

## **City of Pottersville - Council Agenda**

Thursday, August 19, 2021 – 7:00 p.m. – Pottersville City Hall, 319 N. Nelson Street

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**A. Call to Order:**

**B. Pledge of Allegiance:**

**C. Roll Call:**

**D. Approval of Agenda:**

**E. Approval of Minutes:** Meeting minutes from July 15, 2021

**F. Approval of Bills:** General Bills: \$52,589.05 + \$7021.91 = \$59610.96

**G. Bank Reconciliations:** July 2021 General, Tax and Payroll

**H. City Manager's Report:** Manager's report in the August 19, 2021 packet.

**I. Public Comment on agenda items:**

**J. Commission/Committee Reports:** Reports in the August 19, 2021 packet.

**K. Department Reports:** Administration- Department reports in the August 19, 2021 packet.

**L. New Business:**

- a) Resolution No. 21-0819-13 To Approve Keps Technologies, INC's (D/B/A ACD.NET) Metro Act Permit
- b) Resolution No. 21-0819-14 Introduction to Adopting and Enacting a new Code of Ordinances
- c) Resolution No. 21-0819-15 Ownership, Maintenance and Operation of Lansing Road Sidewalk and Adoption of Intergovernmental Agreement.

**M. Public Comment on non-agenda items:**

**N. Communication from the Mayor and Council:**

**O. Next Meeting:** Thursday, September 16, 2021 at 7:00 p.m.

**P. Excuse absent member(s):**

**Q. Motion to Adjourn:**

# City of Potterville

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319 N. Nelson St. ♦ PO Box 488 ♦ Potterville, MI 48876 ♦ Phone: (517) 645-7641  
Fax: (517) 645-7810 ♦ www.pottervillemi.org

City Council Meeting was called to order by Mayor Kring on Thursday, July 15, 2021 at 7:00 pm and the Pledge of Allegiance was recited.

**Roll Call:** Present: Mayor Kring, Deputy Mayor Lenneman- arrived at 7:05, Member Nichols, Member Potter, Member Smalley and Member Rogers, after being sworn in.

**Absent:** Member Pulda

**Approval of Agenda:** Motion by Member Smalley. Supported by Member Nichols. Vote: Ayes: 4. Nays: 0. Motion Carried (4-0).

**Approval of Minutes:** Motion by Member Smalley to approve June 17, 2021 minutes with the addition of the motion for accepting Duston Twichell's resignation under new business. Supported by Member Potter. Vote: Ayes: 4. Nays: 0. Motion Carried (4-0).

**Approval of Bills:** Motion by Member Potter to approve payment of General Bills in the amount of \$114,880.13. Supported by Member Smalley. Roll Call Vote: Ayes: Mayor Kring, Member Nichols, Member Potter and Member Smalley Nays: None. Motion Carried (4-0).

**Approval of Bank Reconciliations:** Motion by Member Nichols to approve June 2021 accounts for General, Tax and Payroll. Supported by Member Smalley. Roll Call Vote: Ayes: Mayor Kring, Member Nichols, Member Potter and Member Smalley. Nays: None. Motion Carried (4-0).

**City Manager's Report:** Manager's report is in July 15, 2021 Council packet – No Comments.

**Public Comment on Agenda Items:** None

**Commission/Committee Reports:** Mayor Kring shared that TIFA will move forward on the 2<sup>nd</sup> phase of the Lansing Road Sidewalk project. It will soon be going out to bid.

**Department Reports:** No Comments

**New Business:**

**Eaton County Treasurer, Bob Robinson, presented information on the 52 Acre Parcel 23-700-023-400-051-05 that has gone to Tax Foreclosure on April 1, 2021:** This property is located in Sunset Hills Subdivision and is delinquent on 2018-2020 property taxes. This property has a large unpaid special assessment. Mr. Robinson explained the importance of the sale of this property for the City of Potterville. If this property fails to be sold, the City of Potterville will be financially responsible for the back taxes and the special assessment.

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**City of Potterville to fund \$2500.00 for the promotion of the parcel 700-023-400-051-05, 52-acre tax foreclosed property to be auctioned.** Motion by Member Potter and supported by Deputy Mayor Lenneman. Roll Call Vote: Ayes: Mayor Kring, Deputy Mayor Lenneman, Member Nichols, Member Potter and Member Smalley. Nays: None. Motion Carried (5-0).

**City Council Appointment of Vacant City Council Seat:** Residents Cindi O'Neil, Paul Rogers and Briant Titus submitted applications for consideration. Council allowed those present to introduce themselves. Motion made by Mayor Kring to appoint Paul Rogers to the fill the remainder of the term for the vacancy on City Council. Supported by Member Nichols. Roll Call Vote: Ayes: Mayor Kring, Deputy Mayor Lenneman, Member Nichols, and Member Smalley. Nays: Member Potter. Motion Carried (4-1). Clerk Dolman gave the Oath of Office to Paul Rogers and he was seated on Council.

**Service and Maintenance Contract with Hart Intercivic for Election Tabulators:** Motion by Deputy Mayor Lenneman to agree to the 5-year rate for service, option 1. Supported by Member Nichols. Roll Call Vote: Ayes: Mayor Kring, Deputy Mayor Lenneman, Member Nichols, Member Potter, Member Smalley and Member Rogers. Nays: None. Motion Carried (6-0).

**Resolution No. 21-0715-12 to approve Ballot language for Michigan and Taxation of Marihuana Act.** Motion by Mayor Kring. Supported by Member Potter. Roll Call Vote: Ayes: Mayor Kring, Deputy Mayor Lenneman, Member Nichols, Member Potter, Member Smalley and Member Rogers. Nays: None. Motion Carried (6-0).

**Public Comment on Non-Agenda Items:** None

**Communications from Mayor and Council:** The Council congratulated Mr. Rogers as the new member of Council and DPW Director Don Stanley and staff on completing certifications and working diligently during the heavy rains. Member Potter thanked Clerk Dolman on attending continuing education classes. Deputy Mayor Lenneman wanted the entire City staff to know they are doing an amazing job.

**Next Meeting:** April 15, 2021

**Excuse Absent Members:** Member Pulda was excused previously.

**Meeting Adjourned at 7:57 pm**

Respectfully Submitted by:

*Becky Dolman*

City Clerk

08/02/2021 03:19 PM  
 User: JWest  
 DB: Potterville

BANK RECONCILIATION FOR CITY OF POTTERVILLE  
 Bank GEN (GENERAL POOLED ACCOUNT)  
 FROM 07/01/2021 TO 07/31/2021  
 Reconciliation Record ID: 99

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GL Number	Description	Beginning Balance
101-000-001.000	CASH	699,632.70
202-000-001.000	CASH	135,842.60
203-000-001.000	CASH	62,209.11
208-000-001.000	CASH	13,198.62
370-000-001.000	CASH	
401-000-001.000	CASH	3,047.97
590-000-001.000	CASH	87,917.66
590-000-010.000	CASH IN BANK - BOND RESERVE	215,300.00
590-000-011.000	CASH IN BANK-REPLACEMENT FUND	103,131.00
591-000-001.000	CASH	601,540.38
591-000-010.000	CASH IN BANK - BOND RESERVE	121,340.00
591-000-011.000	CASH IN BANK-REPLACEMENT FUND	230,531.00
598-000-001.000	CASH	3,379.65
641-000-001.000	CASH	68,238.22

Beginning GL Balance:	2,345,308.91
Add: Cash Receipts	135,695.35
Less: Cash Disbursements	(119,619.32)
Less: Payroll Disbursements	(66,701.26)
Less: Journal Entries/Other	(161,627.52)
Ending GL Balance:	2,133,056.16

GL Number	Description	Ending Balance
101-000-001.000	CASH	602,947.56
202-000-001.000	CASH	141,592.08
203-000-001.000	CASH	18,932.72
208-000-001.000	CASH	15,893.52
370-000-001.000	CASH	
401-000-001.000	CASH	3,047.97
590-000-001.000	CASH	58,682.88
590-000-010.000	CASH IN BANK - BOND RESERVE	215,300.00
590-000-011.000	CASH IN BANK-REPLACEMENT FUND	103,131.00
591-000-001.000	CASH	598,902.18
591-000-010.000	CASH IN BANK - BOND RESERVE	121,340.00
591-000-011.000	CASH IN BANK-REPLACEMENT FUND	230,531.00
598-000-001.000	CASH	2,504.65
641-000-001.000	CASH	20,250.60

Ending GL Balance:	2,133,056.16
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Ending Bank Balance:	2,136,679.01
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Add: Miscellaneous Transactions	1,523.70
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Add: Deposits in Transit	
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07/30/2021 Deposit ID: 640	2,392.92
EMPLOYEE TRANSFER DIFFERENTIAL	0.04

	2,392.96
Less: 10 AP Outstanding Checks	7,539.51

Less: 0 PR Outstanding Checks	
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Adjusted Bank Balance	2,133,056.16
Unreconciled Difference:	0.00

REVIEWED BY: 

DATE: 8-2-2021

08/02/2021 11:40 AM  
 User: JWest  
 DB: Potterville

BANK RECONCILIATION FOR CITY OF POTTERVILLE  
 Bank TAX (TAX ACCOUNT)  
 FROM 07/01/2021 TO 07/31/2021  
 Reconciliation Record ID: 100

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GL Number	Description	Beginning Balance
703-000-001.000	CASH	0.03
Beginning GL Balance:		0.03
Add: Cash Receipts		571,903.40
Less: Tax Receipts		(35.22)
Less: Cash Disbursements		(87,178.23)
Add: Journal Entries/Other		32.52
Ending GL Balance:		484,722.50
GL Number	Description	Ending Balance
703-000-001.000	CASH	484,722.50
Ending GL Balance:		484,722.50
Ending Bank Balance:		474,740.71
Add: Miscellaneous Transactions		23.07
Add: Deposits in Transit		
	07/14/2021 Deposit ID: 620	8,485.68
	07/30/2021 Deposit ID: 639	1,473.04
		9,958.72
Less: 0 AP Outstanding Checks		
Less: 0 PR Outstanding Checks		
Adjusted Bank Balance		484,722.50
Unreconciled Difference:		0.00

REVIEWED BY: 

DATE: 8-2-2021

08/02/2021 02:03 PM  
 User: JWest  
 DB: Potterville

BANK RECONCILIATION FOR CITY OF POTTERVILLE  
 Bank PR (PAYROLL ACCOUNT)  
 FROM 07/01/2021 TO 07/31/2021  
 Reconciliation Record ID: 102

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GL Number	Description	Beginning Balance
750-000-001.000	CASH	(55.23)
Beginning GL Balance:		(55.23)
Add: Payroll Disbursements		2,174.83
Less: Journal Entries/Other		(658.37)
Ending GL Balance:		1,461.23

GL Number	Description	Ending Balance
750-000-001.000	CASH	1,461.23
Ending GL Balance:		1,461.23
Ending Bank Balance:		7,112.49
Add: Deposits in Transit		
	TAX	8.47
	TAX SHORTAGE	0.10
	TAXES	35.56
	TAXES	44.56
		88.69
Less: 0 AP Outstanding Checks		
Less: 2 PR Outstanding Checks		5,739.95
Adjusted Bank Balance		1,461.23
Unreconciled Difference:		0.00

REVIEWED BY: \_\_\_\_\_

DATE: 8-2-2021

08/12/2021 10:42 AM

User: JWest

DB: Potterville

## REVENUE AND EXPENDITURE REPORT FOR CITY OF POTTERVILLE

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PERIOD ENDING 07/31/2021

GL NUMBER	DESCRIPTION	2021-22	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT USED
		AMENDED BUDGET	07/31/2021	MONTH 07/31/2021	BALANCE	
			NORMAL (ABNORMAL)	INCREASE (DECREASE)	NORMAL (ABNORMAL)	
Fund 101 - GENERAL FUND						
Revenues						
Dept 000						
101-000-403.000	PROPERTY TAX	585,000.00	30,109.24	30,109.24	554,890.76	5.15
101-000-403.100	DELINQUENT PROP TAX	200.00	0.00	0.00	200.00	0.00
101-000-403.200	SOLID WASTE TAX	71,000.00	3,788.13	3,788.13	67,211.87	5.34
101-000-406.000	CITY PENALTY	6,000.00	0.00	0.00	6,000.00	0.00
101-000-423.000	TRAILER COURT TAX	2,000.00	0.00	0.00	2,000.00	0.00
101-000-450.000	3% CABLE T.V.	6,000.00	0.00	0.00	6,000.00	0.00
101-000-452.000	LIQUOR LICENSE	1,700.00	0.00	0.00	1,700.00	0.00
101-000-453.000	TELECOM RIGHT OF WAY MAINTENA	9,400.00	0.00	0.00	9,400.00	0.00
101-000-476.000	RECYCLING	500.00	1,907.11	1,907.11	(1,407.11)	381.42
101-000-477.000	PERMITS	3,500.00	420.00	420.00	3,080.00	12.00
101-000-528.000	OTHER FEDERAL GRANTS	250,000.00	0.00	0.00	250,000.00	0.00
101-000-543.010	PUBLIC ACT 302 LAW ENF.	500.00	0.00	0.00	500.00	0.00
101-000-573.000	LOCAL COMMUNITY STABILIZATION	175,000.00	0.00	0.00	175,000.00	0.00
101-000-575.000	EVIP DISTRIBUTION (A, C, E)	38,000.00	0.00	0.00	38,000.00	0.00
101-000-576.000	ST SHARED REV - SALES TAX	227,000.00	0.00	0.00	227,000.00	0.00
101-000-600.000	CHARGES FOR SERVICES - PD	178.00	5.00	5.00	173.00	2.81
101-000-601.000	FOIA	50.00	0.00	0.00	50.00	0.00
101-000-618.000	ADMINISTRATION FEE	28,400.00	0.00	0.00	28,400.00	0.00
101-000-655.000	FINES & FORFEITURES	2,000.00	60.00	60.00	1,940.00	3.00
101-000-665.000	INTEREST	3,000.00	220.93	220.93	2,779.07	7.36
101-000-667.010	DDA PAVILION - FARMERS MARKET	100.00	0.00	0.00	100.00	0.00
101-000-680.004	SPECIAL EVENTS-GIZZARDFEST	20,000.00	0.00	0.00	20,000.00	0.00
101-000-682.000	REIMBURSEMENT	0.00	5,000.00	5,000.00	(5,000.00)	100.00
Total Dept 000		1,429,528.00	41,510.41	41,510.41	1,388,017.59	2.90
TOTAL REVENUES		1,429,528.00	41,510.41	41,510.41	1,388,017.59	2.90
Expenditures						
Dept 101 - CITY COUNCIL						
101-101-703.000	SALARIES	4,200.00	0.00	0.00	4,200.00	0.00
101-101-706.000	RR-CROSSING MAINTENANCE FEE	2,260.00	0.00	0.00	2,260.00	0.00
101-101-719.000	FRINGE BENEFITS	515.00	0.00	0.00	515.00	0.00
101-101-731.000	PUBLICATION	500.00	0.00	0.00	500.00	0.00
101-101-740.000	SUPPLIES	200.00	0.00	0.00	200.00	0.00
101-101-775.000	REPAIRS & MAINT	50.00	0.00	0.00	50.00	0.00
101-101-913.000	INSURANCE-LIAB & WORKMAN COMP	20,028.83	0.00	0.00	20,028.83	0.00
101-101-960.000	CONFERENCE AND WORKSHOPS	200.00	0.00	0.00	200.00	0.00
Total Dept 101 - CITY COUNCIL		27,953.83	0.00	0.00	27,953.83	0.00
Dept 171 - MAYOR						
101-171-703.000	SALARIES	1,320.00	0.00	0.00	1,320.00	0.00
101-171-719.000	FRINGE BENEFITS	118.45	0.00	0.00	118.45	0.00
Total Dept 171 - MAYOR		1,438.45	0.00	0.00	1,438.45	0.00
Dept 172 - CITY MANAGER						
101-172-703.000	SALARIES	74,694.26	5,745.60	5,745.60	68,948.66	7.69
101-172-719.000	FRINGE BENEFITS	19,828.94	1,257.53	1,257.53	18,571.41	6.34
101-172-740.000	SUPPLIES	20.00	0.00	0.00	20.00	0.00

08/12/2021 10:42 AM

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## REVENUE AND EXPENDITURE REPORT FOR CITY OF POTTERVILLE

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PERIOD ENDING 07/31/2021

GL NUMBER	DESCRIPTION	2021-22 AMENDED BUDGET	YTD BALANCE 07/31/2021 NORMAL (ABNORMAL)	ACTIVITY FOR MONTH 07/31/2021 INCREASE (DECREASE)	AVAILABLE BALANCE NORMAL (ABNORMAL)	% BDGT USED
Fund 101 - GENERAL FUND						
Expenditures						
101-172-809.000	TRAINING	150.00	0.00	0.00	150.00	0.00
101-172-958.000	DUES AND SUBSCRIPTIONS	200.00	0.00	0.00	200.00	0.00
101-172-980.100	COMPUTER EQUIPMENT	200.00	0.00	0.00	200.00	0.00
Total Dept 172 - CITY MANAGER		95,093.20	7,003.13	7,003.13	88,090.07	7.36
Dept 209 - ASSESSOR						
101-209-703.000	SALARIES	1,165.00	83.00	83.00	1,082.00	7.12
101-209-719.000	FRINGE BENEFITS	803.40	50.63	50.63	752.77	6.30
101-209-731.000	PUBLICATION	600.00	0.00	0.00	600.00	0.00
101-209-740.000	SUPPLIES	200.00	0.00	0.00	200.00	0.00
101-209-741.000	POSTAGE	500.00	0.00	0.00	500.00	0.00
101-209-781.000	COMPUTER SOFTWARE	450.00	0.00	0.00	450.00	0.00
101-209-810.050	RE INSPECTION - 20%	3,150.00	249.00	249.00	2,901.00	7.90
101-209-813.000	BOARD OF REVIEW	1,400.00	100.00	100.00	1,300.00	7.14
101-209-818.000	CONTRACT LABOR	16,000.00	0.00	0.00	16,000.00	0.00
Total Dept 209 - ASSESSOR		24,268.40	482.63	482.63	23,785.77	1.99
Dept 210 - ATTORNEY						
101-210-801.000	ATTORNEY	23,500.00	0.00	0.00	23,500.00	0.00
Total Dept 210 - ATTORNEY		23,500.00	0.00	0.00	23,500.00	0.00
Dept 215 - CLERK						
101-215-703.000	SALARIES	32,935.00	2,540.04	2,540.04	30,394.96	7.71
101-215-719.000	FRINGE BENEFITS	8,858.00	194.31	194.31	8,663.69	2.19
101-215-731.000	PUBLICATION	300.00	0.00	0.00	300.00	0.00
101-215-740.000	SUPPLIES	450.00	0.00	0.00	450.00	0.00
101-215-741.000	POSTAGE	200.00	0.00	0.00	200.00	0.00
101-215-781.000	COMPUTER SOFTWARE	500.00	0.00	0.00	500.00	0.00
101-215-809.000	TRAINING	2,100.00	0.00	0.00	2,100.00	0.00
101-215-818.000	CONTRACT LABOR	100.00	0.00	0.00	100.00	0.00
101-215-822.000	ELECTIONS	7,000.00	113.94	113.94	6,886.06	1.63
101-215-958.000	DUES AND SUBSCRIPTIONS	260.00	0.00	0.00	260.00	0.00
101-215-960.000	CONFERENCE AND WORKSHOPS	200.00	0.00	0.00	200.00	0.00
101-215-980.100	COMPUTER EQUIPMENT	500.00	0.00	0.00	500.00	0.00
Total Dept 215 - CLERK		53,403.00	2,848.29	2,848.29	50,554.71	5.33
Dept 224 - AUDIT						
101-224-807.000	AUDIT	18,000.00	0.00	0.00	18,000.00	0.00
Total Dept 224 - AUDIT		18,000.00	0.00	0.00	18,000.00	0.00
Dept 253 - TREASURERS OFFICE						
101-253-703.000	SALARIES	64,222.70	4,940.80	4,940.80	59,281.90	7.69
101-253-719.000	FRINGE BENEFITS	21,836.00	2,847.52	2,847.52	18,988.48	13.04
101-253-731.000	PUBLICATION	100.00	0.00	0.00	100.00	0.00
101-253-740.000	SUPPLIES	300.00	0.00	0.00	300.00	0.00
101-253-741.000	POSTAGE	1,150.00	113.80	113.80	1,036.20	9.90



