to implement the Sampling Plan unless it receives a written notice from the Control Authority specifying whether the sampling plan is deficient or incomplete.
- e) The Control Authority shall have the right to observe the User's sampling techniques, sample preservation, flow measurements, and other sampling protocols during the sampling program.
- f) Within sixty (60) calendar days of completion of the sampling plan, the User shall forward the findings and supporting documentation to the Control Authority; including field sample collection logs/notes, chain of custody reports, certified laboratory reports, daily incoming meter readings, daily direct discharge meter readings, and any other supporting documentation.
- 1) If the User fails to notify the Control Authority prior to the sampling or fails to submit the report within the sixty (60) day period the use of the User's data for purposes of User charge calculation will be rejected, and the findings will not be allowed.
  - 2) The User shall provide a calculation of the numerical average for each Pollutant Surcharge which shall be applied as the Pollutant Strength Level for purposes of billing.
  - 3) If an User considers any self-monitoring data inappropriate for inclusion in calculating its User charges, the User must submit such data with its Report, together with a written report detailing the basis for the User’s assessment that such data were not representative for purposes of inclusion when calculating its User charges. The Control Authority will accept or reject the inclusion or exclusion of the data.
  - 4) Within fifteen (15) days of receiving the report, the Control Authority will review all data and the User’s detailed report and accept or reject the report. If rejected, the Control Authority will provide the reasons for rejection in writing. If not rejected, the new values shall be applied to the next billing cycle following receipt of the User information.

### Section III-403. Pollutant Strength Levels Using Table Values.

The Control Authority has adopted Table A to assign average Pollutant Strength Levels for commercial or industrial groups performing operations known to produce High Strength Wastewater.

- a) A User who performs a commercial or industrial activity identified in Table A based upon (i) the Standard Industrial Classification Code (SIC); and/or (ii) North American Industrial Classification System (NAICS); or (iii) consistent with the Description of an SIC or NAICS code shall be subject to the applicable Surcharge for the High Strength Wastewater.

## GLWA Rules

- b) The Control Authority will notify the User in writing of their classification, and the assignment of the average Pollutant Strength Levels as described in Table A. The new values shall be applied to the next billing cycle unless the User files a waste strength determination form and performs the sample test in accordance with Section III-402 within thirty (30) days of receiving the written notice.
- c) Where the User files a waste strength determination form under Section III-403, the Control Authority will evaluate and process it in accordance with Section III-402.
  - 1) If the waste strength determination form is accepted, the new values shall be applied to the next billing cycle following receipt of the User information.
  - 2) If the waste strength determination form is rejected, the Table A values shall be applied to the User until an acceptable pollutant strength test is performed.
- d) A User who does not have an existing monitoring location and discharges less than 25,000 gallons of wastewater per day may elect to use the values specified in Table A in lieu of performing self-monitoring. The election shall be in writing.

### Section III-404. Control Authority Test Data

- a) The Control Authority may, on its own initiative, conduct sampling at a User location, to establish the actual Pollutant Strength Level of a User's wastewater. Where this action is taken, the sampling shall be based upon a 5-day, 6-day or 7-day operating week, applicable to the User, for all Pollutant Surcharge parameters. The Control Authority shall review the results of the sampling program and determine whether a revision of the Pollutant Strength Levels is required. Upon such determination, the Control Authority will notify the User in writing.
- b) The new values shall be applied to the next billing cycle unless the User files a waste strength determination form and performs the sample test in accordance with Section II-402 within thirty (30) days of receiving the written notice.
- c) Where the User files a waste strength determination form under Section III-404, the Control Authority will evaluate and process it in accordance with Section III-402.
  - 1) If the waste strength determination form is accepted, the new values shall be applied to the next billing cycle following receipt of the User information.
  - 2) If the waste strength determination form is rejected, the Control Authority's findings will be applied to the User until an acceptable pollutant strength test is performed.

### Section III-405. Periodic Review of User and Control Authority Sampling Data

The Control Authority shall periodically review the User's self-monitoring data and its own sampling data, to assess whether a change or revision in the Pollutant Strength Levels is warranted. The Control Authority shall provide written notice to the User where these findings determine a revision of the Pollutant Strength Levels is warranted.

Section III-406. Sampling and Analytical Methods

The measurement and determination of the Pollutant Strength Levels shall be in accordance with 40 CFR 136 and the latest edition of Standard Methods for the Examination of Water and Wastewater, published jointly by The American Public Health Association, The American Water Works Association, and the Water Environment Federation.

**Article V. Appeal**

Section III-501. The decisions and actions taken by the Industrial Waste Control Group and the Control Authority affecting the administration, implementation, and enforcement of the Surcharge of High Strength Wastewater program are subject to review through a two-step appeal process. Although the majority of disputes are resolved through open communication, there may be a point where a User seeks to formalize their objection(s) and seek administrative review. The Appeal procedures recognized under these rules are described in Chapter VIII.

GLWA Rules

SIC Number	SIC Description	NAICS Number	NAICS Description	BOD	TSS	Phosphorus	FOG
				* Signifies Domestic Strength Level			
2011	Meat Packing Plants	311611	Animal (except Poultry) Slaughtering	1200	800	*	400
2013	Sausages & Other Prepared Meat Products	311612	Meat Processed from Carcasses	800	700	*	150
		311613	Rendering and Meat Byproduct Processing				
2022	Natural, Processed, and Imitation Cheese	311513	Cheese Manufacturing	2000	500	50	*
2023	Dry, Condensed, and Evaporated Dairy Products	311511	Fluid Milk Manufacturing	1000	500	20	*
		311514	Dry, Condensed, and Evaporated Dairy Product Manufacturing				
2024	Ice Cream and frozen Desserts	311520	Ice Cream and Frozen Dessert Manufacturing	*	*	25	*
2026	Fluid Milk	311511	Fluid Milk Manufacturing	1100	500	*	500
		311514	Dry, Condensed, and Evaporated Dairy Product Manufacturing				
2035	Pickled Fruits and Vegetables, Vegetable Sauces and Seasonings, and Salad Dressings	311421	Fruit and Vegetable Canning	1000	500	*	*
		311941	Mayonnaise, Dressing and Other Prepared Sauce Manufacturing				
2037	Frozen Fruits, Fruit Juices, and Vegetables	311411	Frozen Fruit, Juice, and Vegetable Manufacturing	1000	500	*	*
2038	Frozen Specialties, Not Elsewhere Classified	311412	Frozen Specialty Food Manufacturing	1000	500	*	*
2041	Flour and other Grain Mill Products	311211	Flour Milling	1600	*	*	*
2043	Cereal Breakfast Foods	311230	Breakfast Cereal Manufacturing	1600	*	*	*
		311920	Coffee and Tea Manufacturing				
2044	Rice Milling	311212	Rice Milling	1600	*	*	*
2045	Prepared Flour Mixes and Doughs	311824	Dry Pasta, Dough, and Flour Mixes Manufacturing from Purchased Flour	1600	*	*	*
2046	Wet Corn Milling	311221	Wet Corn Milling	1600	*	*	*
		311225	Fats and Oils Refining and Blending	1600	*	*	*
2047	Dog and Cat Food	311111	Dog and Cat Food Manufacturing	1600	*	*	*