08/12/2021 10:42 AM

User: JWest

DB: Potterville

## REVENUE AND EXPENDITURE REPORT FOR CITY OF POTTERVILLE

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PERIOD ENDING 07/31/2021

GL NUMBER	DESCRIPTION	2021-22 AMENDED BUDGET	YTD BALANCE 07/31/2021 NORMAL (ABNORMAL)	ACTIVITY FOR MONTH 07/31/2021 INCREASE (DECREASE)	AVAILABLE BALANCE NORMAL (ABNORMAL)	% BDGT USED
Fund 101 - GENERAL FUND						
Expenditures						
101-253-781.000	COMPUTER SOFTWARE	900.00	0.00	0.00	900.00	0.00
101-253-814.000	BANK SERVICE CHARGES	4,700.00	119.95	119.95	4,580.05	2.55
101-253-960.000	CONFERENCE AND WORKSHOPS	75.00	0.00	0.00	75.00	0.00
101-253-980.100	COMPUTER EQUIPMENT	200.00	0.00	0.00	200.00	0.00
Total Dept 253 - TREASURERS OFFICE		93,483.70	8,022.07	8,022.07	85,461.63	8.58
Dept 265 - CITY HALL						
101-265-703.000	SALARIES	21,503.00	1,589.47	1,589.47	19,913.53	7.39
101-265-719.000	FRINGE BENEFITS	7,210.00	644.21	644.21	6,565.79	8.93
101-265-731.000	PUBLICATION	500.00	0.00	0.00	500.00	0.00
101-265-740.000	SUPPLIES	3,300.00	0.00	0.00	3,300.00	0.00
101-265-740.400	COMMUNITY HOLIDAY EVENT	480.00	0.00	0.00	480.00	0.00
101-265-740.500	COMMUNITY SPEC EVENTS	900.00	0.00	0.00	900.00	0.00
101-265-740.550	COMMUNITY SPEC EVENTS/GIZZARDFEST	15,000.00	0.00	0.00	15,000.00	0.00
101-265-741.000	POSTAGE	500.00	243.90	243.90	256.10	48.78
101-265-775.000	REPAIRS & MAINT	500.00	0.00	0.00	500.00	0.00
101-265-781.000	COMPUTER SOFTWARE	6,000.00	0.00	0.00	6,000.00	0.00
101-265-802.000	SERVICE	2,000.00	0.00	0.00	2,000.00	0.00
101-265-818.000	CONTRACT LABOR	400.00	0.00	0.00	400.00	0.00
101-265-958.000	DUES AND SUBSCRIPTIONS	324.00	0.00	0.00	324.00	0.00
101-265-970.000	CAPITAL OUTLAY	500.00	0.00	0.00	500.00	0.00
Total Dept 265 - CITY HALL		59,117.00	2,477.58	2,477.58	56,639.42	4.19
Dept 301 - POLICE						
101-301-703.000	SALARIES	157,596.40	10,611.45	10,611.45	146,984.95	6.73
101-301-703.002	OVERTIME SALARIES	4,600.00	0.00	0.00	4,600.00	0.00
101-301-719.000	FRINGE BENEFITS	37,080.00	2,582.15	2,582.15	34,497.85	6.96
101-301-725.000	UNIFORM EXPENSES	2,400.00	0.00	0.00	2,400.00	0.00
101-301-740.000	SUPPLIES	7,000.00	0.00	0.00	7,000.00	0.00
101-301-775.000	REPAIRS & MAINT	5,000.00	0.00	0.00	5,000.00	0.00
101-301-781.000	COMPUTER SOFTWARE	500.00	0.00	0.00	500.00	0.00
101-301-801.000	ATTORNEY	3,700.00	0.00	0.00	3,700.00	0.00
101-301-802.000	SERVICE	1,000.00	0.00	0.00	1,000.00	0.00
101-301-809.000	TRAINING	1,700.00	0.00	0.00	1,700.00	0.00
101-301-851.000	RADIO REPAIRS	300.00	0.00	0.00	300.00	0.00
101-301-853.000	TELEPHONE EXPENSE	1,500.00	120.42	120.42	1,379.58	8.03
101-301-862.000	GAS	4,500.00	0.00	0.00	4,500.00	0.00
101-301-958.000	DUES AND SUBSCRIPTIONS	50.00	0.00	0.00	50.00	0.00
101-301-959.000	MISC	250.00	0.00	0.00	250.00	0.00
101-301-980.100	COMPUTER EQUIPMENT	1,907.25	0.00	0.00	1,907.25	0.00
Total Dept 301 - POLICE		229,083.65	13,314.02	13,314.02	215,769.63	5.81
Dept 302 - POLICE STATE TRAINING						
101-302-810.000	EXPENSE	500.00	0.00	0.00	500.00	0.00
Total Dept 302 - POLICE STATE TRAINING		500.00	0.00	0.00	500.00	0.00
Dept 337 - EMS						
101-337-802.000	SERVICE	124,800.00	0.00	0.00	124,800.00	0.00

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## REVENUE AND EXPENDITURE REPORT FOR CITY OF POTTERVILLE

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GL NUMBER	DESCRIPTION	2021-22 AMENDED BUDGET	YTD BALANCE 07/31/2021 NORMAL (ABNORMAL)	ACTIVITY FOR MONTH 07/31/2021 INCREASE (DECREASE)	AVAILABLE BALANCE NORMAL (ABNORMAL)	% BDGT USED
Fund 101 - GENERAL FUND						
Expenditures						
101-337-810.000	CHANGE ACCOUNT TO "SERVICE"	0.00	62,400.00	62,400.00	(62,400.00)	100.00
Total Dept 337 - EMS		124,800.00	62,400.00	62,400.00	62,400.00	50.00
Dept 400 - PLANNING COMMISSION						
101-400-703.000	SALARIES	1,400.00	0.00	0.00	1,400.00	0.00
101-400-719.000	FRINGE BENEFITS	103.00	0.00	0.00	103.00	0.00
101-400-731.000	PUBLICATION	415.00	0.00	0.00	415.00	0.00
101-400-803.000	ENGINEERS FEES	15,000.00	0.00	0.00	15,000.00	0.00
Total Dept 400 - PLANNING COMMISSION		16,918.00	0.00	0.00	16,918.00	0.00
Dept 410 - ZONING						
101-410-703.000	SALARIES	37,537.14	2,887.48	2,887.48	34,649.66	7.69
101-410-719.000	FRINGE BENEFITS	3,465.95	220.90	220.90	3,245.05	6.37
101-410-731.000	PUBLICATION	500.00	0.00	0.00	500.00	0.00
101-410-740.000	SUPPLIES	450.00	0.00	0.00	450.00	0.00
101-410-853.000	TELEPHONE EXPENSE	750.00	147.84	147.84	602.16	19.71
101-410-960.000	CONFERENCE AND WORKSHOPS	275.00	0.00	0.00	275.00	0.00
Total Dept 410 - ZONING		42,978.09	3,256.22	3,256.22	39,721.87	7.58
Dept 441 - DPW						
101-441-775.000	REPAIRS & MAINT	250.00	0.00	0.00	250.00	0.00
101-441-802.000	SERVICE	100.00	0.00	0.00	100.00	0.00
Total Dept 441 - DPW		350.00	0.00	0.00	350.00	0.00
Dept 445 - DRAIN AT LARGE						
101-445-810.000	EXPENSE	1,100.00	0.00	0.00	1,100.00	0.00
Total Dept 445 - DRAIN AT LARGE		1,100.00	0.00	0.00	1,100.00	0.00
Dept 906 - DEBT SERVICE						
101-906-738.000	TOWNSHIP/MILL	9,961.00	0.00	0.00	9,961.00	0.00
101-906-991.000	DEBT SERVICE - PRINCIPAL	26,877.70	23,072.50	23,072.50	3,805.20	85.84
101-906-992.000	PRINCIPAL & INTEREST - PATROL CAR	13,000.00	1,079.34	1,079.34	11,920.66	8.30
101-906-995.000	BOND INTEREST	29,067.37	11,801.58	11,801.58	17,265.79	40.60
Total Dept 906 - DEBT SERVICE		78,906.07	35,953.42	35,953.42	42,952.65	45.56
Dept 965 - CONTRIBUTIONS TO OTHER FUNDS						
101-965-965.203	CONTRIB TO LOCAL STREET FUND	333,279.11	0.00	0.00	333,279.11	0.00
101-965-965.208	CONTRIB TO PARK FUND	69,626.53	0.00	0.00	69,626.53	0.00
101-965-965.401	CONTRIB TO CAPITAL PROJECT FUND	2,654.00	0.00	0.00	2,654.00	0.00
101-965-965.590	CONTRIBUTION TO SEWER FUND	104,000.00	0.00	0.00	104,000.00	0.00
101-965-965.598	CONTRIB TO STORM DRAIN MAINT	5,000.00	0.00	0.00	5,000.00	0.00
101-965-965.641	CONTRIB TO EQP REPAIR & REPL	99,628.97	0.00	0.00	99,628.97	0.00

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GL NUMBER	DESCRIPTION	2021-22 AMENDED BUDGET	YTD BALANCE 07/31/2021 NORMAL (ABNORMAL)	ACTIVITY FOR MONTH 07/31/2021 INCREASE (DECREASE)	AVAILABLE BALANCE NORMAL (ABNORMAL)	% BDGT USED
Fund 101 - GENERAL FUND						
Expenditures						
Total Dept 965 - CONTRIBUTIONS TO OTHER FUNDS		614,188.61	0.00	0.00	614,188.61	0.00
TOTAL EXPENDITURES		1,505,082.00	135,757.36	135,757.36	1,369,324.64	9.02
Fund 101 - GENERAL FUND:						
TOTAL REVENUES		1,429,528.00	41,510.41	41,510.41	1,388,017.59	2.90
TOTAL EXPENDITURES		1,505,082.00	135,757.36	135,757.36	1,369,324.64	9.02
NET OF REVENUES & EXPENDITURES		(75,554.00)	(94,246.95)	(94,246.95)	18,692.95	124.74

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GL NUMBER	DESCRIPTION	2021-22 AMENDED BUDGET	YTD BALANCE 07/31/2021 NORMAL (ABNORMAL)	ACTIVITY FOR MONTH 07/31/2021 INCREASE (DECREASE)	AVAILABLE BALANCE NORMAL (ABNORMAL)	% BDGT USED
Fund 202 - MAJOR STREET FUND						
Revenues						
Dept 000						
202-000-408.200	SPEC ASSESSMENT ROAD - SUNSET	1,757.18	107.41	107.41	1,649.77	6.11
202-000-553.000	ACT 51	175,000.00	0.00	0.00	175,000.00	0.00
202-000-553.300	COUNTY ROAD MILL 2014	40,000.00	0.00	0.00	40,000.00	0.00
Total Dept 000		216,757.18	107.41	107.41	216,649.77	0.05
TOTAL REVENUES		216,757.18	107.41	107.41	216,649.77	0.05
Expenditures						
Dept 463 - ROUTINE MAINT						
202-463-699.203	TRANSFER TO LOCAL STREETS	87,500.00	0.00	0.00	87,500.00	0.00
202-463-782.000	STREET MATERIALS & SUPPLIES	3,500.00	925.50	925.50	2,574.50	26.44
202-463-965.600	CONTRIBUTION TO 641 LABOR & EQUIPMENT	97,001.83	0.00	0.00	97,001.83	0.00
Total Dept 463 - ROUTINE MAINT		188,001.83	925.50	925.50	187,076.33	0.49
Dept 474 - TRAFFIC SIGNS						
202-474-782.000	STREET MATERIALS & SUPPLIES	250.00	0.00	0.00	250.00	0.00
Total Dept 474 - TRAFFIC SIGNS		250.00	0.00	0.00	250.00	0.00
Dept 478 - WINTER MAINT						
202-478-782.000	STREET MATERIALS & SUPPLIES	250.00	0.00	0.00	250.00	0.00
Total Dept 478 - WINTER MAINT		250.00	0.00	0.00	250.00	0.00
Dept 480 - CONSTRUCTION						
202-480-803.000	ENGINEERS FEES	3,000.00	0.00	0.00	3,000.00	0.00
202-480-818.000	CONTRACT LABOR	10,000.00	0.00	0.00	10,000.00	0.00
Total Dept 480 - CONSTRUCTION		13,000.00	0.00	0.00	13,000.00	0.00
Dept 906 - DEBT SERVICE						
202-906-990.000	SUNSET HILLS RD ASSESS- COUNTY	14,053.33	0.00	0.00	14,053.33	0.00
202-906-995.000	BOND INTEREST	6,662.66	0.00	0.00	6,662.66	0.00
202-906-996.000	BOND PRINCIPAL	10,560.00	0.00	0.00	10,560.00	0.00
Total Dept 906 - DEBT SERVICE		31,275.99	0.00	0.00	31,275.99	0.00
TOTAL EXPENDITURES		232,777.82	925.50	925.50	231,852.32	0.40
Fund 202 - MAJOR STREET FUND:						
TOTAL REVENUES		216,757.18	107.41	107.41	216,649.77	0.05
TOTAL EXPENDITURES		232,777.82	925.50	925.50	231,852.32	0.40
NET OF REVENUES & EXPENDITURES		(16,020.64)	(818.09)	(818.09)	(15,202.55)	5.11

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GL NUMBER	DESCRIPTION	2021-22 AMENDED BUDGET	YTD BALANCE 07/31/2021 NORMAL (ABNORMAL)	ACTIVITY FOR MONTH 07/31/2021 INCREASE (DECREASE)	AVAILABLE BALANCE NORMAL (ABNORMAL)	% BDGT USED
Fund 203 - LOCAL STREET FUND						
Revenues						
Dept 000						
203-000-408.200	SPEC ASSESSMENT ROAD - SUNSET	10,722.82	655.47	655.47	10,067.35	6.11
203-000-553.000	ACT 51	62,285.00	0.00	0.00	62,285.00	0.00
203-000-553.300	COUNTY ROAD MILL 2014	31,306.00	0.00	0.00	31,306.00	0.00
203-000-699.001	CONTRIBUTIONS FROM MAJOR STREET FUND	87,500.00	0.00	0.00	87,500.00	0.00
203-000-699.101	GF CONTRIBUTION	333,279.11	0.00	0.00	333,279.11	0.00
Total Dept 000		525,092.93	655.47	655.47	524,437.46	0.12
TOTAL REVENUES		525,092.93	655.47	655.47	524,437.46	0.12
Expenditures						
Dept 463 - ROUTINE MAINT						
203-463-782.000	STREET MATERIALS & SUPPLIES	0.00	2,020.00	2,020.00	(2,020.00)	100.00
203-463-965.600	CONTRIBUTION TO 641 LABOR & EQUIPMENT	47,842.30	0.00	0.00	47,842.30	0.00
Total Dept 463 - ROUTINE MAINT		47,842.30	2,020.00	2,020.00	45,822.30	4.22
Dept 478 - WINTER MAINT						
203-478-782.000	STREET MATERIALS & SUPPLIES	250.00	0.00	0.00	250.00	0.00
Total Dept 478 - WINTER MAINT		250.00	0.00	0.00	250.00	0.00
Dept 480 - CONSTRUCTION						
203-480-803.000	ENGINEERS FEES	8,500.00	0.00	0.00	8,500.00	0.00
203-480-818.000	CONTRACT LABOR	105,000.00	0.00	0.00	105,000.00	0.00
Total Dept 480 - CONSTRUCTION		113,500.00	0.00	0.00	113,500.00	0.00
Dept 740 - SPECIAL MAINT						
203-740-956.000	TREE TRIMMING	1,500.00	0.00	0.00	1,500.00	0.00
Total Dept 740 - SPECIAL MAINT		1,500.00	0.00	0.00	1,500.00	0.00
Dept 906 - DEBT SERVICE						
203-906-990.000	SUNSET HILLS RD ASSESS- COUNTY	82,757.28	0.00	0.00	82,757.28	0.00
203-906-995.000	BOND INTEREST	155,562.30	16,330.92	16,330.92	139,231.38	10.50
203-906-996.000	BOND PRINCIPAL	147,443.97	31,927.50	31,927.50	115,516.47	21.65
Total Dept 906 - DEBT SERVICE		385,763.55	48,258.42	48,258.42	337,505.13	12.51
TOTAL EXPENDITURES		548,855.85	50,278.42	50,278.42	498,577.43	9.16
Fund 203 - LOCAL STREET FUND:						
TOTAL REVENUES		525,092.93	655.47	655.47	524,437.46	0.12
TOTAL EXPENDITURES		548,855.85	50,278.42	50,278.42	498,577.43	9.16
NET OF REVENUES & EXPENDITURES		(23,762.92)	(49,622.95)	(49,622.95)	25,860.03	208.83

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GL NUMBER	DESCRIPTION	2021-22 AMENDED BUDGET	YTD BALANCE 07/31/2021 NORMAL (ABNORMAL)	ACTIVITY FOR MONTH 07/31/2021 INCREASE (DECREASE)	AVAILABLE BALANCE NORMAL (ABNORMAL)	% BDGT USED
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GL NUMBER	DESCRIPTION	2021-22 AMENDED BUDGET	YTD BALANCE 07/31/2021 NORMAL (ABNORMAL)	ACTIVITY FOR MONTH 07/31/2021 INCREASE (DECREASE)	AVAILABLE BALANCE NORMAL (ABNORMAL)	% BDGT USED
Fund 208 - PARK FUND						
Revenues						
Dept 000						
208-000-450.000	3% CABLE T.V.	6,800.00	0.00	0.00	6,800.00	0.00
208-000-451.010	PLAYER FEES	0.00	448.25	448.25	(448.25)	100.00
208-000-451.030	CONCESSIONS	14,000.00	1,803.90	1,803.90	12,196.10	12.89
208-000-451.070	FIELD RENTAL	18,000.00	0.00	0.00	18,000.00	0.00
208-000-451.072	BASEBALL FIELD RENTAL	1,160.00	60.00	60.00	1,100.00	5.17
208-000-451.084	FLAG FOOTBALL	0.00	270.00	270.00	(270.00)	100.00
208-000-451.090	YOUTH FEES	3,000.00	0.00	0.00	3,000.00	0.00
208-000-667.000	PAVILION RENT	800.00	65.00	65.00	735.00	8.13
208-000-667.020	TIFA PAVILION - COMMUNITY CEN	1,000.00	525.00	525.00	475.00	52.50
208-000-680.001	SPECIAL EVENTS	1,750.00	230.00	230.00	1,520.00	13.14
208-000-682.000	REIMBURSEMENT	1,493.00	0.00	0.00	1,493.00	0.00
208-000-699.101	GF CONTRIBUTION	95,626.53	0.00	0.00	95,626.53	0.00
Total Dept 000		143,629.53	3,402.15	3,402.15	140,227.38	2.37
TOTAL REVENUES		143,629.53	3,402.15	3,402.15	140,227.38	2.37
Expenditures						
Dept 690 - PARK ADMIN						
208-690-740.000	SUPPLIES	1,400.00	705.40	705.40	694.60	50.39
208-690-803.000	ENGINEERS FEES	1,200.00	0.00	0.00	1,200.00	0.00
208-690-810.100	GRANT EXPENSE	26,000.00	0.00	0.00	26,000.00	0.00
208-690-818.000	CONTRACT LABOR	2,500.00	0.00	0.00	2,500.00	0.00
Total Dept 690 - PARK ADMIN		31,100.00	705.40	705.40	30,394.60	2.27
Dept 691 - BALL ADMIN						
208-691-703.000	SALARIES	43,951.94	4,790.71	4,790.71	39,161.23	10.90
208-691-719.000	FRINGE BENEFITS	18,158.90	2,173.17	2,173.17	15,985.73	11.97
208-691-725.000	UNIFORM EXPENSES	250.00	0.00	0.00	250.00	0.00
208-691-731.000	PUBLICATION	200.00	0.00	0.00	200.00	0.00
208-691-740.000	SUPPLIES	1,000.00	0.00	0.00	1,000.00	0.00
208-691-853.000	TELEPHONE EXPENSE	800.00	60.21	60.21	739.79	7.53
208-691-913.000	INSURANCE-LIAB & WORKMAN COMP	9,238.83	0.00	0.00	9,238.83	0.00
Total Dept 691 - BALL ADMIN		73,599.67	7,024.09	7,024.09	66,575.58	9.54
Dept 770 - LAKE ALLIANCE MAINTENANCE						
208-770-740.000	SUPPLIES	800.00	0.00	0.00	800.00	0.00
208-770-775.000	REPAIRS & MAINT	500.00	880.00	880.00	(380.00)	176.00
208-770-802.000	SERVICE	500.00	0.00	0.00	500.00	0.00
208-770-920.000	UTILITIES	4,150.00	101.00	101.00	4,049.00	2.43
Total Dept 770 - LAKE ALLIANCE MAINTENANCE		5,950.00	981.00	981.00	4,969.00	16.49
Dept 771 - CITY PARK						
208-771-740.000	SUPPLIES	500.00	0.00	0.00	500.00	0.00
208-771-775.000	REPAIRS & MAINT	600.00	0.00	0.00	600.00	0.00
208-771-818.000	CONTRACT LABOR	1,800.00	0.00	0.00	1,800.00	0.00
208-771-920.000	UTILITIES	2,000.00	60.19	60.19	1,939.81	3.01

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GL NUMBER	DESCRIPTION	2021-22 AMENDED BUDGET	YTD BALANCE 07/31/2021 NORMAL (ABNORMAL)	ACTIVITY FOR MONTH 07/31/2021 INCREASE (DECREASE)	AVAILABLE BALANCE NORMAL (ABNORMAL)	% BDGT USED
Fund 208 - PARK FUND						
Expenditures						
208-771-970.000	CAPITAL OUTLAY	100.00	0.00	0.00	100.00	0.00
Total Dept 771 - CITY PARK						
		5,000.00	60.19	60.19	4,939.81	1.20
Dept 772 - SUNSET HILLS PARK						
208-772-775.000	REPAIRS & MAINT	100.00	0.00	0.00	100.00	0.00
Total Dept 772 - SUNSET HILLS PARK						
		100.00	0.00	0.00	100.00	0.00
Dept 774 - BASEBALL						
208-774-740.000	SUPPLIES	800.00	0.00	0.00	800.00	0.00
208-774-775.000	REPAIRS & MAINT	1,200.00	0.00	0.00	1,200.00	0.00
208-774-920.000	UTILITIES	500.00	0.00	0.00	500.00	0.00
Total Dept 774 - BASEBALL						
		2,500.00	0.00	0.00	2,500.00	0.00
Dept 777 - BALLFIELD						
208-777-740.000	SUPPLIES	5,000.00	0.00	0.00	5,000.00	0.00
208-777-744.000	YOUTH FEES (UNIFORMS,ETC.)	1,000.00	0.00	0.00	1,000.00	0.00
208-777-745.000	YOUTH UMPIRE FEES	160.00	150.00	150.00	10.00	93.75
208-777-802.000	SERVICE	381.46	0.00	0.00	381.46	0.00
208-777-920.000	UTILITIES	4,600.00	0.00	0.00	4,600.00	0.00
Total Dept 777 - BALLFIELD						
		11,141.46	150.00	150.00	10,991.46	1.35
Dept 778 - CONCESSIONS						
208-778-703.000	SALARIES	4,200.00	284.68	284.68	3,915.32	6.78
208-778-719.000	FRINGE BENEFITS	681.86	36.86	36.86	645.00	5.41
208-778-740.000	SUPPLIES	7,000.00	530.75	530.75	6,469.25	7.58
208-778-746.000	CONCESSION - FOOD LICENSE	820.00	0.00	0.00	820.00	0.00
208-778-814.000	BANK SERVICE CHARGES	0.00	16.59	16.59	(16.59)	100.00
Total Dept 778 - CONCESSIONS						
		12,701.86	868.88	868.88	11,832.98	6.84
Dept 779 - SPECIAL EVENTS						
208-779-740.000	SUPPLIES	250.00	0.00	0.00	250.00	0.00
Total Dept 779 - SPECIAL EVENTS						
		250.00	0.00	0.00	250.00	0.00
TOTAL EXPENDITURES						
		142,342.99	9,789.56	9,789.56	132,553.43	6.88
Fund 208 - PARK FUND:						
TOTAL REVENUES		143,629.53	3,402.15	3,402.15	140,227.38	2.37
TOTAL EXPENDITURES		142,342.99	9,789.56	9,789.56	132,553.43	6.88
NET OF REVENUES & EXPENDITURES		1,286.54	(6,387.41)	(6,387.41)	7,673.95	496.48



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Fund 401 - CAPITAL PROJECT FUND- DOWNTOWN						
Revenues						
Dept 000						
401-000-699.106	TRANSFER IN	2,654.00	0.00	0.00	2,654.00	0.00
Total Dept 000		2,654.00	0.00	0.00	2,654.00	0.00
TOTAL REVENUES		2,654.00	0.00	0.00	2,654.00	0.00
Expenditures						
Dept 729 - DOWNTOWN						
401-729-740.600	LANDSCAPING SUPPLIES	1,489.39	0.00	0.00	1,489.39	0.00
401-729-818.000	CONTRACT LABOR	500.00	0.00	0.00	500.00	0.00
401-729-943.000	EQUIPMENT RENTAL	500.00	0.00	0.00	500.00	0.00
Total Dept 729 - DOWNTOWN		2,489.39	0.00	0.00	2,489.39	0.00
TOTAL EXPENDITURES		2,489.39	0.00	0.00	2,489.39	0.00
Fund 401 - CAPITAL PROJECT FUND- DOWNTOWN:						
TOTAL REVENUES		2,654.00	0.00	0.00	2,654.00	0.00
TOTAL EXPENDITURES		2,489.39	0.00	0.00	2,489.39	0.00
NET OF REVENUES & EXPENDITURES		164.61	0.00	0.00	164.61	0.00

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## REVENUE AND EXPENDITURE REPORT FOR CITY OF POTTERVILLE

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PERIOD ENDING 07/31/2021

GL NUMBER	DESCRIPTION	2021-22	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT USED
		AMENDED BUDGET	07/31/2021 NORMAL (ABNORMAL)	MONTH 07/31/2021 INCREASE (DECREASE)	BALANCE NORMAL (ABNORMAL)	
Fund 590 - SEWER FUND						
Revenues						
Dept 000						
590-000-642.000	BILLS	142,885.24	13,885.86	13,885.86	128,999.38	9.72
590-000-642.001	FIXED COSTS	400,737.05	33,393.29	33,393.29	367,343.76	8.33
590-000-655.000	FINES & FORFEITURES	12,000.00	1,372.47	1,372.47	10,627.53	11.44
590-000-672.000	HOOK UP FEES	2,500.00	0.00	0.00	2,500.00	0.00
590-000-699.101	GF CONTRIBUTION	104,000.00	0.00	0.00	104,000.00	0.00
Total Dept 000		662,122.29	48,651.62	48,651.62	613,470.67	7.35
TOTAL REVENUES		662,122.29	48,651.62	48,651.62	613,470.67	7.35
Expenditures						
Dept 527 - ADMINISTRATIVE						
590-527-775.000	REPAIRS & MAINT	3,000.00	0.00	0.00	3,000.00	0.00
590-527-913.000	INSURANCE-LIAB & WORKMAN COMP	0.00	2,025.66	2,025.66	(2,025.66)	100.00
Total Dept 527 - ADMINISTRATIVE		3,000.00	2,025.66	2,025.66	974.34	67.52
Dept 556 - DPW						
590-556-740.000	SUPPLIES	11,819.45	0.00	0.00	11,819.45	0.00
590-556-743.000	METERS	1,000.00	0.00	0.00	1,000.00	0.00
590-556-775.000	REPAIRS & MAINT	1,000.00	0.00	0.00	1,000.00	0.00
590-556-802.000	SERVICE	2,500.00	0.00	0.00	2,500.00	0.00
590-556-803.000	ENGINEERS FEES	22,000.00	0.00	0.00	22,000.00	0.00
590-556-965.600	CONTRIBUTION TO 641 LABOR & EQUIPMENT	135,000.00	0.00	0.00	135,000.00	0.00
590-556-970.000	CAPITAL OUTLAY	120,000.00	0.00	0.00	120,000.00	0.00
Total Dept 556 - DPW		293,319.45	0.00	0.00	293,319.45	0.00
Dept 906 - DEBT SERVICE						
590-906-991.000	DEBT SERVICE - PRINCIPAL	160,000.00	41,000.00	41,000.00	119,000.00	25.63
590-906-995.000	BOND INTEREST	216,153.00	33,921.25	33,921.25	182,231.75	15.69
Total Dept 906 - DEBT SERVICE		376,153.00	74,921.25	74,921.25	301,231.75	19.92
TOTAL EXPENDITURES		672,472.45	76,946.91	76,946.91	595,525.54	11.44
Fund 590 - SEWER FUND:						
TOTAL REVENUES		662,122.29	48,651.62	48,651.62	613,470.67	7.35
TOTAL EXPENDITURES		672,472.45	76,946.91	76,946.91	595,525.54	11.44
NET OF REVENUES & EXPENDITURES		(10,350.16)	(28,295.29)	(28,295.29)	17,945.13	273.38

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## REVENUE AND EXPENDITURE REPORT FOR CITY OF POTTERVILLE

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PERIOD ENDING 07/31/2021

GL NUMBER	DESCRIPTION	2021-22 AMENDED BUDGET	YTD BALANCE 07/31/2021 NORMAL (ABNORMAL)	ACTIVITY FOR MONTH 07/31/2021 INCREASE (DECREASE)	AVAILABLE BALANCE NORMAL (ABNORMAL)	% BDGT USED
Fund 591 - WATER FUND						
Revenues						
Dept 000						
591-000-608.000	PENALTIES	280.00	40.00	40.00	240.00	14.29
591-000-642.000	BILLS	183,981.36	18,257.03	18,257.03	165,724.33	9.92
591-000-642.001	FIXED COSTS	336,684.00	28,258.30	28,258.30	308,425.70	8.39
591-000-655.000	FINES & FORFEITURES	12,000.00	1,344.20	1,344.20	10,655.80	11.20
591-000-672.000	HOOK UP FEES	2,000.00	0.00	0.00	2,000.00	0.00
Total Dept 000		534,945.36	47,899.53	47,899.53	487,045.83	8.95
TOTAL REVENUES		534,945.36	47,899.53	47,899.53	487,045.83	8.95
Expenditures						
Dept 527 - ADMINISTRATIVE						
591-527-731.000	PUBLICATION	250.00	0.00	0.00	250.00	0.00
591-527-740.000	SUPPLIES	1,500.00	0.00	0.00	1,500.00	0.00
591-527-741.000	POSTAGE	4,500.00	0.00	0.00	4,500.00	0.00
591-527-781.000	COMPUTER SOFTWARE	1,500.00	0.00	0.00	1,500.00	0.00
591-527-913.000	INSURANCE-LIAB & WORKMAN COMP	0.00	2,025.67	2,025.67	(2,025.67)	100.00
Total Dept 527 - ADMINISTRATIVE		7,750.00	2,025.67	2,025.67	5,724.33	26.14
Dept 556 - DPW						
591-556-731.000	PUBLICATION	111.80	0.00	0.00	111.80	0.00
591-556-740.000	SUPPLIES	6,000.00	0.00	0.00	6,000.00	0.00
591-556-743.000	METERS	2,000.00	0.00	0.00	2,000.00	0.00
591-556-775.000	REPAIRS & MAINT	2,000.00	0.00	0.00	2,000.00	0.00
591-556-802.000	SERVICE	6,700.00	0.00	0.00	6,700.00	0.00
591-556-803.000	ENGINEERS FEES	7,200.00	0.00	0.00	7,200.00	0.00
591-556-965.600	CONTRIBUTION TO 641 LABOR & EQUIPMENT	175,923.20	0.00	0.00	175,923.20	0.00
591-556-970.000	CAPITAL OUTLAY	55,000.00	0.00	0.00	55,000.00	0.00
Total Dept 556 - DPW		254,935.00	0.00	0.00	254,935.00	0.00
Dept 906 - DEBT SERVICE						
591-906-995.000	BOND INTEREST	117,973.00	20,955.00	20,955.00	97,018.00	17.76
591-906-996.000	BOND PRINCIPAL	92,000.00	25,000.00	25,000.00	67,000.00	27.17
Total Dept 906 - DEBT SERVICE		209,973.00	45,955.00	45,955.00	164,018.00	21.89
TOTAL EXPENDITURES		472,658.00	47,980.67	47,980.67	424,677.33	10.15
Fund 591 - WATER FUND:						
TOTAL REVENUES		534,945.36	47,899.53	47,899.53	487,045.83	8.95
TOTAL EXPENDITURES		472,658.00	47,980.67	47,980.67	424,677.33	10.15
NET OF REVENUES & EXPENDITURES		62,287.36	(81.14)	(81.14)	62,368.50	0.13

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GL NUMBER	DESCRIPTION	2021-22 AMENDED BUDGET	YTD BALANCE 07/31/2021 NORMAL (ABNORMAL)	ACTIVITY FOR MONTH 07/31/2021 INCREASE (DECREASE)	AVAILABLE BALANCE NORMAL (ABNORMAL)	% BDGT USED
Fund 598 - STORM DRAIN MAINTENANCE						
Revenues						
Dept 000						
598-000-699.101	GF CONTRIBUTION	5,000.00	0.00	0.00	5,000.00	0.00
Total Dept 000		5,000.00	0.00	0.00	5,000.00	0.00
TOTAL REVENUES		5,000.00	0.00	0.00	5,000.00	0.00
Expenditures						
Dept 556 - DPW						
598-556-818.000	CONTRACT LABOR	7,700.00	0.00	0.00	7,700.00	0.00
Total Dept 556 - DPW		7,700.00	0.00	0.00	7,700.00	0.00
TOTAL EXPENDITURES		7,700.00	0.00	0.00	7,700.00	0.00
Fund 598 - STORM DRAIN MAINTENANCE:						
TOTAL REVENUES		5,000.00	0.00	0.00	5,000.00	0.00
TOTAL EXPENDITURES		7,700.00	0.00	0.00	7,700.00	0.00
NET OF REVENUES & EXPENDITURES		(2,700.00)	0.00	0.00	(2,700.00)	0.00

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## REVENUE AND EXPENDITURE REPORT FOR CITY OF POTTERVILLE

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PERIOD ENDING 07/31/2021

GL NUMBER	DESCRIPTION	2021-22 AMENDED BUDGET	YTD BALANCE 07/31/2021 NORMAL (ABNORMAL)	ACTIVITY FOR MONTH 07/31/2021 INCREASE (DECREASE)	AVAILABLE BALANCE NORMAL (ABNORMAL)	% BDGT USED
Fund 641 - EQUIPMENT REPAIR & REPLACEMENT						
Revenues						
Dept 000						
641-000-674.010	OPERATING TRANSFER-IN	555,396.30	0.00	0.00	555,396.30	0.00
Total Dept 000		555,396.30	0.00	0.00	555,396.30	0.00
TOTAL REVENUES		555,396.30	0.00	0.00	555,396.30	0.00
Expenditures						
Dept 932 - EQUIPMENT REPAIR ACTIVITY						
641-932-703.000	SALARIES	264,621.30	21,549.32	21,549.32	243,071.98	8.14
641-932-703.002	OVERTIME SALARIES	8,000.00	1,216.16	1,216.16	6,783.84	15.20
641-932-719.000	FRINGE BENEFITS	90,640.00	8,431.01	8,431.01	82,208.99	9.30
641-932-725.000	UNIFORM EXPENSES	3,000.00	0.00	0.00	3,000.00	0.00
641-932-731.000	POSTAGE	1,200.00	0.00	0.00	1,200.00	0.00
641-932-740.000	SUPPLIES	23,000.00	982.86	982.86	22,017.14	4.27
641-932-775.000	REPAIRS & MAINT	15,000.00	386.81	386.81	14,613.19	2.58
641-932-781.000	COMPUTER SOFTWARE	4,335.00	0.00	0.00	4,335.00	0.00
641-932-782.000	STREET MATERIALS & SUPPLIES	11,000.00	0.00	0.00	11,000.00	0.00
641-932-802.000	SERVICE	8,500.00	0.00	0.00	8,500.00	0.00
641-932-809.000	TRAINING	1,000.00	535.00	535.00	465.00	53.50
641-932-853.000	TELEPHONE EXPENSE	3,100.00	279.86	279.86	2,820.14	9.03
641-932-862.000	GAS	12,000.00	0.00	0.00	12,000.00	0.00
641-932-913.000	INSURANCE-LIAB & WORKMAN COMP	26,000.00	2,025.67	2,025.67	23,974.33	7.79
641-932-920.000	UTILITIES	117,000.00	702.97	702.97	116,297.03	0.60
641-932-958.000	DUES AND SUBSCRIPTIONS	1,000.00	0.00	0.00	1,000.00	0.00
641-932-970.000	CAPITAL OUTLAY	10,000.00	0.00	0.00	10,000.00	0.00
641-932-970.010	CAPITAL OUTLAY-PLOW TRUCK	6,000.00	0.00	0.00	6,000.00	0.00
Total Dept 932 - EQUIPMENT REPAIR ACTIVITY		605,396.30	36,109.66	36,109.66	569,286.64	5.96
TOTAL EXPENDITURES		605,396.30	36,109.66	36,109.66	569,286.64	5.96
Fund 641 - EQUIPMENT REPAIR & REPLACEMENT:						
TOTAL REVENUES		555,396.30	0.00	0.00	555,396.30	0.00
TOTAL EXPENDITURES		605,396.30	36,109.66	36,109.66	569,286.64	5.96
NET OF REVENUES & EXPENDITURES		(50,000.00)	(36,109.66)	(36,109.66)	(13,890.34)	72.22
TOTAL REVENUES - ALL FUNDS						
TOTAL REVENUES - ALL FUNDS		4,075,125.59	142,226.59	142,226.59	3,932,899.00	3.49
TOTAL EXPENDITURES - ALL FUNDS		4,189,774.80	357,788.08	357,788.08	3,831,986.72	8.54
NET OF REVENUES & EXPENDITURES		(114,649.21)	(215,561.49)	(215,561.49)	100,912.28	188.02

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CUSTOM INVOICE REPORT FOR CITY OF POTTERVILLE  
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INVOICE NUMBER	DESCRIPTION	AMOUNT
VENDOR NAME: ACE HARDWARE-GRAND LEDGE JULY	LOCK, PAINT, SANDDISC, DIESEL CAN, CLAMP, PLUG, GRILL BRUSH, TWINE, TOOL SET, STAPLE GUN, SILCONE, CONCRETE	495.81
TOTAL VENDOR ACE HARDWARE-GRAND LEDGE		495.81
VENDOR NAME: ALCOGARE LLC 002	SCANNED DOUCMENTS -9 BOXES OF 199 ROLLED PLANS, 288 PHOTO FILES	1,197.10
TOTAL VENDOR ALCOGARE LLC		1,197.10
VENDOR NAME: APEX SOFTWARE 314300	MAINTENANCE RENEWAL 9/1/21-9/1/22	235.00
TOTAL VENDOR APEX SOFTWARE		235.00
VENDOR NAME: APPLIED IMAGING 1783856	COPIER	17.56
TOTAL VENDOR APPLIED IMAGING		17.56
VENDOR NAME: AT&T AUGUST	INTERNET ALLIANCE	82.21
TOTAL VENDOR AT&T		82.21
VENDOR NAME: BEACON ATHLETICS 0534720-IN	PRO STRING WINDER	79.00
TOTAL VENDOR BEACON ATHLETICS		79.00
VENDOR NAME: BOBCAT OF LANSING JULY	REPAIRS AND PARTS	659.87
TOTAL VENDOR BOBCAT OF LANSING		659.87
VENDOR NAME: BS&A SOFTWARE 136523	SOFTWARE SUPPORT	3,211.00
TOTAL VENDOR BS&A SOFTWARE		3,211.00
VENDOR NAME: CARDMEMBER SERVICE JULY	STEEL MAT DRAG, DPW CLASS, POSTAGE, T- SHIRTS FOR BALL	849.20
TOTAL VENDOR CARDMEMBER SERVICE		849.20
VENDOR NAME: CHAPPEL, CARA 08/12/2021	UB refund for account: VERW-000408-0000 -	7.67
TOTAL VENDOR CHAPPEL, CARA		7.67
VENDOR NAME: CINTAS CORPORATION #725 JULY STATEMENT	UNIFORMS	243.85
TOTAL VENDOR CINTAS CORPORATION #725		243.85
VENDOR NAME: CITY OF POTTERVILLE JULY	WATER AND SEWER	452.64
TOTAL VENDOR CITY OF POTTERVILLE		452.64
VENDOR NAME: COLE'S TREE SERVICE LLC 556	TREE REMOVAL DEAD MAPLE/DEBRIS FROM SITE	1,000.00
TOTAL VENDOR COLE'S TREE SERVICE LLC		1,000.00
VENDOR NAME: CONSUMERS ENERGY AUG JULY 15	UTILITIES UTILITIES	6,547.52 8,672.39
TOTAL VENDOR CONSUMERS ENERGY		15,219.91
VENDOR NAME: D & L FUELS JULY -2 AUGUST	FUEL FUEL	1,209.48 697.22