GLWA Rules

SIC Number	SIC Description	NAICS Number	NAICS Description	BOD	TSS	Phosphorus	FOG
				* Signifies Domestic Strength Level			
2048	Prepared Feed and Feed Ingredients for Animals and Fowl, except Dogs & Cats	311119	Other Animal Food Manufacturing	1600	*	*	*
2051	Bread and other Bakery products, except Cookies and Crackers	311822	Commercial Bakeries	3800	1100	*	260
2052	Cookies and Crackers	311822	Commercial Bakeries	800	*	*	*
		311821	Cookie and Cracker Manufacturing				
		311919	Other Snack Food Manufacturing				
2053	Frozen Bakery Products, except Bread	311813	Frozen Cakes, Pies, and Other Pastries Manufacturing	800	*	*	*
2076	Vegetable Oil Mills, except Corn, Cottonseed, and Soybean	311224	Soybean and other Oilseed Products	650	2000	*	500
		311225	Fats and Oils Refining and Blending				
2077	Animal and Marine Fats and Oils	311613	Rendering and Meat Byproduct Processing				
		311710	Seafood Product Preparation and Packaging	650	2000	*	500
2079	Shortening, Table Oils, Margarine, and Other Edible Fats and Oils, Not elsewhere classified	311224	Soybean and other Oilseed Products	1000	*	*	200
		311225	Fats and Oils Refining and Blending				
2082	Malt Beverages	312120	Breweries	1400	600	*	*
2086	Soft Drinks	312111	Soft Drink Manufacturing	600	*	*	*
		312112	Bottled Water Manufacturing				
2090	<b>Miscellaneous Food Products</b>						
2091	Canned and Cured Fish and Seafoods	311710	Seafood Products Preparation and Packaging	1000	500	*	150
2092	Prepared Fresh or Frozen Fish and Seafoods	311710	Seafood Products Preparation and Packaging				
2095	Roasted Coffee	311920	Coffee and Tea Manufacturing	1000	500	*	150

GLWA Rules

SIC Number	SIC Description	NAICS Number	NAICS Description	BOD	TSS	Phosphorus	FOG
				* Signifies Domestic Strength Level			
2096	Potato Chips, Corn Chips, and Similar Snacks	311919	Other Snack Food Manufacturing	1000	500	*	150
2097	Manufactured Ice	312113	Ice Manufacturing				
2098	Macaroni, Spaghetti, Vermicelli and Noodles	311824	Dry Pasta, Dough, and Flour Mixes Manufacturing from Purchased Flour				
2099	Food Preparations, Not Elsewhere Classified	111998	All Other Miscellaneous Crop Farming				
		311212	Rice Milling				
		311340	Non-chocolate Confectionery Manufacturing				
		311423	Dried and Dehydrated Food Manufacturing				
		311824	Dry Pasta, Dough, and Flour Mixes Manufacturing from Purchased Flour				
		311830	Tortilla Manufacturing				
		311911	Roasted Nuts and Peanut Butter Manufacturing				
		311920	Coffee and Tea Manufacturing				
		311941	Mayonnaise, Dressing, and Other Prepared Sauce Manufacturing				
		311942	Spice and Extract Manufacturing				
311991	Perishable Prepared Food Manufacturing						
311999	All other Misc. Food Manufacturing						
2620	Paper Mills	322121	Paper (except Newsprint) Mills	*	480	*	*
		322122	Newsprint Mills				
2640	Converted Paper Products			300	1500	*	*

GLWA Rules

SIC Number	SIC Description	NAICS Number	NAICS Description	BOD	TSS	Phosphorus	FOG
				* Signifies Domestic Strength Level			
2810	<b>Industrial Inorganic Chemicals</b>						
2812	Alkalis and Chlorine	325180	Other Basic Inorganic Chemical Manufacturing	*	2000	*	*
2813	Industrial Gases	325120	Industrial Gas Manufacturing				
2816	Inorganic Pigments	325130	Synthetic Dye and Pigment Manufacturing				
		325180	Other basic Inorganic Chemical Manufacturing				
2819	Industrial Inorganic Chemicals, Not elsewhere classified	211112	Natural Gas Liquid Extraction				
		325130	Synthetic Dye and Pigment Manufacturing				
		325180	Other basic Inorganic Chemical Manufacturing				
		325998	All Other Miscellaneous Chemical Product and Preparation Manufacturing				
		331311	Alumina Refining				
2830	<b>Drugs</b>						
2833	Medicinal Chemicals and Botanical Products	325411	Medicinal and Botanical Manufacturing	500	500	*	*
2834	Pharmaceutical Preparation Manufacturing	325412	Pharmaceutical Preparation Manufacturing				
2835	In Vitro and In Vivo Diagnostic Substances	325412	Pharmaceutical Preparation Manufacturing				
		325413	In-Vitro Diagnostic Substance Manufacturing				
2836	Biological Products, except Diagnostic Substances	325414	Biological Product (except Diagnostic) Manufacturing				