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INVOICE NUMBER	DESCRIPTION	AMOUNT
VENDOR NAME: D & L FUELS		
	TOTAL VENDOR D & L FUELS	1,906.70
VENDOR NAME: ETNA SUPPLY COMPANY		
S104143524.001	SUPPLIES	211.33
	TOTAL VENDOR ETNA SUPPLY COMPANY	211.33
VENDOR NAME: GALE BRIGGS, INC		
78716	MORTAR SAND	66.00
	TOTAL VENDOR GALE BRIGGS, INC	66.00
VENDOR NAME: GLASHOWER, HARMONY		
08/12/2021	UB refund for account: BREN-000750-0000	10.38
	-	
	TOTAL VENDOR GLASHOWER, HARMONY	10.38
VENDOR NAME: GORDON'S FOOD SERVICE		
8092267-16	CONCESSIONS	357.31
809266453	CONCESSIONS	429.61
	TOTAL VENDOR GORDON'S FOOD SERVICE	786.92
VENDOR NAME: GRANGER CONTAINER SERVICE, INC		
22714276	TRASH SERVICE	237.32
	TOTAL VENDOR GRANGER CONTAINER SERVICE, INC	237.32
VENDOR NAME: HUTSON, INC		
JULY	JOHN DEERE PARTS	565.17
	TOTAL VENDOR HUTSON, INC	565.17
VENDOR NAME: I.T. RIGHT		
20169402	LAPTOP FOR ELECTIONS	865.00
20169168	SSL CERTIFICATE	500.00
	TOTAL VENDOR I.T. RIGHT	1,365.00
VENDOR NAME: KENDAL ELECTRIC INC		
S110540783.001	RED 1G VERT GFCI COVER CODEKEEPER	138.36
S110516787.001	GFCI COVER CODEKEEPER	257.51
	TOTAL VENDOR KENDAL ELECTRIC INC	395.87
VENDOR NAME: KENNEDY INDUSTRIES INC.		
626138	FIELD SERVICE	1,006.00
	TOTAL VENDOR KENNEDY INDUSTRIES INC.	1,006.00
VENDOR NAME: LA CROSSE SEED		
SINP-22-01696	FERTILIZER FOR AROUND BASKETBALL COURT	37.40
	TOTAL VENDOR LA CROSSE SEED	37.40
VENDOR NAME: MENARDS-LANSING WEST		
22852	PAIL, BLEACH, BATTERIES, MIRACLE GRO,	375.55
	PRUNER, WEEDER, SHOVEL SPADE, TOTES,	
22334	AER INSERT, COVER	63.56
22348	TRASH CAN, KNOB, BUNGEEES	204.13
22713	ELECTRICAL SOLDER	24.96
21922	CLEANING SUPPLIES	116.94
	TOTAL VENDOR MENARDS-LANSING WEST	785.14
VENDOR NAME: MUNICIPAL SUPPLY		
INV78365	STATEMENT	420.00
	TOTAL VENDOR MUNICIPAL SUPPLY	420.00
VENDOR NAME: NORTHERN CONCRETE PIPE		
78818	HEAVY WALL CB RISER	66.00
	TOTAL VENDOR NORTHERN CONCRETE PIPE	66.00
VENDOR NAME: OETMAN EXCAVATING, LLC		

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INVOICE NUMBER	DESCRIPTION	AMOUNT
VENDOR NAME: OETMAN EXCAVATING, LLC		
210713	MOBILIZATION, SUPERVISION/HR, DUMP TRUCK & MINI ECAVATOR/HR EQUIPMENT OPERATOR/HR	2,420.00
TOTAL VENDOR OETMAN EXCAVATING, LLC		2,420.00
VENDOR NAME: PHP		
07/22/2021	MEDICAL BENEFITS	4,097.27
TOTAL VENDOR PHP		4,097.27
VENDOR NAME: SCHAFER'S INC		
38581	CUSHION WOOD, SUNNY GRASS SEED	890.00
TOTAL VENDOR SCHAFER'S INC		890.00
VENDOR NAME: SHARE CORPORATION		
175828	WASP & HORNET KILLER, INSECT REPELLENT	404.86
TOTAL VENDOR SHARE CORPORATION		404.86
VENDOR NAME: SPECTRUM PRINTERS, INC.		
67301	BALLOTS, TEST DECK, FOLDING BALLOTS, SUPPLIES	505.24
TOTAL VENDOR SPECTRUM PRINTERS, INC.		505.24
VENDOR NAME: THE COUNTY JOURNAL		
233927	PUBLIC ACCURACY TEST	84.16
TOTAL VENDOR THE COUNTY JOURNAL		84.16
VENDOR NAME: THE PARTS PLACE-CHARLOTTE		
208621	MUD FLAP	19.98
207242	OIL FIL	9.99
207228	BLK DMD RG 1 SP FMLA 353	44.99
208241	AIR AND OIL FILTERS	261.96
208259	AIR FILTER	48.98
AUG STATEMENT	PARTS	24.63
TOTAL VENDOR THE PARTS PLACE-CHARLOTTE		410.53
VENDOR NAME: UNITED STATES POST OFFICE		
AUG 2021	WATER/SEWER BILLINGS - JULY USAGE	196.02
TOTAL VENDOR UNITED STATES POST OFFICE		196.02
VENDOR NAME: VERIZON WIRELESS		
983417497	USAGE- WATER TELEMENTARY LINE	39.02
9885251057	CELL PHONES	514.39
TOTAL VENDOR VERIZON WIRELESS		553.41
VENDOR NAME: WEX BANK		
72591053	FUEL	587.71
73113830	FUEL	540.37
TOTAL VENDOR WEX BANK		1,128.08
VENDOR NAME: WILLIAMS & WORKS		
92568	ENGINEER FEES	689.50
92568 A	ENGINEER FEES	135.00
92571	WWTF ACCESS ROAD	629.70
TOTAL VENDOR WILLIAMS & WORKS		1,454.20
VENDOR NAME: WOLVERINE SEALCOATING LLC		
12823	CRACK FILL, TRAFFIC CONTROL, MAJOR AND LOCAL ROADS	8,204.65
TOTAL VENDOR WOLVERINE SEALCOATING LLC		8,204.65
VENDOR NAME: WOW!BUSINESS		
AUG	INTERNET	630.58
TOTAL VENDOR WOW!BUSINESS		630.58
GRAND TOTAL:		52,589.05



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INVOICE NUMBER	DESCRIPTION	AMOUNT
VENDOR NAME: AM-PAK MEDICAL AND SAFETY		
132081	FIRST AID SUPPLIES DPW	217.70
132082	FIRST AID SUPPLIES OFFICES	68.35
132083	FIRST AID SUPPLIES BALLPARK	112.75
TOTAL VENDOR AM-PAK MEDICAL AND SAFETY		398.80
VENDOR NAME: BOBCAT OF LANSING		
P50818	FILTER AIR	65.28
TOTAL VENDOR BOBCAT OF LANSING		65.28
VENDOR NAME: CARDMEMBER SERVICE		
AUGUST	THERMO PAPER,CLEANER, SWING PARTS, POST DRIVER,TPOST,FOLDING MACHINE,ELECTION FOOD,CALCULATOR	1,642.25
TOTAL VENDOR CARDMEMBER SERVICE		1,642.25
VENDOR NAME: D & L FUELS		
AUG 15	FUEL	1,246.46
TOTAL VENDOR D & L FUELS		1,246.46
VENDOR NAME: GORDON'S FOOD SERVICE		
809227152	CONCESSIONS	827.99
809226925	CONCESSIONS	244.07
TOTAL VENDOR GORDON'S FOOD SERVICE		1,072.06
VENDOR NAME: LANSING SANITARY SUPPLY, INC		
1130051	TRASH BAGS, BROWN ROLL TOWEL, TISSUE, CLNSR,	1,088.85
TOTAL VENDOR LANSING SANITARY SUPPLY, INC		1,088.85
VENDOR NAME: MENARDS-LANSING WEST		
22932	TRASH BAGS, DUCK TAPE, FEBREZE AIR FRESHNER	20.77
22478	2X10	18.98
23178	SPREADER	49.99
23507	BLEACH	11.16
TOTAL VENDOR MENARDS-LANSING WEST		100.90
VENDOR NAME: PRESTON COMMUNITY SERVICES LLC		
JULY	JULY 1-31	1,333.33
TOTAL VENDOR PRESTON COMMUNITY SERVICES LLC		1,333.33
VENDOR NAME: QUILL CO		
18440077	2X8 PLASTIC SIGN	18.98
TOTAL VENDOR QUILL CO		18.98
VENDOR NAME: THE PARTS PLACE-CHARLOTTE		
211507	PART	15.98
TOTAL VENDOR THE PARTS PLACE-CHARLOTTE		15.98
VENDOR NAME: VERIZON WIRELESS		
AUGUST	SCATA	39.02
TOTAL VENDOR VERIZON WIRELESS		39.02
GRAND TOTAL:		7,021.91

# City of Potterville

319 N. Nelson St. ♦ PO Box 488 ♦ Potterville, MI 48876 ♦ Phone: (517) 645-7641  
Fax: (517) 645-7810 ♦ www.pottervillemi.org

June 11, 2021

To: City Council  
From: Aaron Sheridan, City Manager  
Subject: Manager's Report

Please review my report items this month and let me know if you have questions or comments. Thank you.

1. City council will be considering Resolution to introduce codification of its regulatory Code of Ordinances as discussed last month with Zoning Administrator Brandy Hatt. Legal documents including Notice have been provided by the City attorney for review and involve public hearing next month with final adoption at same meeting if approved. Ordinance adoption in the City is a two-step process per City Charter Section 3.13 and involves a precluding Resolution of introduction (this month) that if adopted, would lead to a publication of Notice of Public Hearing, Public Hearing, and Adopting Resolution with Exhibits (to be published in the City's paper of circulation after the Hearing) in September. I propose that City council consider Code Codification Resolutions and the below schedule for the project that is over a year in the making.

- a) Regular council meeting August 19<sup>th</sup> at 7: 00 pm – this includes on the agenda the legal Resolution of Introduction with "Exhibit A" that consists of the draft Ordinance to Adopt new Code and "Redline version" of Ordinance of Adopting and Enacting.
- b) Notice of Public Hearing for September 16<sup>th</sup> at 7:00 pm - to be published Saturday of August 28<sup>th</sup> in County Journal but sent to the paper August 23<sup>rd</sup> or 24<sup>th</sup> if/when Resolution of Introduction is adopted on August 19<sup>th</sup>.
- c) Public Hearing to be held September 16<sup>th</sup> at 7: 00 pm during Council's regular meeting.
- d) Regular Council Meeting September 16<sup>th</sup> at 7:00 pm – includes Resolution to Adopt Ordinance with "Exhibit A" Ordinance to Adopt and Enact new Code
- e) Publish Notice of Adoption and Ordinance on September 25<sup>th</sup> after the documents are sent to paper September 20<sup>th</sup> if/when Resolution adopts Ordinance on the September 16<sup>th</sup> regular meeting.
- f) Ordinance takes effect 30 days after September 25<sup>th</sup> on the October 26<sup>th</sup>.

2. The City is prepared for its annual financial audit of FY 2019-2020 to be held with Peter Haefner and associates from Vredevelde Haefner LLC on October 11<sup>th</sup>. This annual project includes audit prep and review of all financial statements, assets and liabilities, payables and receivables, cash balances and bank account reconciliations of the City and its TIFA component unit of government. The City and TIFA professional audits are billed separately to each unit and a legal requirement of the Uniform Budgeting and Accounting Act, 1968 PA 2, MCL. 141.421 that requires that each audit w/ financial reports be published and filed regularly with the Michigan Department of Treasury and our USDA Bond agency. All audits use only accepted accounting and financial reporting standards accepted by the Governmental Accounting Standards Board that applies to all US State and local governments known commonly as GAAP – Generally Accepted Accounting Principles.

3. Eaton County Treasurer Bob Robinson has been given permission per direction of City Council to assist with marketing services for the sale (at public auction) of a large parcel of land that owes the County/City back taxes and fees. County Treasurer Robinson has a plan to market this valuable property (full utilities and road frontage) in a way that is transparent and educational for all the public including any private interested in developing or using the property for the highest and best use consistent with its zone district of R2: Medium Density Residential. Feel free to spread the word and forward this information to interested parties like developers and/or real estate agents regarding the Eaton County Treasurer Real Estate Auction to be held on Tuesday, September, 14<sup>th</sup> 2021. More information is available pertaining to the large property for auction in the City of Potterville, Eaton County. This is a parcel of real property involved in a public land

# City of Potterville

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319 N. Nelson St. ♦ PO Box 488 ♦ Potterville, MI 48876 ♦ Phone: (517) 645-7641  
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sale auction of property owned by the Eaton County Treasurer due to delinquent taxes pursuant to law, MCL 211.78. An online auction packet link is available through the County Treasurer's website at:  
<https://eatoncounty.org/DocumentCenter/View/4347/2021-Auction-Catalog-EATON-1-SALE>

4. The City has been provided a Resolution to consider approval of a new Fiber Optic Internet – METRO Act Permit Application from KEPS Technologies Inc., doing business as ACD.net and ACD Telecom, Inc., that would in effect enable access of residents and business owners to high-speed internet fiber optic telecommunications (that is accessible) throughout a large portion of Potterville east of Folk Street. The latest development project could be a significant “step forward” for local residents and business owners whom desire faster local internet speeds and internet-based services. The project would be funded entirely by private funds, and require no public tax increases, special assessment debt or ballot proposal for any type of special millage, etc... Proper Resolution and notice letters to the State Local Community Stabilization Authority (formerly METRO Authority) have been prepared by the City's legal counsel in accordance with Metro Act law, and would allow ACD.net to move forward with their project. The Metropolitan Extension Telecommunication Right-of-Way Oversight Act (“Metro Act”) states that providers must have action of the City within 45 days from the date the provider (ACD Telecom) files an application with the City in order to have to access to the City's public right-of-way. In order to ensure proper procedure, the City has reviewed the application in its entirety and verified proper payment of \$500, accurate project maps, and appropriate insurance certifications have been provided. The City may consider action on the provided Resolution as recommend and anticipate future local “right of way work” permitting through its Zoning Department for each phase of installation/construction of ACD.net. Generally speaking, fiber optic internet is treated much like a right by use of road right of way and should be viewed favorably by the City as it may provide a needed and often requested service to its residents and businesses.

5. I am pleased announce the City's application to the State MDOT for Category B local road grant was successful, and Potterville has been selected for an FY 2022 Transportation Economic Development Fund (TEDF) Category B grant for \$100,000.00 or 50 percent of the total eligible construction cost of a proposed resurface project in the Sunset Hill Subdivision (lowest Paser rated local street in City Road Plan). The grant funds are anticipated to be available beginning October 1, 2021, but are legally contingent on the State's legislature appropriating FY 2022 funding for the MDOT program. The City's planned project, Resolved by Council May 20, 2021 involves the reconstruction of a portion of Sunset Drive from Hill Top Drive to Pine Hill Drive that involves crushing and shaping existing HMA into a compacted aggregate base with a standard center of the road crown of 2% and overlaying the aggregate base with 3" of LVSP HMA placed in two equal lifts. The project includes 155 feet of 5-foot-wide concrete sidewalk on the east side of Pine Hill Drive. Please note: Sidewalk work is not eligible for Category B funds or use as match, unless the work is necessitated by the actual roadwork itself.

**TREASURER'S REPORT**  
**August 19, 2021**

Utility bills—as of 07/31/2021 (bills due on 15<sup>th</sup>) \$37,145.96 is outstanding with \$36,256.77 over 30 days past due. Bills are due August 15<sup>th</sup>.

Water usage month of July (Aug billing): 3,885,865 gallons

Sewer usage month of July (Aug billing): 3,882,709 gallons

Ready to service charge-water: \$28,201.10

Ready to service charge-sewer: \$33,333.90

Total water and sewer billed out from 6/24-7/23/21 is \$91,328.48

Payroll month of July, 2021: \$66,701.26 (this includes all payroll taxes + MERS).

Tax bills are due on 9/14/21.

Update on the American Rescue Plan: Reports were emailed to the State of Michigan on 7/16/2021. The documents have been received by the State and are being reviewed before the anticipated receipt date of funds in September. The city still anticipates receiving a total of \$288,048.00 (1/2 this year and the balance next year).

Audit for 20/21 is tentatively scheduled to start on October 11, 2021.

# City of Potterville

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319 N. Nelson St. ♦ PO Box 488 ♦ Potterville, MI 48876 ♦ Phone: (517) 645-7641  
Fax: (517) 645-7810 ♦ [www.pottervillemi.org](http://www.pottervillemi.org)

## ***From the Clerk's office - August 2021***

Just a refresher; The City of Potterville will have on the November 2, 2021 ballot a citizen's initiative to repeal the City's prohibition on marihuana establishments. Eaton Cares Coalition presented the petitions with Michael Woodyard as the attorney representing the organization. Eaton Cares Coalition presented 11 pages with 98 signatures and I certified 85 signatures. They were required to have 55 signatures to put the initiative on the ballot. Last month you approved the language that the Attorney Homier created for the ballot. It has been forwarded to the Eaton County Clerk to prepare for the ballot. I believe this will draw a higher turnout for the November 2, 2021 election.

August 3<sup>rd</sup> election was very busy. The City of Potterville's overall turnout was a 121% increase from the last school election and just the absentee ballot returns alone seen an 44% increase from the August 2019. I had a good team of election inspectors being led by Jeff Bussard the chairman and I am very thankful for the successful election they ran.

The November 2<sup>nd</sup> election will probably by quite a bit busier than a usual City Council election. We will have five candidates for four available City Council seats. This election we will be also having an absentee voter counting board as well. This is a great opportunity to test out the AVCB before next election cycle. Remember the ballot will have the question if the voters would like to repeal of City's prohibition on Marihuana establishments.

If I can be of any assistance, please contact me.

Respectfully,

*Becky Dolman*

Parks and Recreation Department

To: City Council

Hi! A few things that I have done in the past month have been running the last of the tournaments for the Girl's Fastpitch organization as they finished up their 2020-2021 travel season, along with scheduling and setting dates for their new season of tournaments that start in September. A few other things that I have been getting set up and getting around have been the Flag Football registration for kids from the ages of 5 to 9, as well as making sure that we are all set for the 2021 Northern Championships for Men's Slow-pitch softball, that is a 4-day tournament in August. Lastly, like usual, I have also been continuing to do inventory for the concession stand out at the Lake Alliance Softball Complex.

- Running the last tournaments of the 2020-2021 Girl's Fastpitch Softball season
- Scheduling and setting dates for the 2021-2022 Girl's Fastpitch Softball season
- Setting up and taking Registration for Flag Football (Ages 5-9)
- Setting up for 2021 Northern Championships for Men's Slow-pitch softball
- Continuing to do inventory for the concession stand at Lake Alliance Softball Complex.

# City of Potterville

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319 N. Nelson St. ♦ PO Box 488 ♦ Potterville, MI 48876 ♦ Phone: (517) 645-7641  
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July Board of Review was held last month to fix clerical errors, etc. We only had a few corrections.

Field work, sketching, and data entry continues throughout the summer.

Thanks,

A handwritten signature in black ink that reads "Sarah Payton". The signature is written in a cursive, flowing style.

Sarah Payton, MAAO



# Benton Township Fire Department

4713 Hartel Road

Potterville, MI 48876

Business 517-645-7061 \* Fax 517-645-7074

**Proudly Serving Benton Township & the City of Potterville**

## Monthly Report July 2021

### **Operational Information:**

- SCBA Mask Annual Fit Testing
- SCBA Bottles sent in for Re-certification
- IT evaluation & support
- Visit to the Potterville Public Schools – Little Viking Program
- Visit to the Potterville/Benton Township District Library – Summer Program
- Replaced batteries in A-111, charging system checked out good
- Annual maintenance and service to the ambulance cots & stairs chairs

### **Training:**

- Apparatus Operation, Annual Drivers Training Re-certification

### **Meetings & Special Events:**

- Tri County Emergency Medical Control Authority – Board of Directors Meeting
- Tri County Emergency Medical Control Authority – By-law Review Committee
- Eaton County Fire Training Committee
- BTFD Membership Meeting

### **Calls For Service (CFS):**

- **Fire** – 4 City of Potterville, 7 Benton Township, 8 Mutual Aid
- **EMS** – 14 City of Potterville, 14 Benton Township, 47 Mutual Aid





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
8/10/2021

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

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

<b>PRODUCER</b> Lyman & Sheets Insurance Agency P.O. Box 15127 Lansing MI 48901	<b>CONTACT</b> NAME: Angela Maldonado PHONE (A/C, No, Ext): 517-482-2211      FAX (A/C, No): E-MAIL ADDRESS: angelam@lymansheets.com
<b>INSURER(S) AFFORDING COVERAGE</b>	
<b>INSURED</b> KEPS Technologies Inc dba ACD.net 1800 N. Grand River Avenue Lansing MI 48906-3905	ACNE-1 <b>INSURER A:</b> Chubb Group of Insurance Cos. <b>INSURER B:</b> Accident Fund Company <b>INSURER C:</b> Westchester Surplus Lines Ins. <b>INSURER D:</b> Travelers <b>INSURER E:</b> <b>INSURER F:</b>
	<b>NAIC #</b> 20303 10166 10172 19038

## COVERAGES

**CERTIFICATE NUMBER:** 1357381104

**REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
D	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b>  CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: POLICY <input checked="" type="checkbox"/> PROJECT <input checked="" type="checkbox"/> LOC OTHER:	Y		630 3P127099	2/20/2021	2/20/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
D	<input checked="" type="checkbox"/> <b>AUTOMOBILE LIABILITY</b>  <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			BA-1N518151	2/20/2021	2/20/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
D	<input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			CUP-1N37964	2/20/2021	2/20/2022	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000 \$
B	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input checked="" type="checkbox"/> N	N/A	WCV6097262	1/1/2021	1/1/2022	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
C D A	Envir. Contamination Professional/Cyber Liability EPLI Incl 3rd Party			G7096272A ZPL 61N09215 82512353	4/15/2021 2/20/2021 2/16/2021	2/20/2022 2/20/2022 2/16/2022	Each Occurrence 2,000,000 Each Occurrence 3,000,000 Each Occurrence 1,000,000

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

## CERTIFICATE HOLDER

## CANCELLATION

City of Potterville  
319 N Nelson  
Potterville MI 48876

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

AUTHORIZED REPRESENTATIVE

*Michael G. Sheets*

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

**City Of Potterville  
Name of Local Unit of Government**

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

**BY**

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

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

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

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

-- Three (3) copies (one of which shall be marked and designated as the master copy) with the Clerk at 319 N. Nelson St. Potterville, MI 48876

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City Of Potterville

Name of local unit of government

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

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

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

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

**1 GENERAL INFORMATION:**1.1 Date: 08/03/2021

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

Telephone Number: 517-999-9999Fax Number: 517-999-3993Corporate website: http://www.acd.net

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

Shirley Yohnka  
 Mailing Address: ACD.net  
1800 N. Grand River Ave.  
Lansing, MI 48906

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

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

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

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

1.5 Description of Entity: Competitive Local Exchange Carrier

1.5.1 Jurisdiction of incorporation/formation; Michigan

1.5.2 Date of incorporation/formation; 1987

1.5.3 If a subsidiary, name of ultimate parent company;

1.5.4 Chairperson, President/CEO, Secretary and Treasurer (and equivalent officials for non-corporate entities).

CEO, Kevin Schoen

President, Steve Schoen

CFO, David Sunden

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

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

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

Circle: Yes ☐ No ☒

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

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

1.9.1 A felony; ☐ No ☒

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

Circle: Yes

No

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

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

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

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

## **2 DESCRIPTION OF PROJECT:**

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

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

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

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

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

*Route maps are attached as Exhibit C.*

2.4 Please provide an anticipated or actual construction schedule.

*We would like to start this project no later than \_Summer2021\_. Final determination will be dependent on permit issuance and weather. Construction will take about 3 months.*

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

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

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

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

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

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

3.1 Address of Applicant's nearest local office;

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

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

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

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

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

1800 North Grand River Ave., Lansing, MI 48906

Quality Control of Outside Plant Engineering and Engineered drawings

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

See Exhibit D

3.4.1 Worker's compensation;

3.4.2 Commercial general liability, including at least:

3.4.2.1 Combined overall limits;

3.4.2.2 Combined single limit for each occurrence of bodily injury;

3.4.2.3 Personal injury;

3.4.2.4 Property damage;

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

3.4.2.6 Independent contractor liability;

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

3.4.2.8 Environmental contamination;

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

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

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

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

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

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


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

**4 CERTIFICATION:**

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

8/3/21  
Date

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

  
By

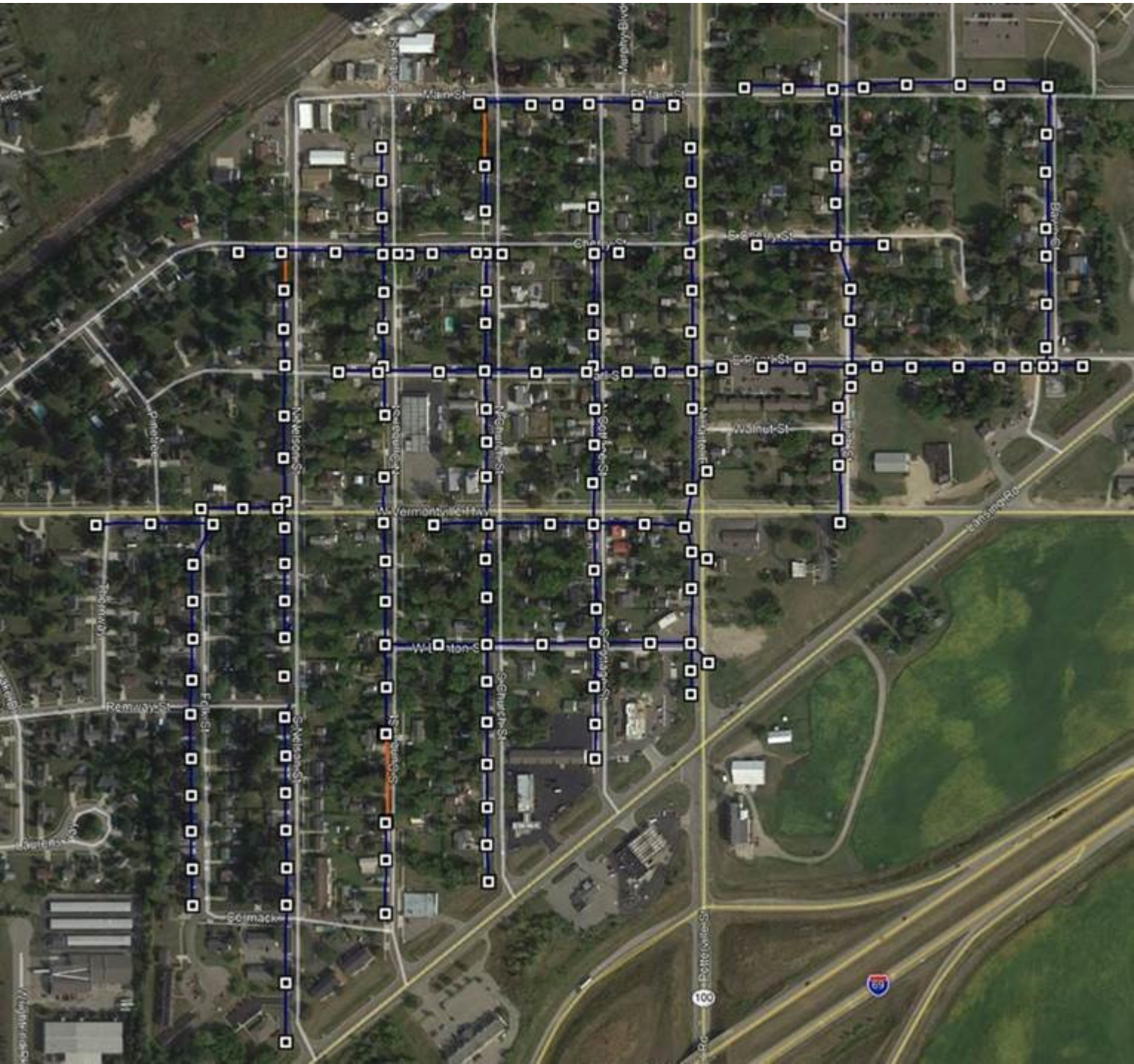
Steve Schoen  
Type or Print Name

VP  
Title

S:\metroapplicationform.doc



# EXHIBIT A









Communications & Data

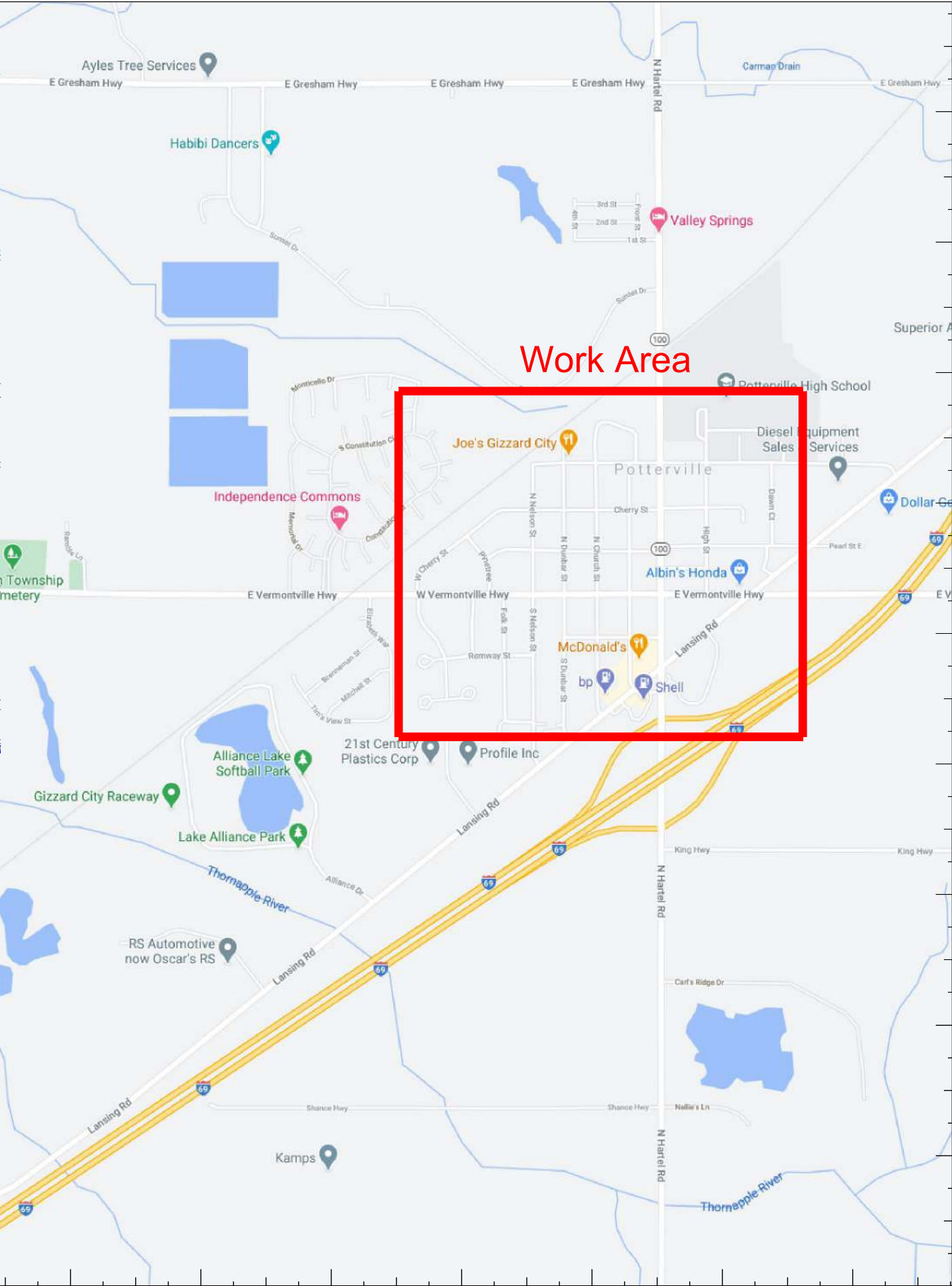
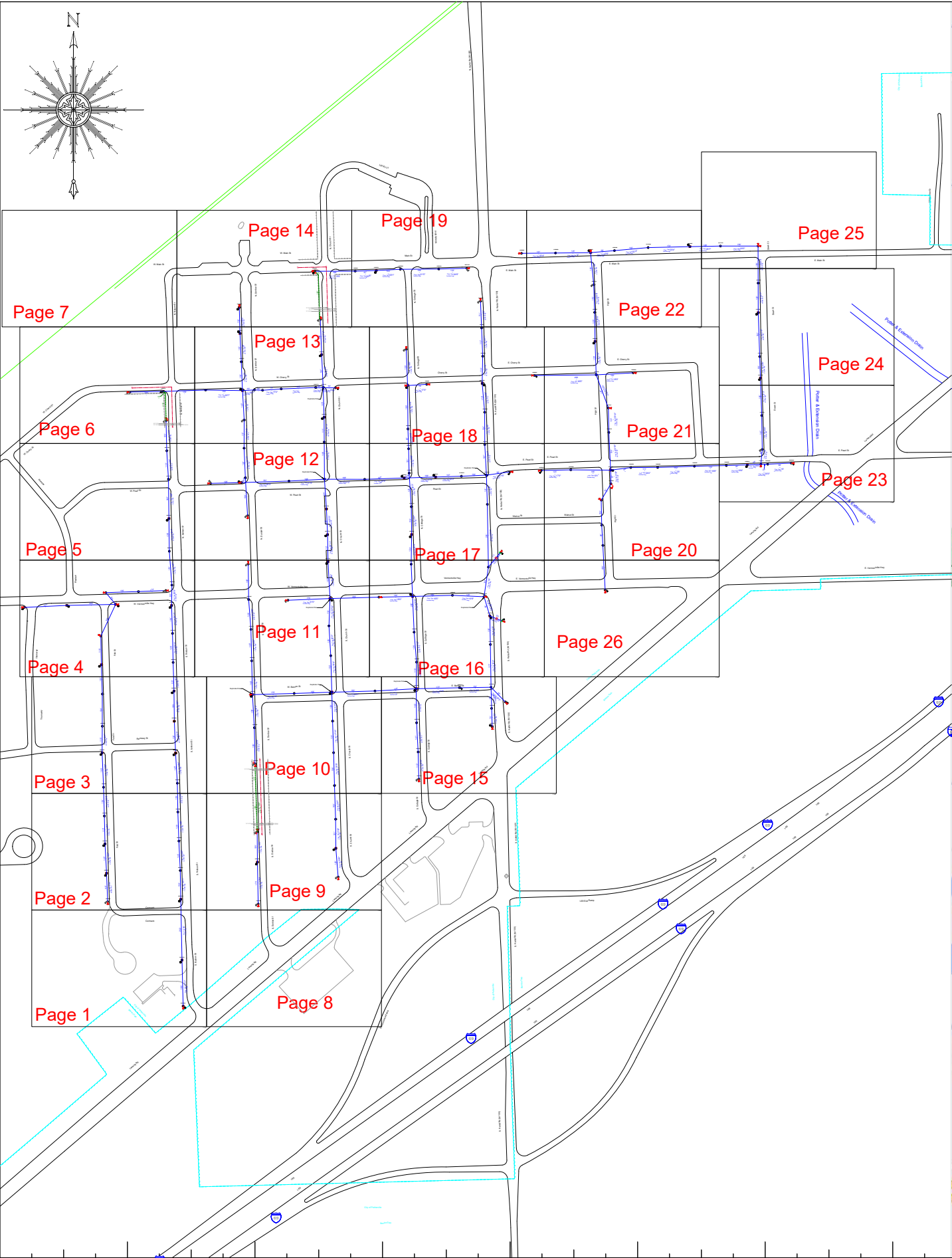
**KEPS Technologies, Inc. d/b/a ACD.net**  
**FIBER OPTIC CABLE ROUTE**

**Project Number**  
**GZ011733FO32548**

**517-999-9999**

1800 Grand River Ave  
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**Project Manager**

Jacob Ohm

**Permitting**

Shirley Yohnka

**Transport Manager**

Gary Gould

Drawn By	Date
Travis Zellers	11/20/20

As Built	Date

**Revisions**

REV #	DESCRIPTION	BY	DATE
1	revisions	JA	04/26/21

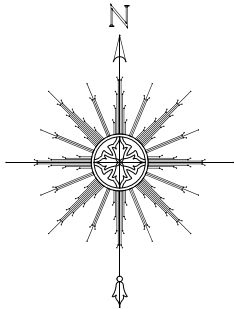
**Exhibit: C**

Remarks:				PEACHTREE ID: 32548	
SCALE: 1" = NTS		TRS:			
COUNTY: Eaton	TOWNSHIP:	CITY: Pottersville	PROJECT ID: GZ011733FO032548	CUSTOMER NUMBER: 11733	

GRID KEY

CONSTRUCTION NOTES

1. CONTRACTOR SHALL EMAIL [OHM.JACOB@ACD.NET](mailto:OHM.JACOB@ACD.NET) WITH DAILY STATUS UPDATES AND ONCE WORK IS COMPLETE
2. MUNICIPALITY MUST BE NOTIFIED AT LEAST 48 HOURS BEFORE ANY WORK COMMENCES
3. ALL APPROPRIATE PERMITS AND ASSOCIATED DRAWINGS SHALL BE ON-SITE AT ALL TIMES DURING CONSTRUCTION
4. NOTIFY THE APPROPRIATE UTILITY NOTIFICATION SERVICE 72 HOURS PRIOR TO CONSTRUCTION.  
MICHIGAN- MISS DIG (1-800-482-1711), OHIO- O.U.P.S. (1-800-362-2764) OR INDIANA- INDIANA811 (1-800-382-5544)
5. ALL UTILITIES MUST BE FIELD VERIFIED
6. ALL HANDHOLES ARE TO INCLUDE 150' OF COILED FIBER FOR STORAGE
7. NEW INSTALLATION SHALL MAINTAIN 18" CLEARANCE FROM ALL EXISTING UTILITIES UNLESS NOTED OTHERWISE
8. ALL ROAD AND DRIVEWAY CROSSINGS WILL BE DIRECTIONAL BORED
9. CONSTRUCTION SHALL NOT DEVIATE FROM APPROVED PLANS WITHOUT WRITTEN CONSENT FROM BOTH THE MUNICIPALITY AND AN AUTHORIZED ACD.NET REPRESENTATIVE
10. PROPER SIGNAGE AND TRAFFIC CONTROL IS REQUIRED BEFORE STARTING ANY WORK WITHIN THE PUBLIC RIGHT OF WAY
11. ALL BACKFILL MATERIAL WITHIN THE ROAD RIGHT OF WAY OR NEAR SIDEWALKS AND PATHWAYS SHALL MEET THE REQUIREMENTS OF MDOT CLASS II MATERIAL, COMPACTED TO 95% OF ITS MAXIMUM DENSITY IN SUCCESSIVE LAYERS THAT ARE NO MORE THAN 12" THICK, UNLESS OTHERWISE AUTHORIZED
12. ALL SODDED AREAS THAT MAY DISTURBED DURING CONSTRUCTION ARE TO BE RESTORED WITH 3" QUALITY TOP SOIL, SEED AND MULCH
13. CONTRACTOR SHALL PROVIDE AS-BUILTS ON ALL WORK WITHIN 5 BUSINESS DAYS OF COMPLETION



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Revisions

REV #	DESCRIPTION	BY	DATE
1	REVISIONS	JA	4/26/21


Exhibit: C

Remarks:

PEACHTREE ID: 32548

SCALE: 1" = N/A

TRS:

COUNTY: Eaton

TOWNSHIP:

CITY: Pottersville

PROJECT ID: GZ011733FO032548

CUSTOMER NUMBER: 11733

NOTES

Proposed Anchor Distance and Direction

Reg

Sidewalk

12' S

12' S

Proposed ACD Communications Poles

ACD

ACD

WOOD METAL

Proposed ACD NON Communications Pole

Colocation Poles (ACD Communication Equipment on Existing Poles)

Joint Use Pole NON Transformer

Joint Use Pole Transformer

Foreign Pole Indicator

FP

Joint Use Pole NON Transformer- UNUSED

Joint Use Pole Transformer- UNUSED

Street Light

Existing Traffic Signal Pole

Pole Number Marker

1

Proposed Riser

R<sup>25</sup>

Make Ready Symbol w/ Attachment and Sag Heights

MR

Attach At:  
Midspan At:

Down Ground

Bonding Clamp

Fiber Overlash

Overhead Guy Marker

Span Length and Segment ID

100'

1

Fiber Count W/ Segment Number

F: S:

Fiber Termination Point

ACD Splice Case Six Way

ACD Splice Case Four Way

ACD Splice Case Three Way

ACD Splice Case Two Way

ACD Fiber Tap Capsule

GIGZONE

ACD RE-Box

RE BOX (SPLITTER)

Foreign Splice Case

OWNER

Storage Loop w/ Footage and Segment

PROPOSED STORAGE: 150'

1

ACD Buried Cable Marker

ACD Hand Hole 17" x 12"

17x12

ACD Hand Hole 24" x 13"

24x13

ACD Hand Hole 24" x 36"

ACD 24x36

ACD Hand Hole 30" x 48"

ACD 30x48

Foreign Hand Hole

OWNER

Proposed Bore Pit Location

Bore Pit (size)

Communications Tower

Man Hole

MH

Storm Drain

STM

ACD Regen Cabinet

TRS Section Corner

Fire Hydrant

FIRE HYDRANT

Location Address

Address

Foliage

Centerline Marker

Station Marker

00+0001+00

Use of Double Dead End

→ ←

Typical Line Types

Rail Road Tracks

Proposed Underground Fiber

Existing Underground Fiber

Right Of Way Boundary

Side Walk and Driveway

Fiber Design Line

Aerial Fiber

Center Line

Water Main

Forced Water Main

Storm Sewer

Sanitary Sewer

Gas Main

Foreign UG Fiber

AT&T UG Fiber

UG Electric

Oil Line

Fence

TRS Boundary

Civil Boundary

Property Boundary

Water Boundary

N

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Transport Manager

Gary Gould

Drawn By

Travis Zellers

Date

11/20/20

As Built

Date

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1		JA	4/26/21

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Our Match Lines can be found in the lower right hand corner and represents the neighboring page numbers.