GLWA Rules

SIC Number	SIC Description	NAICS Number	NAICS Description	BOD	TSS	Phosphorus	FOG
				* Signifies Domestic Strength Level			
2840	<b>Soaps &amp; Detergents</b>						
2841	Soap and Other Detergents, except Specialty Cleaners	325611	Soap and Other Detergent Manufacturing	600	*	*	200
2842	Specialty Cleaning, Polishing, and Sanitation Preparations	325612	Polish and Other Sanitation Good Manufacturing				
2843	Surface Active Agents, Finishing Agents, Sulfonated Oils, and Assistants	325613	Surface Active Agent Manufacturing				
2844	Perfumes, Cosmetics, and other Toilet Preparations	325620	Toilet Preparation Manufacturing				
2850	<b>Paints &amp; Allied Products</b>						
2851	Paints, Varnishes, Lacquers, Enamels, and Allied Products	325510	Paint and Coating Manufacturing	*	*	15	200
2860	<b>Industrial Organic Chemicals</b>						
2861	Gum and Wood Chemicals	325194	Cyclic Crude, Intermediate and Gum and Wood Manufacturing	500	500	20	150
2865	Cyclic Organic Crudes and Intermediates, and Organic Dyes and Pigments	325110	Petrochemical Manufacturing				
		325130	Synthetic Dye and Pigment Manufacturing				
2869	Industrial Organic Chemicals, not elsewhere classified	325120	Industrial Gas Manufacturing				
		325180	Other Basic Inorganic Chemical Manufacturing				
		325193	Ethyl Alcohol Manufacturing				
		325199	All Other Basic Organic Chemical Manufacturing				



GLWA Rules

SIC Number	SIC Description	NAICS Number	NAICS Description	BOD	TSS	Phosphorus	FOG
				* Signifies Domestic Strength Level			
		325998	All Other Miscellaneous Chemical Product and Preparation Manufacturing	500	500	20	150
2890	<b>Miscellaneous Chemical Products</b>						
2891	Adhesives and Sealants	325520	Adhesive Manufacturing	400	*	*	*
2892	Explosives Manufacturing	325920	Explosives Manufacturing				
2893	Printing Ink	325910	Printing Ink Manufacturing				
2895	Carbon Black	325180	Other Basic Inorganic Chemical Manufacturing				
2899	Chemicals and Chemical Preparations, Not Elsewhere Classified	325199	All Other Basic Organic Chemical Manufacturing				
		325510	Paint and Coating Manufacturing				
		325998	All Other Miscellaneous Chemical Product and Preparation Manufacturing				
3010/1	Tire & Inner Tubes	326211	Tire Manufacturing (except Retreading)	*	500	*	*
3060	<b>Fabricated Rubber Products</b>						
3061	Molded, Extruded, and Lathe cut Mechanical Rubber Goods	326291	Rubber Product Manufacturing for Mechanical Use	*	500	*	*
3069	Fabricated Rubber Products, Not Elsewhere Classified	313320	Fabric Coating Mills				
		314910	Textile Bag Mills				
		315280	Other Cut and Sew Apparel Manufacturing				
		315990	Apparel Accessories and Other Apparel Manufacturing				
		326199	All other Plastics Products Manufacturing				
326299	All other Rubber Products Manufacturing						

GLWA Rules

SIC Number	SIC Description	NAICS Number	NAICS Description	BOD	TSS	Phosphorus	FOG
				* Signifies Domestic Strength Level			
		339113	Surgical Appliance and Supplies Manufacturing	*	500	*	*
		339920	Sporting and Athletic Goods Manufacturing				
		339930	Doll, Toy and Game Manufacturing				
5085	Drums & Barrels - Reconditioning			1200	800	16	1500
5090	<b>Miscellaneous Durable Goods</b>						
5091	Sporting and Recreational Goods and Supplies	423910	Sporting and Recreational Goods and Supplies Merchant Wholesalers				
		425110	Business to Business Electronic Markets				
		425120	Wholesale Trade Agents and Brokers				
		451110	Sporting Goods Stores				
5092	Toys and Hobby Goods and Supplies	423920	Toy and Hobby Goods and Supplies Merchant Wholesalers	400	500	*	150
		425110	Business to Business Electronic Markets				
		425120	Wholesale Trade Agents and Brokers				
		451120	Hobby, Toy, and Game Stores				
5093	Scrap and Waste Materials	423930	Recyclable Material Merchant Wholesalers				
		425110	Business to Business Electronic Markets				
		425120	Wholesale Trade Agents and Brokers				
5094	Jewelry, Watches, Precious Stones, and Precious Metals	423940	Jewelry, Watch, Precious Stone, and Precious Metal Merchant Wholesalers				

GLWA Rules

SIC Number	SIC Description	NAICS Number	NAICS Description	BOD	TSS	Phosphorus	FOG
				* Signifies Domestic Strength Level			
		425110	Business to Business Electronic Markets	400	500	*	150
		425120	Wholesale Trade Agents and Brokers				
		448310	Jewelry Stores				
5099	Durable Goods, not elsewhere classified	423990	Other Miscellaneous Durable Goods Merchant Wholesalers				
		425110	Business to Business Electronic Markets				
		425120	Wholesale Trade Agents and Brokers				
		444190	Other Building Material Dealers				
		451110	Sporting Goods Stores				
		451120	Hobby, Toy, and Game Stores				
7213	Linen Service	812331	Linen Supply	500	*	*	200
7218	Industrial laundries	812332	Industrial Launderers	600	600	*	400

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**CHAPTER IV: SEPTAGE AND HAULED WASTES**

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The majority of wastes and Wastewater treated at the Control Authority's POTW are discharged to and conveyed by the Sewerage System through point-source connections from Domestic and User Sources. However, additional wastes may be conveyed to designated locations via rail, truck, ship or vessel or other equivalent means; hauled to the Control Authority POTW from locations within and outside of the Service Region of the Control Authority. These rules address these sources of *Hauled Wastes*.

**Article I      General Provisions**

Section IV-101. It shall be unlawful for any Person to discharge any waste or Wastewater, directly or indirectly, by rail, truck, ship or other similar means, without authorization from the Control Authority; or to discharge any Wastewater in violation of the terms and conditions contained in these rules or contrary to any discharge authorization granted by the Control Authority.

**Article II      Authorized Unloading Locations**

Section IV-201. The Control Authority's POTW shall not receive or accept any wastes or Wastewater that are directly transported via rail, truck, dedicated pipeline, ship or vessel, or other similar means, at the Control Authority's POTW located at 9300 West Jefferson, Detroit Michigan 48209, except those identified in Section IV-202.