WEST PAGE

NORTH PAGE

PAGE

SOUTH PAGE

EAST PAGE

Exhibit: C

Remarks:

PEACHTREE ID: 32548

SCALE: 1" = NTS

TRIS:

COUNTY: Eaton

TOWNSHIP:

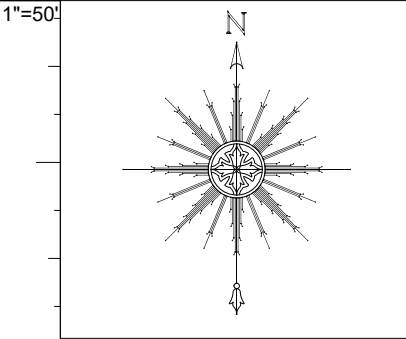
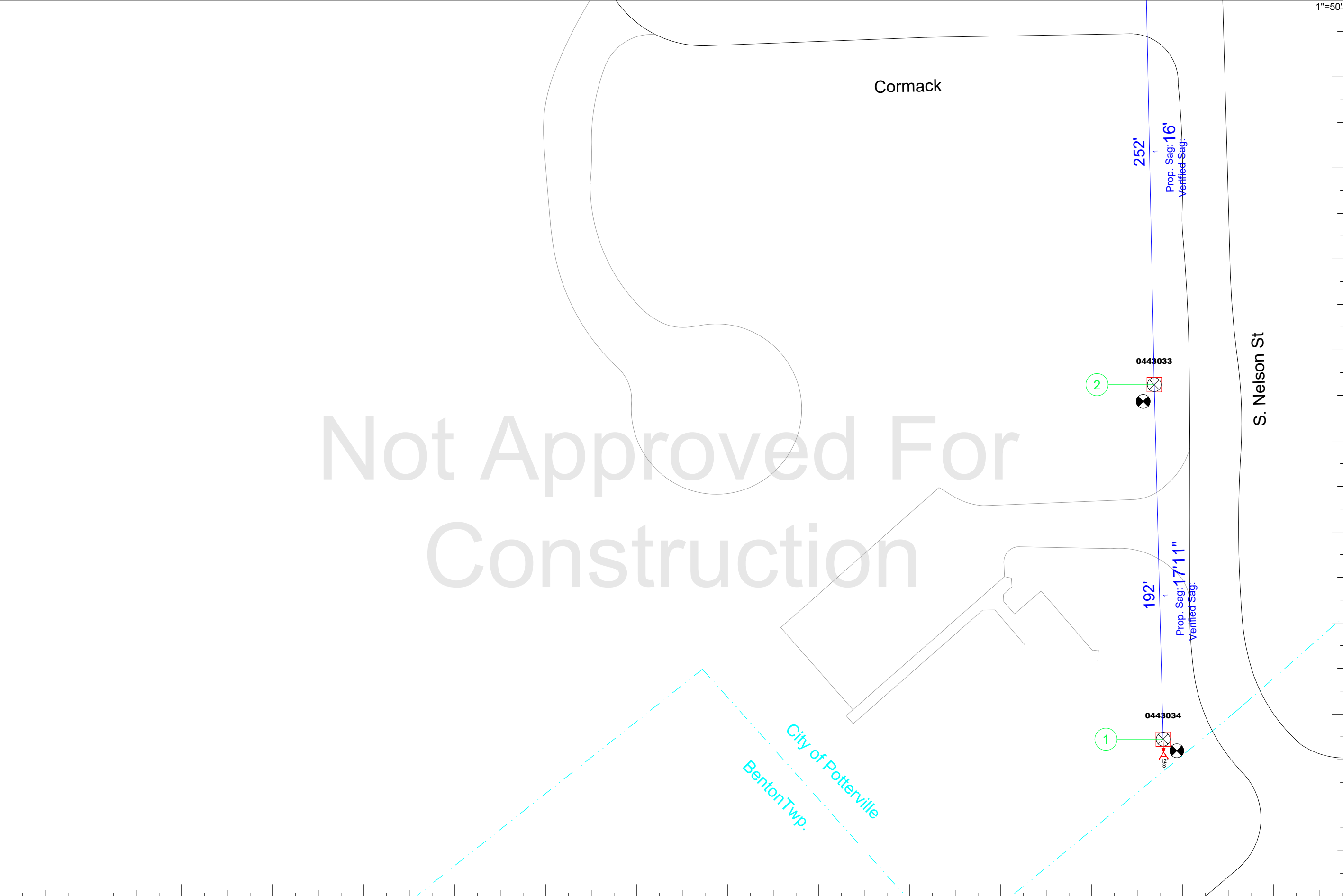
CITY: Potterville

PROJECT ID: GZ011733FO032548

CUSTOMER NUMBER: 11733

SYMBOLS

LEGEND



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Travis Zellers	11/20/20
<b>As Built</b>	<b>Date</b>

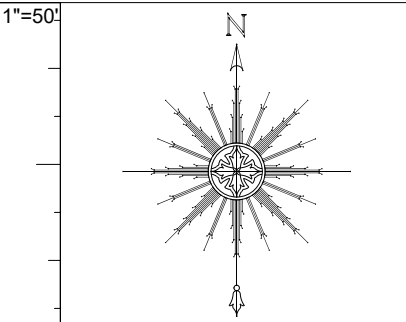
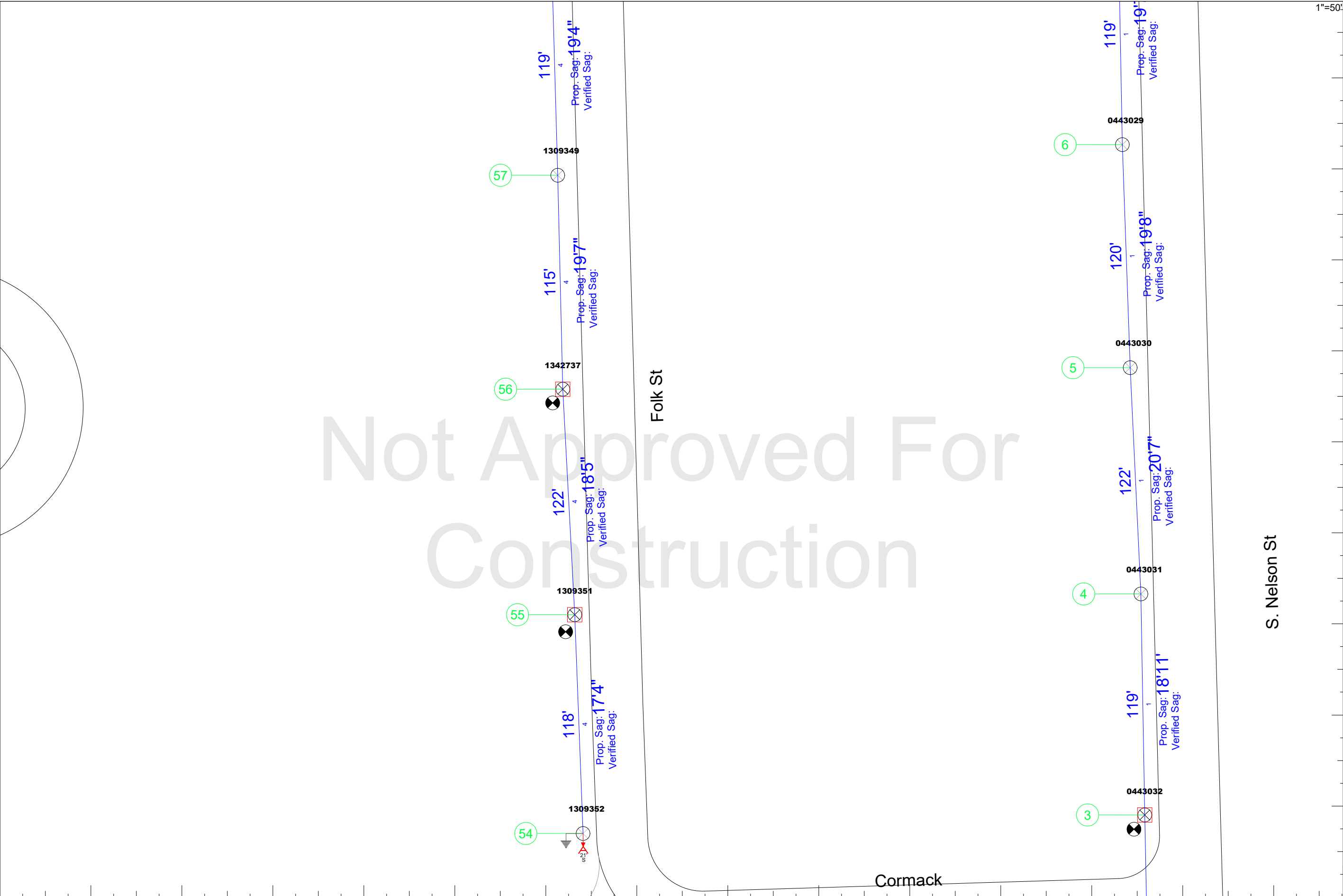
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Page 1

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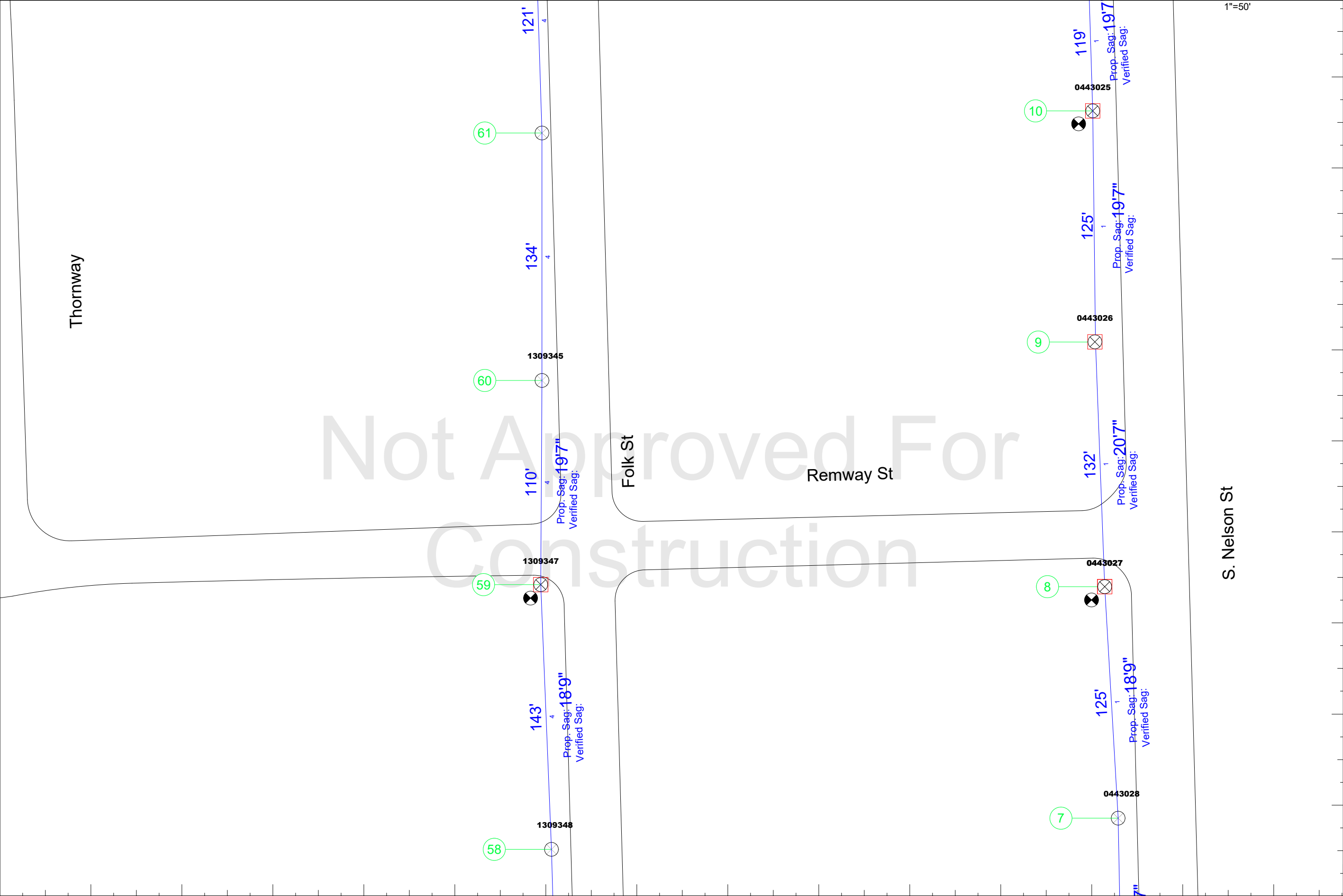
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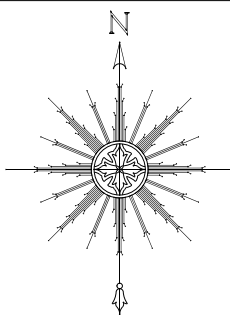
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1"=50'



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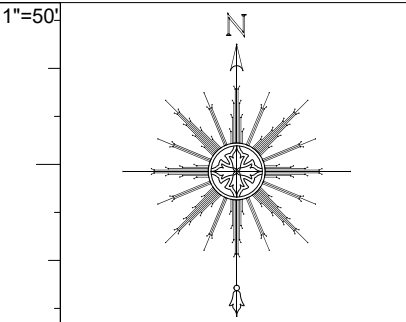
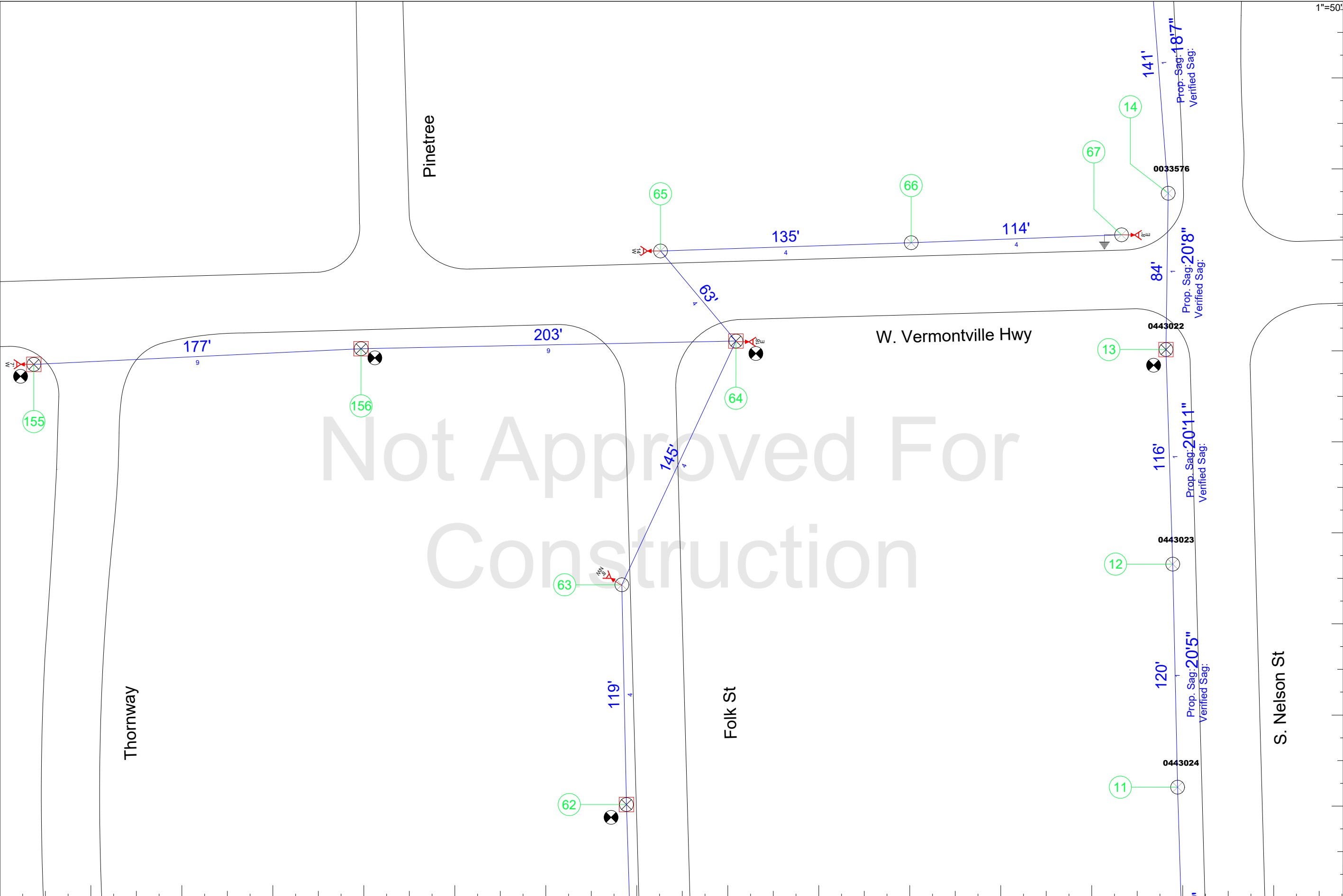
COUNTY: Eaton

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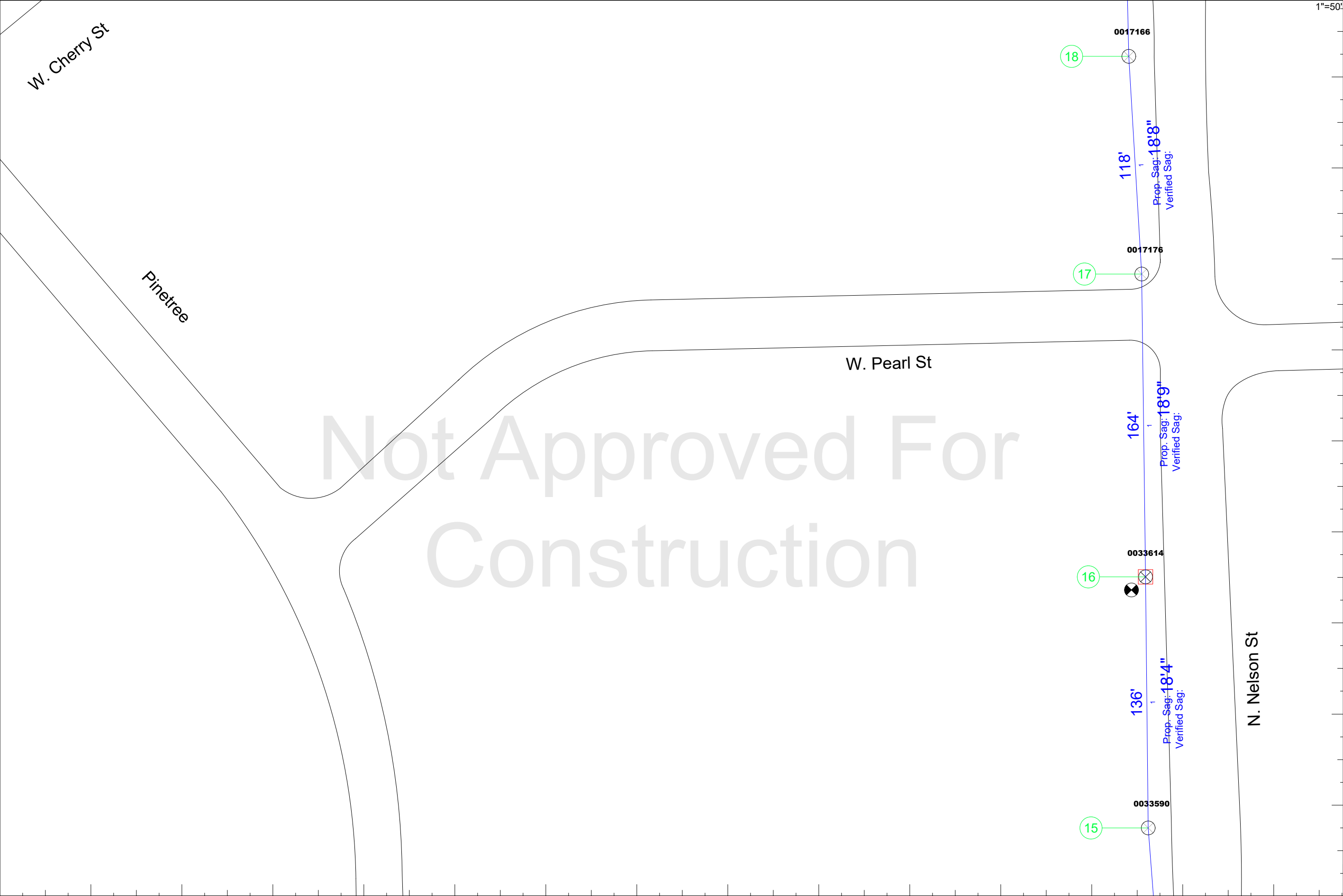
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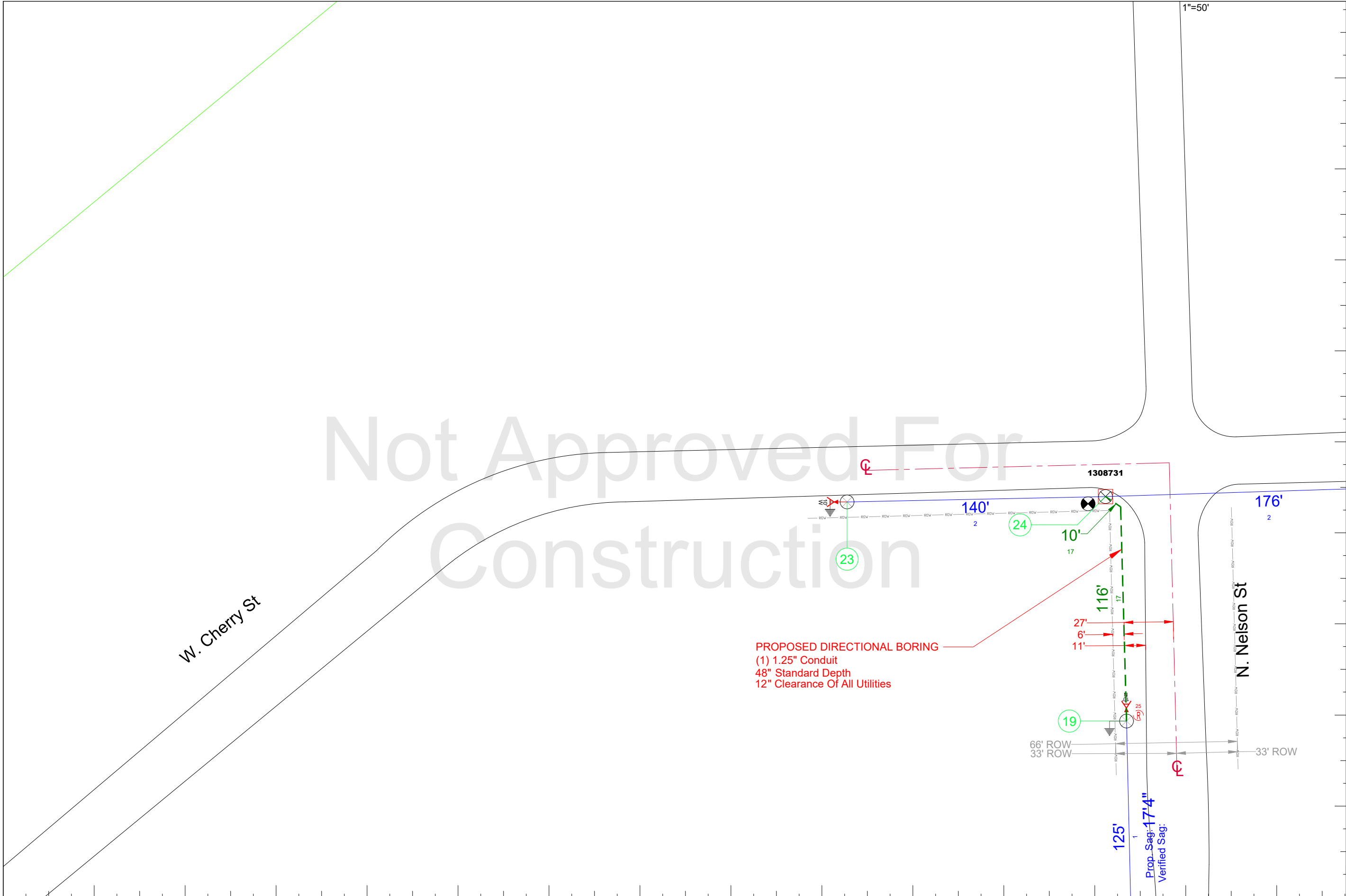
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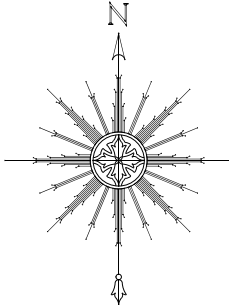
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Page 5	

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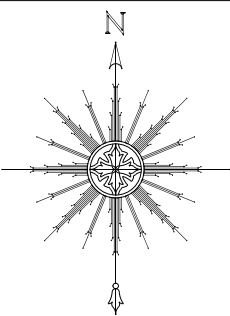
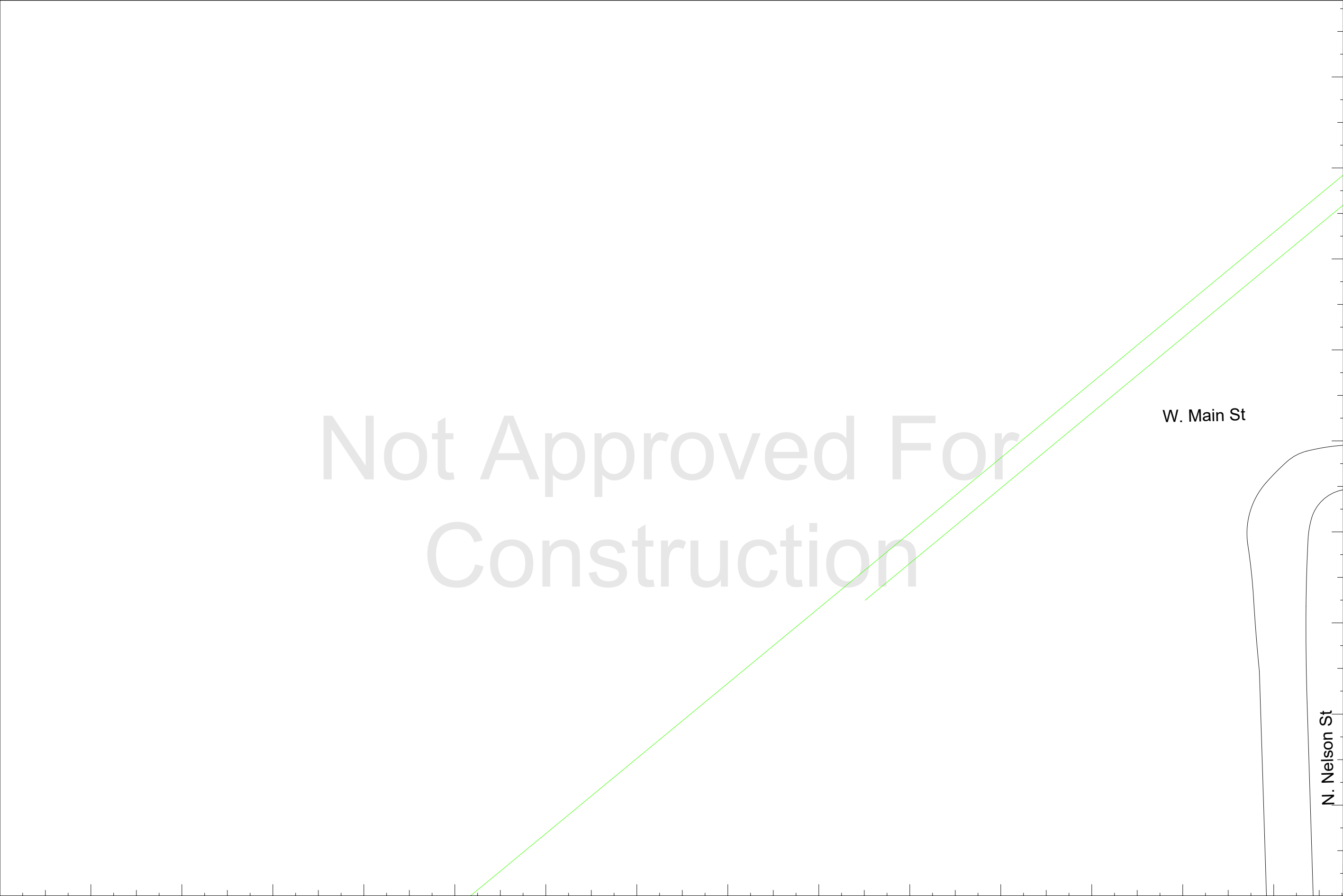
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N. Nelson St

W. Main St

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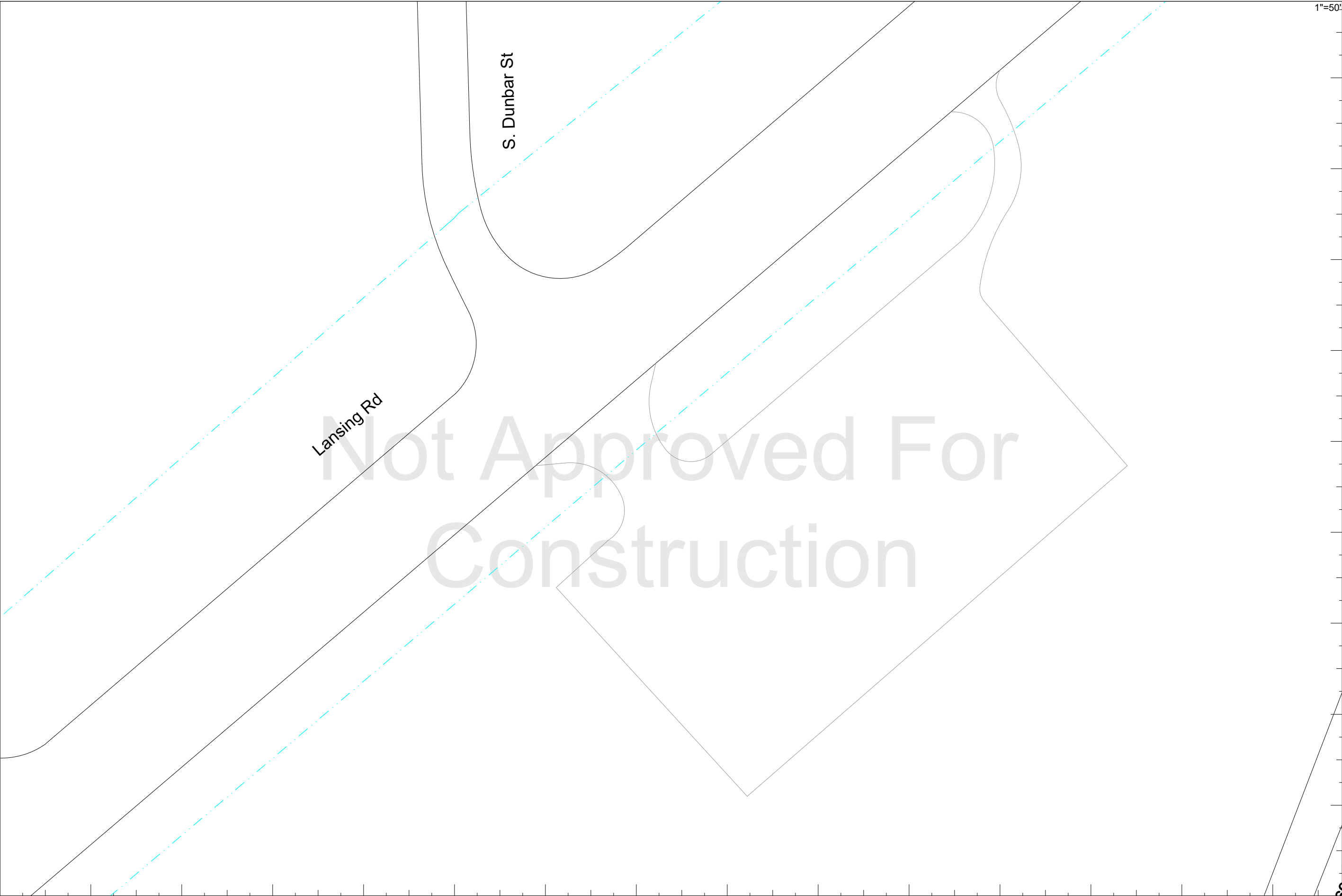
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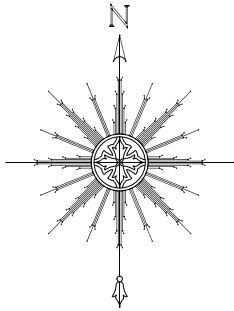
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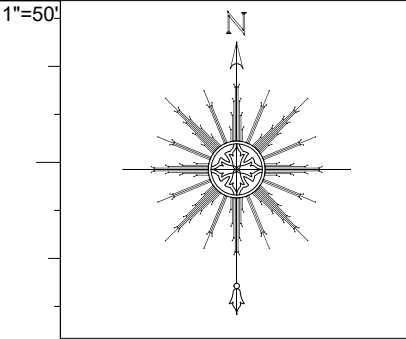
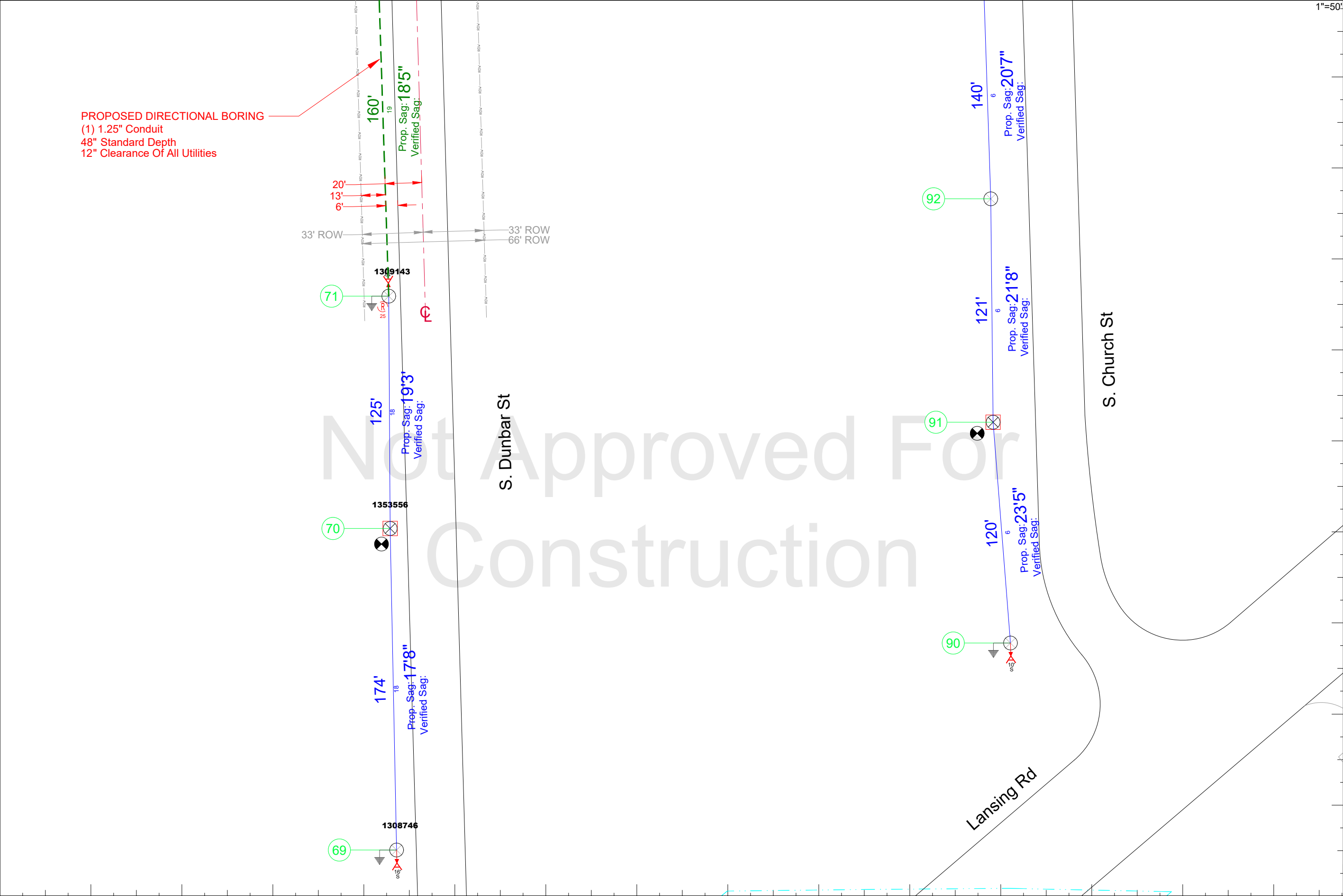
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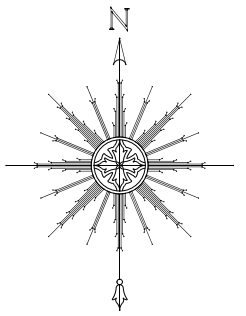
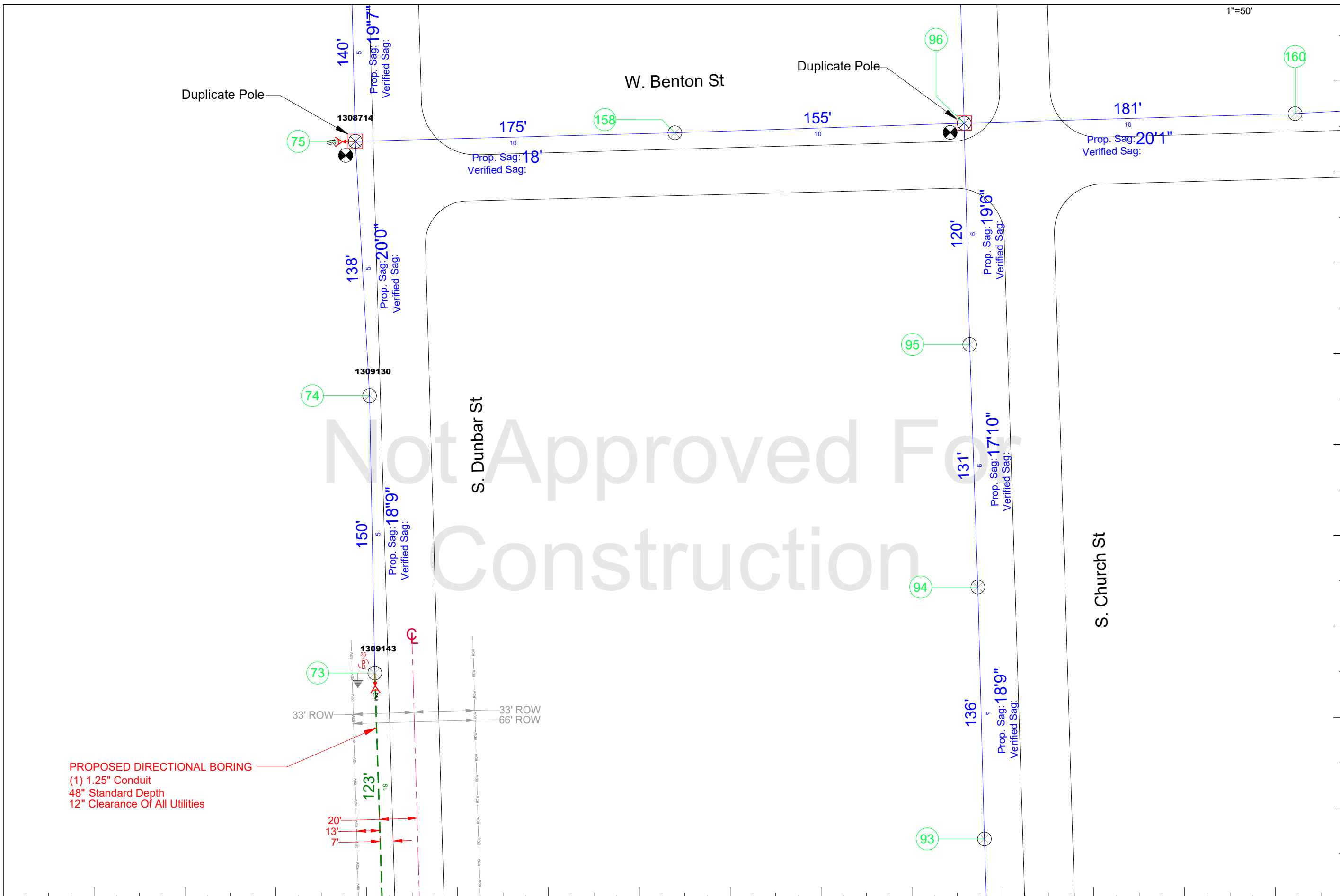
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## Project Manager