Section IV-202. The Control Authority's POTW shall accept wastes or Wastewater that are directly transported via truck from Septage Waste Hauler with a valid permit. Mobile Food Trucks, Recreation Vehicles and Individual Portable Toilets are not permitted to use the Control Authority's POTW and must use public or private facilities to dispose of their wastes.

Section IV-203. The Control Authority will only accept wastes and Wastewater transported to Authorized Unloading Locations specified in these rules or that may be added upon authorization by the Control Authority.

Section IV-204. The usage of any Authorized Unloading Location shall be restricted to authorized Users who possess a hauled in waste permit issued by the Control Authority, in accordance with the terms and conditions of the permit.

**Article III      Categories of Authorized and Unauthorized Hauled Wastes**

Section IV-301. Authorized Wastes

The following groups of waste and Wastewater may be authorized by the Control Authority.

- Septage Waste and Wastewater

- Sanitary Wastewater from Vessels and Ships

The procedures for obtaining authorization are enumerated in Article IV below.

Section IV-302. Unauthorized Waste Sources

The following sources of waste and Wastewater are not authorized by the Control Authority and will not be accepted unless there is an exigent condition or public health concern for which the Control Authority shall authorize disposal.

- Grease Trap Wastes
- Industrial and Commercial Wastes
- Municipal Sludge
- Collection System Solids and Cleanings

**Article IV      Procedures for Authorization – Septage Waste Hauler**

Section IV-401. A Septage waste hauler seeking authorization from the Control Authority to discharge at the Control Authority's POTW or other authorized unloading location shall require the owner/operator of the vehicle to (i) possess a valid Septage hauler license issued by the EGLE; and (ii) obtain a valid Control Authority Septage hauler permit.

Section IV-402. A Septage waste hauler seeking authorization from the Control Authority to discharge at the Control Authority's POTW or other authorized unloading location shall complete an application for a HIW permit. Information will be provided including the vehicles, tank capacities and applicable vehicle licenses for each vehicle; the general area being serviced, and which authorized unloading sites the septage hauler is requesting access.

Section IV-403. The Septage hauler shall letter the vehicles or affix the truck number shown on their HIW permit on each side and rear of the hauling vehicle covered by their permit in clearly visible locations in black numerals and letters six (6) inches high on a white background of at least eight (8) inches in height. The line width of each letter shall be three-fourths of an inch.

Section IV-404. Upon receipt of a Septage hauler application form, the Control Authority will process the application and accept or reject the application. Permits issued by the Control Authority shall contain information including, but not limited to, that specified in Section II-704. A Septage waste hauler seeking authorization from the Control Authority to discharge at the Control Authority's POTW or other authorized unloading location shall only discharge the contents from domestic waste septic tanks, cesspools, seepage pits, sewage lift stations and portable toilets; after receiving a permit.

Section IV-405. The Control Authority shall have the unrestricted right to observe loading, hauling and unloading of Septage hauling vehicles; to obtain representative samples of the vehicle's contents at the unloading site prior to or during the unloading activity; to examine the vehicle operator's EGLE service seal and business license and the unloading permit. The vehicle operator shall cooperate with the request

of any properly credentialed the Control Authority's employee and assist in providing a sample of the tank's contents.

**Article V** Procedures for Authorization – Recreational Vehicle and Individual Portable Toilets

Section IV-501. Mobile Food Trucks, Recreation Vehicles and Individual Portable Toilets are not permitted to use the Control Authority's POTW and must use public or private facilities to dispose of their wastes.

**Article VI** Procedures for Authorization – Vessels and Ships

Section IV-601. The Control Authority may accept Domestic Sewage from vessels and ships at authorized locations, or from firms servicing vessels and ships traversing the Great Lakes. Individuals or firms shall request authorization from the Industrial Waste Control Group before discharging any Wastewater, and discharge at an authorized unloading location.

**Article VII** Other Conditions

Section IV-701. Any Person authorized under these rules for Septage and hauled waste or wastewater is subject to the requirements for permits, inspection, monitoring and enforcement, as enumerated in Chapter II.

Section IV-702. Any permit or authorization granted by the Control Authority shall also include the following conditions:

- a) Applicable terms and conditions, surcharges, fees or rates as established by the Board.
- b) The specific unloading facility location designated by the Control Authority for discharge.
- c) As necessary, additional specific limitations and requirements necessary to protect the wastewater treatment plant and collection system.
- d) Any applicable surcharge for High Strength Wastewater applicable to the specific contents being hauled under Authorization by the Control Authority; and
- e) Any charges or fees established by the Board.

**Article VIII.** Appeal

The Decisions and Actions taken by the Industrial Waste Control Group and the Control Authority affecting the administration, implementation, and enforcement of the Septage and hauled waste Program are subject to review through a two-step appeal process. Although the majority of disputes are resolved through open communication, there may be a point where a User seeks to formalize their objection(s) and seek administrative review. The Appeal procedures recognized under these rules are described in Chapter VIII.

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**CHAPTER V: REVENUES TO SUPPORT REGULATORY PROGRAMS**

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The Control Authority has promulgated these rules for the protection of the environment, the public health and safety by abating and preventing pollution through the regulation and control of the quantity and quality of sewage, industrial wastes, and other wastes admitted to or discharged into the sewerage system. The Control Authority seeks to provide for the recovery of the costs from Users of the Wastewater collection and treatment system sufficient to administer regulatory activities and meet the costs of the operation, maintenance, improvement or replacement of the Sewerage System.

Fees and charges may be established by the Board to meet the costs of the operation, maintenance, improvement or replacement of the Sewerage System and regulatory programs, or as provided by law or by Board action.

- a) The Board shall adopt charges and fees which shall include, but not be limited to:
  - 1) Fees for reimbursement of costs of establishing, operating, maintaining, or improving the industrial waste control and pretreatment programs (See Article I below); and
  - 2) User fees (surcharges) based upon volume of waste and concentration or quantity of specific pollutants in the discharge, and treatment costs including sludge handling and disposal (See Article II); and
  - 3) Reasonable fees for reimbursement of costs for hearings including, but not limited to, expenses regarding hearings officers, court reporters, and transcriptions; and
  - 4) Other fees, which the Board may deem necessary, to carry out the requirements contained herein, or as may be required by law.

**Article I Industrial Waste Control Charges**

Section V-101. The Control Authority is required to implement and enforce an Industrial Pretreatment Program and perform other related duties as required by the NPDES Permit MI 0022802 and the Clean Water Act. To accomplish these duties and requirements, the Control Authority must have a revenue source which insures adequate funding. The Control Authority hereby adopts the following method of funding these regulatory activities:

- a) An IWC water meter charge shall be established by the Board to recover the costs incurred in administering, implementing and enforcing the regulatory activities and obligations under the NPDES Permit MI 0022802 and the Clean Water Act, and any rules adopted by the Board.
- b) The IWC water meter charge shall be based on the size of the water meter on a proportional basis and assessed on any non-residential water meter with the following exceptions:
  - 1) The IWC water meter charge shall not be assessed on any meter dedicated for Fire Protection

## GLWA Rules

- purposes only.
- 2) The IWC water meter charge shall not be assessed on any meter dedicated for Irrigation purposes only.
  - 3) The IWC water meter charge shall not be assessed on any meter from a multi-family residential dwelling; public and private elementary and secondary school which are part of a government school district; colleges, universities, professional schools, junior colleges and technical institutes; and local, state and federal government facilities.
- c) Member Communities shall periodically report the quantity, number and size of non-residential meters, and any exempt meters (as described in paragraph 2).
  - d) The Control Authority shall prepare a bill to each Member Community using the information provided in paragraph 3 and forward the bill for payment either through the Wholesale Sewer Contract Customer (if applicable) and/or Member Community, indicating the terms and conditions of payment.
  - e) Each Member Community is responsible for assessing these fees on applicable Users and collection thereof in accordance with the delegation and service agreements; and for reporting changes in the number of meters reported in paragraph 3.
  - f) The Control Authority reserves the right to collect any and all outstanding amounts in accordance with applicable law.

### **Article II      Pollutant Surcharges**

Section V-201. The Control Authority has adopted rates necessary to recover the cost of service based upon the unit volume of Wastewater discharged; and has adopted Pollutant Surcharges applicable to High-Strength Wastewater discharges from Users which will be assessed to these Users so that the proportional share of the cost of service may be recovered.

- a) The specific rules and procedures for establishing High Strength Wastewater levels, and administering a program thereof is included in Chapter II of these rules.
- b) Member Communities shall report the applicable water and/or sewage meter information to the Control Authority who shall prepare a bill based upon the established High-Strength Wastewater level of a User.
- c) The Control Authority shall prepare a bill to each Member Community using the information provided in paragraph 2 and forward the bill for payment either through the Wholesale Sewer Contract Customer (if applicable) and/or Member Community, indicating the terms and conditions of payment.
- d) Each Member Community is responsible for assessing these fees on applicable Users and collection thereof in accordance with the delegation and service agreements.
- e) The Control Authority reserves the right to collect any and all outstanding amounts in accordance with applicable law.



**Article III    Other Fees**

Section V-301. The Appeal Procedures described in Chapter VIII will incur costs for hearings officers, court reporters, and transcriptions. The cost of conducting these appeal procedures shall be equally shared between the Control Authority and the User(s). A deposit may be requested by the Control Authority to cover a portion of these expenses. Where a User fails to pay all fees incurred, the Control Authority shall recover these fees through direct invoicing and using all means authorized by law.

Section V-302. Other fees, which the Board may deem necessary, to carry out the requirements contained herein, or as may be required by law.

Board Approved

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**CHAPTER VI: FLOW-METERING**

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The Control Authority requires Users to employ accurate and valid methods for measuring and reporting the volume of water consumed and discharged from their properties to satisfy regulatory and monitoring requirements. Each Member Community may establish its own criteria for metering the wastewater discharged into the Sewerage System which is not in conflict with these rules.

**Article I      General Requirements**

The Control Authority recognizes the role of the respective Member Community in prescribing the water and/or sewage meters installed at a User's property. The Control Authority will recognize a User's use of these methods to represent the water usage and/or wastewater discharge as follows:

Section VI-101. Users obtaining all of their water supply from the GLWA shall, unless modified or changed by contract, base the volume of water consumed upon one or more water meters installed at the User's property. Any questions that the GLWA may have concerning the accuracy and validity of a water meter will be directed to the User and the Member Community

Section VI-102. Users obtaining all, or any portion, of their water supply from sources other than the GLWA and who discharge water, wastes and wastewater inclusive of these foreign sources to the GLWA for conveyance and Wastewater treatment, shall base the volume of Wastewater discharged through gauging, metering or using any other equitable method of measuring, the volume of all Wastewater discharged. Acceptance of the Wastewater discharged shall be conditioned upon the acceptance of such methods by the Member Community. Any questions that the GLWA may have concerning the accuracy and validity of a water meter will be directed to the User and the Member Community

Section VI-103. Users obtaining all, or any portion, of their water supply from the GLWA, but also receiving other wastes and Wastewater via truck, rail, vessel or ship, dedicated pipeline, or any other means of transportation shall base the volume of Wastewater discharged through gauging, metering or using any other equitable method of measuring the discharge volume. Acceptance of the Wastewater discharged shall be conditioned upon the acceptance of such methods by the Member Community. Any questions that the GLWA may have concerning the accuracy and validity of a water meter will be directed to the User and the Member Community.

**Article II      Sub-metering of Water or Sewage Volumes**

Section VI-201. Any owner of a premise or User of the system may install, at their own expense, a water sub-meter for determining the utility services used by certain areas or processes. Such meter will not be

recognized for purposes of usage, addition or reduction, billing or other regulatory purpose, unless the meter complies with section VI-202.

Section VI-202. Where a Member Community has recognized and accepted a User's sub-meter(s) to gauge the volume of water, for determining the utility services used by certain areas or processes, ), the GLWA shall recognize the purpose and readings of the sub-meter for purposes of usage, addition or reduction, billing or other regulatory purpose described by these rules.

### **Article III Requirements for Water or Sewerage Metering**

Section VI-301. Where the GLWA, in conducting its regulatory responsibilities described by these rules, identifies an unmetered water or sewerage source, a non-functioning water or sewerage meter or sub-meter, or requires other gauging or metering to fulfill the requirements of its NPDES permit, it shall notify the User in writing of its findings and requirements as well as the Member Community.

Section VI-302. Any water or sewer meter installed by a User must be periodically calibrated by the User and maintained by the User at its own expense. All records of calibration or maintenance shall be provided to the GLWA upon its request.

### **Article IV Sewerage Metering Requirements for Flow-proportional Sampling**

Section VI-401. All Significant Industrial Users shall provide, operate, and maintain at their own expense a sampling and monitoring facility which complies with Section II-605.

Section VI-402. Significant Industrial Users required to collect wastewater samples using 24-hour flow-proportional composite sampling techniques, shall provide the Control Authority with a sampling plan in compliance with section II-603 and the following information about the flowmeter and other devices used:

- a) The specifications and information describing the flow monitoring instruments, including make and model number.
- b) The recording devices used, including make and model number; and
- c) Specifications indicating that the meter is equipped with a non-resettable flow totalizer.

Section VI-403. Significant Industrial Users required to collect Wastewater samples using 24-hour flow-proportional composite sampling techniques, shall provide the appropriate interface hardware and cable sufficient to reach the sampler location from the flow metering system's contact point, as follows:

- a) Ensure that the flow metering system using an analog output signal, furnish the Control Authority with a flow meter to sampler 4-20 mA input interface: ISCO Part # 60-5314-281, or equivalent.
- b) Ensure that the flow metering system using a pulse output signal, furnish the Control Authority with a signal specification of 5 to 15 VDC pulse, with 25 millisecond isolated contact closure using a sampler connection interface cable ISCO Part # 60-1394-077, or equivalent.
- c) The Significant Industrial User shall provide an interface port for 6 pin military spec amphenol

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connector and a parallel or Y-connector for simultaneous sampling event.

- d) In the event that an equivalent or new technology is available which permits the Control Authority to collect a Flow-composite based sampling from the User's facility using equipment other than or different than that enumerated in sub-paragraphs a-c above, the Control Authority will permit such technology to be implemented and used at the User's site. User's must, however, notify the Control Authority in writing.

### **Article V      Appeal**

The decisions and actions taken by the Industrial Waste Control Group and the Control Authority affecting the administration, implementation, and enforcement of the Flow Metering Program are subject to review through a two-step appeal process. Although the majority of disputes are resolved through open communication, there may be a point where a User seeks to formalize their objection(s) and seek administrative review. The Appeal procedures recognized under these rules are described in Chapter VIII.

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**CHAPTER VII: RULES GOVERNING THE WASTES AND WASTEWATER  
FROM ENVIRONMENTAL REMEDIATION, GROUNDWATER AND  
OCCASIONAL OR SPECIAL WASTES SOURCES**

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The purpose of these Rules is to regulate and control the quality and quantity of wastes and Wastewater derived from Environmental Remediation, Groundwater and Occasional or Special Wastes Sources occurring within the sewer Area under the jurisdiction of the Control Authority to ensure that these sources are not discharged into the local environment without authorization and in quantity and/or concentrations as may cause or contribute to adverse impact upon the environment or the status of the Control Authority's POTW with regard to environmental regulations impacting those facilities.

**Article I      General Requirements**

Section VII-101. The Control Authority may authorize the discharge of wastes and Wastewater derived from Environmental Remediation, Groundwater and Occasional or Special Wastes Sources from facilities located in areas served by the Control Authority's Sewerage System.

Section VII-102. Environmental Remediation Wastewater, Groundwater and Occasional or Special Wastes Sources from facilities located in areas not served by the Control Authority's Sewerage System will not be accepted except where a public health or similar exigent condition exists. In response to such public health or exigent condition, the Control Authority may accept and evaluate an application, and will notify the Board of its findings and determination prior to authorizing the discharge.

**Article II      Prohibitions**

Section VII-201. Unlawful Discharges

It shall be unlawful for any Person to cause or allow the discharge of Environmental Remediation Wastewater, Groundwater and Occasional or Special Wastes Sources from combined sewered areas into the Control Authority's Sewerage System, unless such person has been authorized by the Control Authority and is in possession of a current and valid permit authorizing the discharge of the Environmental Remediation Wastewater, Groundwater and Occasional or Special Wastes Sources.

Section VII-202. Pollutant Discharge Limits

The Control Authority shall apply or develop pollutant discharge limitations necessary to protect the Control Authority's Sewerage System, and at a minimum include:

- a) The General Pollutant Prohibitions (Chapter II, Article II) shall be applied to all permit authorizations.
- b) The Specific Pollutant Prohibitions (Chapter II, Article III) shall be applied to all permit authorizations.

## GLWA Rules

- c) For Underground Storage Tank and *Petroleum* clean-up projects, the additional discharge limitations shall be applied:

Benzene	20 ug/l
Toluene	20 ug/l
Ethylbenzene	20 ug/l
Xylene	20 ug/l

- d) As necessary, the Control Authority may develop special pollutant discharge limitations in concentration or mass necessary to carry out the intent of these rules. The determination of any such special pollutant discharge limitations shall be attached to any permit granted under these rules.

### **Article III Special Discharge Permits**

#### Section VII-301. Special Discharge Permit Application

Any Person seeking permission to discharge Environmental Remediation Wastewater, Groundwater and Occasional or Special Wastes Sources wastewater shall complete and submit to the Control Authority (on forms supplied by the Control Authority) a Special Discharge Permit Application (SDP Application). At a minimum, the application shall include the following information:

- a) The address, or other description of the location, which is the source or origin of the proposed discharge.
- b) The name and address of the (i) officers or principal owners of the real property; (ii) name of the person who will be responsible for operation of the facilities; (iii) any agents for these parties; and; (iv) any other persons seeking the special discharge permit.
- c) The applicant shall provide at least one sample analysis which includes the 126 priority pollutants. Additional samples may be tested for pollutants above detection levels or which are present or expected to be present in the discharge.
- d) Any information concerning the nature of operations conducted, or previously conducted at the property.
- e) Any additional information or documentation necessary to support the application.
- f) The SDP Application shall be executed by an Authorized Representative of the person.
- g) Acceptance by Member Community. Applications shall be reviewed by the municipality or other unit of local government having jurisdiction over the geographical location for which the SDP is requested and must be certified acceptable to such municipality or other unit of local government prior to submittal to the Control Authority. The certification shall be inclusive of any metering or payment requirements. This acceptance must be in writing.

Within 30 days of receipt of a completed SDP Application, the Control Authority shall notify, in writing, the person submitting the application of its approval or denial, and the reason(s) for denial. If approved, the special discharge permit shall be issued by the Control Authority to the owner of the real property from

## GLWA Rules

which the Wastewater originates as permittee and to the agents of the owner as co-permittees who will be responsible for operation of the facilities.

### Section VII-302. Special Discharge Permit

The Control Authority shall develop a special discharge permit form that shall contain, at a minimum, the following conditions:

- a) Statement of duration, which for special discharge permits shall not exceed one (1) year. The one (1) year term may be renewed upon receipt of an SDP Application petitioning renewal of the permit for an additional one (1) year term if submitted ninety (90) days prior to the expiration date of the existing special discharge permit.
- b) A provision against non-transferability of the special discharge permit.
- c) Effluent discharge limitations authorized under Section II-202 of these rules.
- d) Self-monitoring, sampling, reporting, notification and recordkeeping requirements, including identification of the pollutants to be monitored, sampling points, sampling frequency and sample type. Sample collection and analysis shall conform to the requirements specified by the Control Authority.
- e) Requirements for specific treatment, if applicable, including best available technology. Justification for such treatment shall be made in writing and attached to the special discharge permit.
- f) Acknowledgement from Member Community.
- g) Other requirements including those specified in Section II-704.

### Section VII-303. Monitoring of Environmental Remediation Wastewater, Groundwater and Occasional or Special Wastes Sources

- a) Each person subject to the terms of these rules shall install and maintain, at its own expense, a control manhole or sampling site, including sampling and flow measurement operations applicable to the discharge.
- b) All sampling and analysis shall be performed in accordance with applicable regulations contained in 40 CFR 136 and amendments thereto.
- c) Any Flow Monitoring installation shall conform to the requirements and specifications of Chapter VI.

## **Article IV. Other Provisions**

Section VII-401. Representatives of the Control Authority may enter upon the premises for which the special discharge permit has been issued, during reasonable hours, to perform gauging and sampling operations, for inspecting or examining facilities, premises, installations and processes, for inspection and copying of records, and for reviewing pretreatment operating procedures and to determine compliance with the terms and conditions of special discharge permit.

### Section VII-402. Fees

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- a) Persons subject to the provisions of these rules are responsible for payment of applicable sewer charges, including any applicable Surcharges.
- b) Where the volume of Wastewater discharged under a special discharge permit exceeds 1,000,000 gallons per annum, the Industrial Waste control fee shall be assessed and paid prior to commencement of the discharge.

### **Article V                    Enforcement**

The Control Authority shall enforce compliance with the special discharge permit in accordance with Chapter II, including a temporary suspension of the special discharge permit or revocation of the special discharge permit. Where the Control Authority has revoked the special discharge permit, the special discharge permit holder may appeal the revocation order in accordance with Article VI of these rules.

### **Article VI            Appeal**

The decisions and actions taken by the Industrial Waste Control Group and the Control Authority affecting the administration, implementation, and enforcement of the Environmental Remediation Wastewater, Groundwater and Occasional or Special Wastes Sources Wastewater Program are subject to review through a two-step appeal process. Although the majority of disputes are resolved through open communication, there may be a point where a User seeks to formalize their objection(s) and seek administrative review. The Appeal procedures recognized under these rules are described in Chapter VIII.



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**CHAPTER VIII: ADMINISTRATIVE APPEAL PROCEDURES**

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The following rules describe the Administrative Appeals Procedures developed and adopted by the Control Authority to resolve disputes with the technical subject matter of these rules or resolve disputes on the meaning of these rules. A User who believes it is aggrieved of the actions of the Authority in enforcing these Rules may appeal to the Control Authority for the relief of that dispute. An appeal shall be made as follows:

**Article I APPEAL PROCEDURE**

Section VIII-101. Appeal Request

- a) The appeal request must be in writing, directed to the Chief Compliance Officer and received within 21 days of the decision or act that is the subject of the appeal. The appeal request shall be made in triplicate and shall set forth the specific act or matter complained of and in dispute. Additionally, the appeal request shall include all documentation which supports the User's position.
- b) The Chief Compliance Officer shall within thirty (30) days of receipt of a written appeal request, acknowledge such receipt in writing to all interested parties. Thereafter, the Chief Compliance Officer shall arrange for a hearing to be held in accordance with Section 3 of this Chapter, or if appropriate, direct a representative of the IPP Program (IPP Representative) to schedule a conciliation meeting with the appellant as soon as practicable, at the mutual convenience of the parties to resolve the dispute.

**Article II CONCILIATION MEETING**

Section VIII-102. Conciliation Meeting Procedure

- a) If a conciliation meeting is held, it shall be open to all interested parties and their representatives. The meeting may be adjourned to a mutually acceptable date or dates.
- b) If the User or IPP Representative determines that the dispute cannot be resolved through the conciliation meeting process, the parties shall so inform the Chief Compliance Officer in writing and request a hearing in accordance with Section 3 of this Chapter. If future conciliation meetings are no longer needed, the Chief Compliance Officer shall notify the parties involved and issue a decision within fifteen (15) days, in writing, by mail, to the interested parties to the dispute.
- c) If it is determined by all interested parties and the IPP Representative that the dispute has been satisfactorily resolved through the conciliation meeting process, within thirty (30) days of the last conciliation meeting, the IPP Representative shall reduce such resolution to the form of a written agreement or order for signature by the interested parties.

**Article III HEARING PROCEDURE**

Section VIII-103. Hearing Procedure

- a) In the event a hearing is required pursuant to Sections 1 or 2(b) of this Chapter, the Chief Compliance Officer shall promptly appoint a disinterested hearing officer with suitable qualifications to conduct an administrative hearing and to receive testimony and evidence presented by the aggrieved party. The hearing officer shall also receive testimony and evidence from the Control Authority or others as he or she deems necessary.
- b) The hearing officer shall conduct the hearing and file a written report of said hearing with the Chief Compliance Officer or his designee within thirty (30) days of his/her appointment. The hearing officer shall have the right to extend this thirty-day period for good cause. However, in such event, his/her report will be submitted to GLWA Chief Compliance Officer within fifteen (15) days of the conclusion of the hearing and the taking of testimony and evidence.
- c) The hearing officer's report shall include a brief statement of factual matters at issue, the nature of the testimony and evidence received and shall include a recommendation to either uphold or modify the decision or action in question on such terms as the hearing officer deems equitable.
- d) Upon receipt of the hearing officer's report, the Chief Compliance Officer shall render his/her decision in writing within fifteen days of the receipt of the report. In any event, the Chief Compliance Officer shall not be bound by the recommendation of the hearing officer. The decision of the Chief Compliance Officer shall be final and enforceable at law, unless the appeal involves a citation and a subsequent appeal is made within sixty (60) days and the Authority grants a review of the Chief Compliance Officer's decision. The decision of the Authority shall be final.
- e) A person or Member Community aggrieved by a final decision of the Chief Compliance Officer or the Authority may petition to the Wayne County Circuit Court for judicial review. The petition shall be filed not later than sixty (60) days following the receipt of the final decision. An aggrieved person or municipality shall exhaust all administrative remedies provided in this Section before seeking judicial review.
- f) With respect to the hearing conducted, the hearing officer shall not be bound strictly by the rules of evidence which would apply in a court of competent jurisdiction. The hearing officer shall have the authority to receive such evidence as he/she deems relevant and material and to give the evidence received such weight and probative value as, in the hearing officer's discretion, is deemed proper.

**SAVINGS CLAUSE**

If any provision, paragraph, section or article of these rules are invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections and articles shall not be affected and shall continue in full force and effect.

Approved: 11/13/2019

Published:

Effective:

Board Approved

### **What is the Industrial Pretreatment Program?**

The Great Lakes Water Authority (GLWA) implements and enforces an Industrial Pretreatment Program (IPP) to regulate the discharge of commercial and industrial waste and wastewater. The IPP includes the following elements:

- **Pretreatment Program** – regulates the discharge of toxic pollutants to the sewer collection system and performs inspection, monitoring, enforcement control and administration of industrial and commercial wastewater discharges. All Users must comply with general requirements and Significant Industrial Users must comply with permit-based requirements.
- **Surcharge (High Strength) Program** – is a cost recovery program for commercial and industrial waste discharging conventional pollutants above Domestic Levels and payment of additional treatment costs (\$/lb) associated with these Users.
- **Special Discharge and General Permit Program** – authorizes the discharge of special wastes and wastewaters including groundwater, construction water, spent products, and other short-term projects through a permit program.
- **Hauled in Waste Program** – authorizes the discharge from waste haulers of septic tank and septage, and other domestic wastewater through a permit and ticket/token payment program.

### **What are the new IPP rules, and why were they changed?**

GLWA maintains a set of rules by which it implements and enforces the IPP. On November 13, 2019 the GLWA Board of Directors passed a resolution to add language to the rules regarding regulation of PFAS compounds. The full set of rules—with the added language—can be found online at [www.glwater.org/iwc](http://www.glwater.org/iwc).

### **What do I need to do?**

The governing body of every municipality whose wastewater flow goes to the WRRF must pass a resolution adopting the full, updated set of rules (see page 2 for a sample resolution). Please email a copy of the adopted resolution to Stephen Kuplicki, PE, JD – GLWA Manager-Operations, Industrial Waste Control at [Stephen.Kuplicki@glwater.org](mailto:Stephen.Kuplicki@glwater.org) by September 1, 2020.

### **Who do I contact with questions?**

Please contact Mr. Kuplicki, at [Stephen.Kuplicki@glwater.org](mailto:Stephen.Kuplicki@glwater.org) or (313) 297-5804 with any questions or concerns.

**SAMPLE  
RESOLUTION OF THE CITY/COUNTY OF \_\_\_\_\_  
TO CONCUR IN THE RULES AND REGULATIONS CONCERNING  
INDUSTRIAL PRETREATMENT PROGRAM AS ADOPTED  
BY THE GREAT LAKES WATER AUTHORITY**

WHEREAS, the Great Lakes Water Authority ("GLWA") is a Michigan municipal authority and public body corporate organized and existing pursuant to the provisions of Michigan Public Act No.233 of 1955, as amended, MCL 124.281, *et seq.* ("Act 233"), for the purpose of establishing a regional sewage disposal system to operate, control, and improve the sewage disposal system leased from the City of Detroit; and

WHEREAS, pursuant to Act 233, the \_\_\_\_\_ City/County of is a constituent municipality of the GLWA; and

WHEREAS, as authorized by Act 233, GLWA and the constituent municipalities are required by state and federal law to adopt binding rules and regulations (Exhibit A, attached hereto and incorporated herein by reference) as part of an Industrial Pretreatment Program (IPP) in order to comply with all applicable state and federal laws, including, without limitation, the requirements of the Federal Water Pollution Control Act, 33 USC Section 1251, *et. seq.*, the General Pretreatment Regulations for Existing and New Sources of Pollution, 40 CFR 403, and the National Categorical Pretreatment Standards contained in 40 CFR Sections 405-471; and

WHEREAS, these rules and regulations were adopted by GLWA as a uniform code to: (1) regulate wastes and wastewaters discharged into the collection system for all participating municipalities; (2) prevent the introduction of pollutants into the wastewater systems which will interfere with the operation of the system, contaminate the resulting sludge, or pose a hazard to the health, safety or welfare of the people, the communities or to employees of GLWA; (3) prevent the introduction of pollutants into the wastewater system which will pass inadequately treated through the system and into the receiving waters, the atmosphere, and the environment, or will otherwise be incompatible with the system; (4) provide for the recovery of costs from users of the wastewater collection system sufficient to administer regulatory activities and meet the costs of operation, maintenance, improvement and replacement of the system; and

WHEREAS, after a 45-day public comment period and public hearing, the Board of the GLWA approved the IPP Rules on November 13, 2019.

NOW THEREFORE BE IT RESOLVED that the governing body of \_\_\_\_\_ City/County , in compliance with Act 233 and state and federal law, hereby concur in the IPP rules and regulations attached hereto as Exhibit A; including any subsequent amendments thereto, which amendments, if any, shall not require the approval of this governing body; and

BE IT FURTHER RESOLVED that the adoption and approval of the rules and regulations contained in Exhibit A shall be contractually binding on the parties, and no governing body of \_\_\_\_\_ City/County shall be authorized or empowered to rescind or change the approval granted in this resolution without 180 days prior written notice to the GLWA.

ON MOTION OF \_\_\_\_\_ SUPPORTED BY \_\_\_\_\_ the foregoing Resolution was adopted by the following vote:

ROLL CALL: ABSENT \_\_\_\_\_ AYE \_\_\_\_\_ NAY \_\_\_\_\_