Jacob Ohm

## Permitting

Shirley Yohnka

## Transport Manager

Gary Gould

Drawn By	Date
Travis Zellers	11/20/20

<b>As Built</b>	<b>Date</b>

## Revisions

REV #	DESCRIPTION	BY	DATE

	REVISIONS		
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## Exhibit: C

Remarks:

SCALE: 1" = 50'

COUNTY: Eaton

TOWNSHIP:

TRs:
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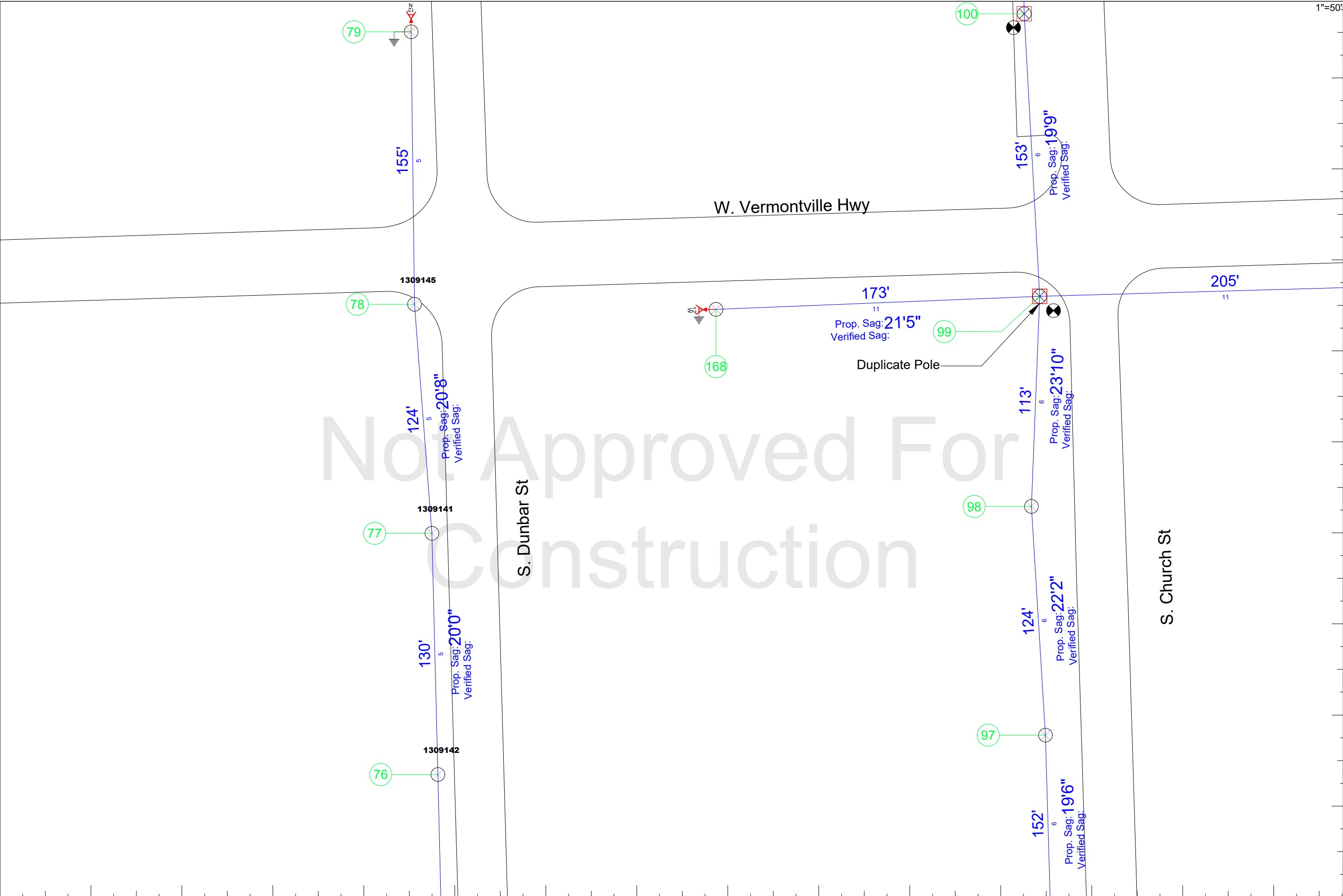
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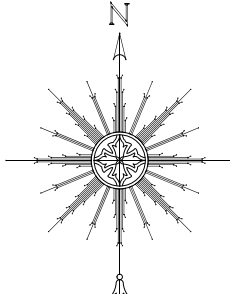
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PEACHTREE ID: 32548
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Page 10

CUSTOMER NUMBER: 11733





1"=50'



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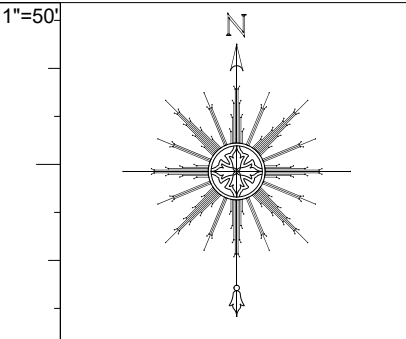
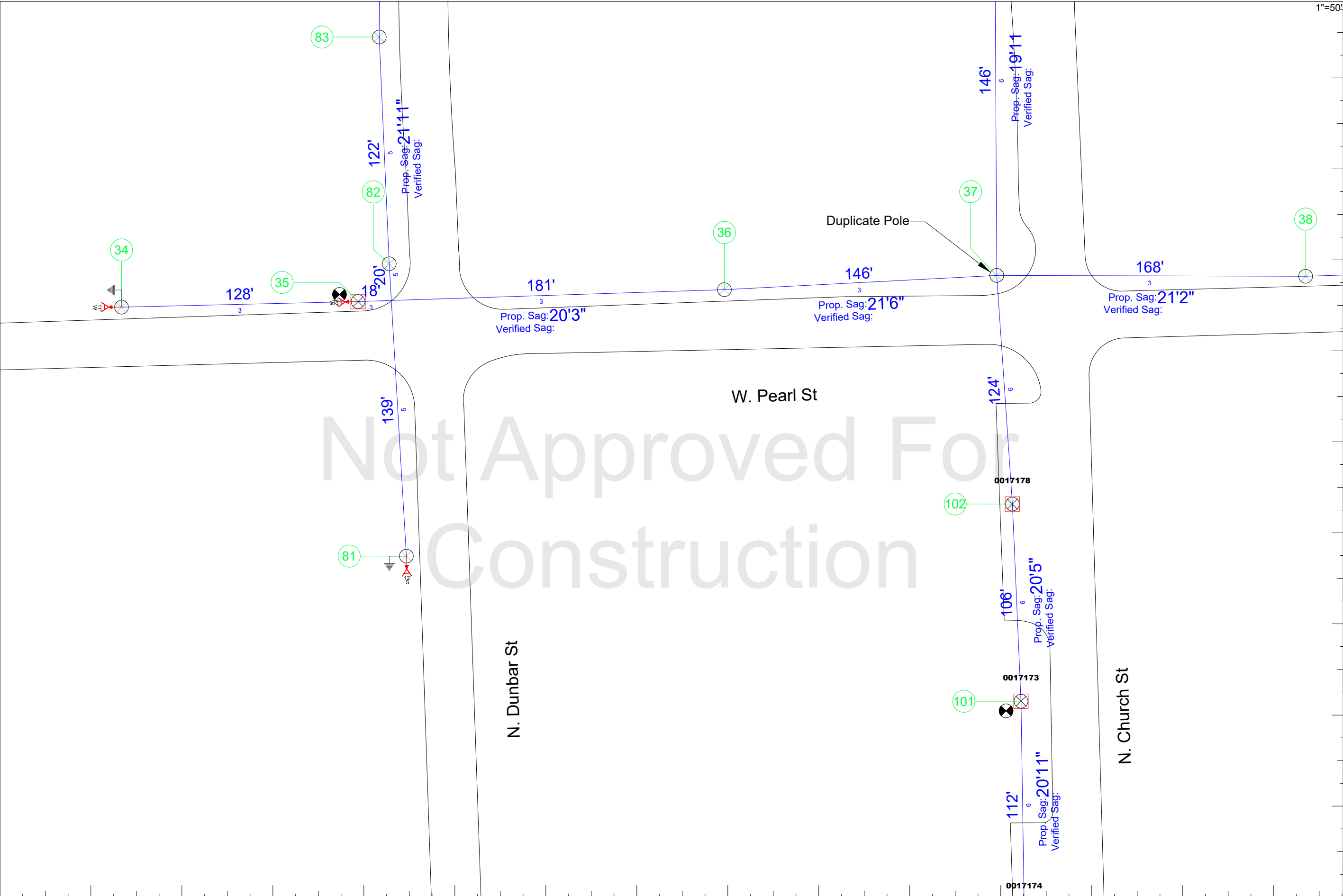
Drawn By	Date
Travis Zellers	11/20/20

As Built	Date

**Revisions**

REV #	DESCRIPTION	BY	DATE
	REVISIONS		

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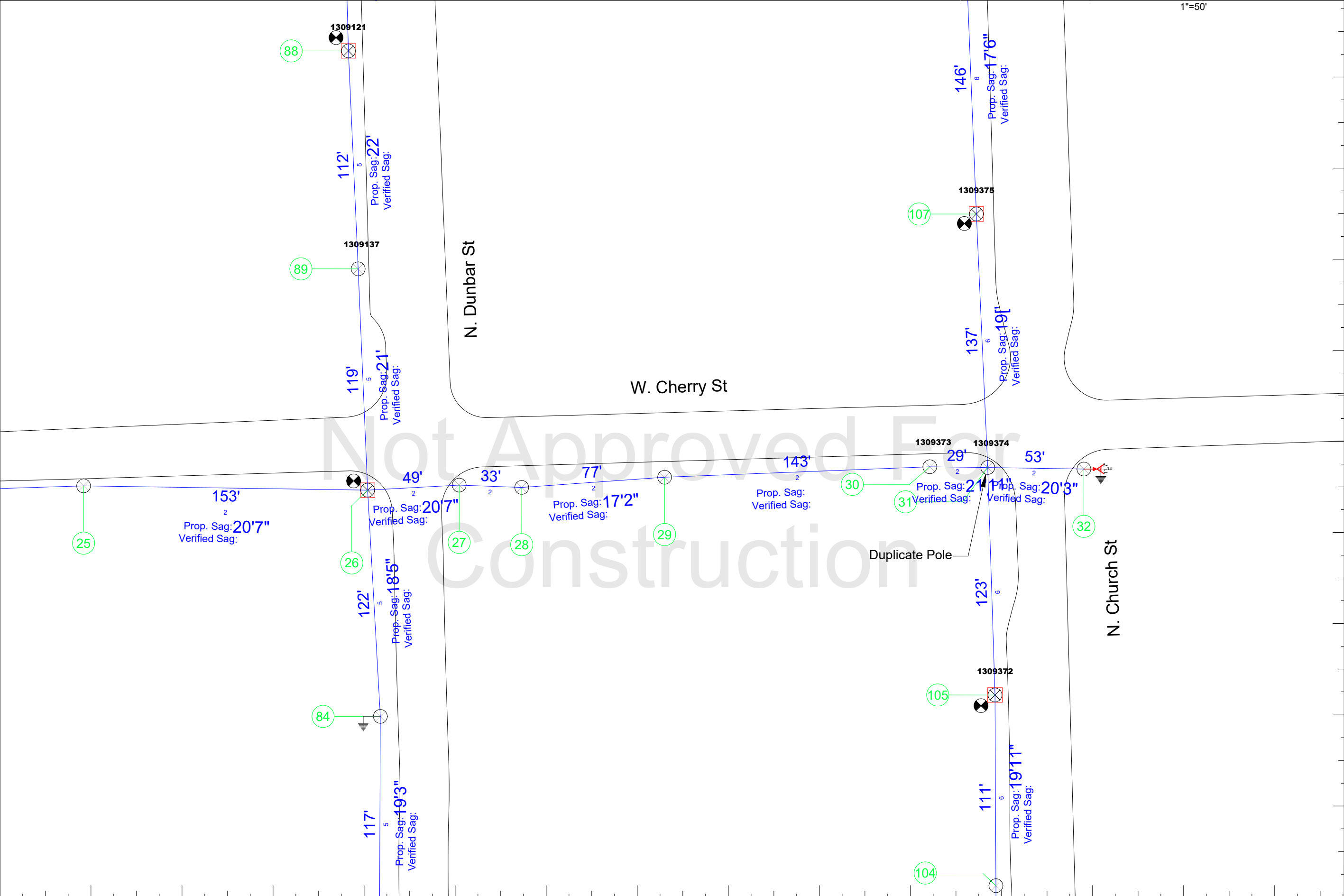
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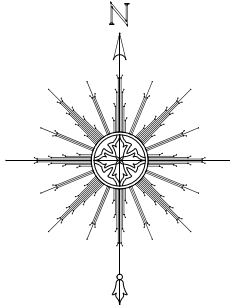
Project Manager	
Jacob Ohm	
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Shirley Yohnka	
Transport Manager	
Gary Gould	
Drawn By	Date
Travis Zellers	11/20/20
As Built	Date

Revisions			
REV #	DESCRIPTION	BY	DATE
	REVISIONS		

**Exhibit: C**

Remarks:				PEACHTREE ID: 32548	
SCALE: 1" = 50'		TRS:			
COUNTY: Eaton	TOWNSHIP:	CITY: Potterville	PROJECT ID: GZ011733FO032548		CUSTOMER NUMBER: 11733





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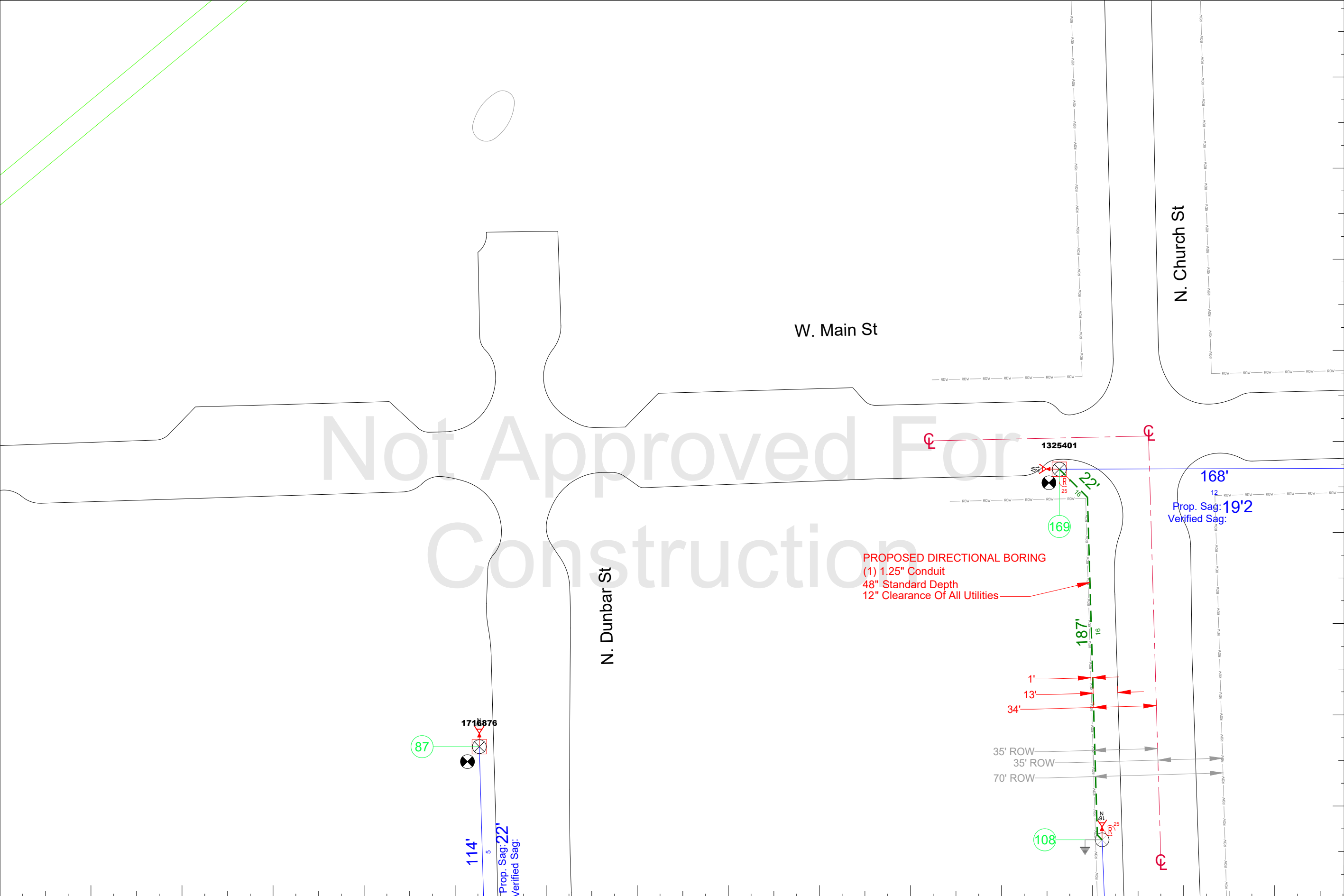
Drawn By	Date
Travis Zellers	11/20/20


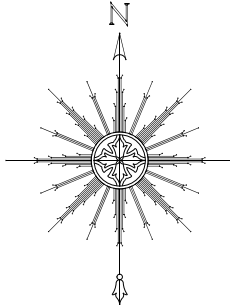
As Built	Date

**Revisions**

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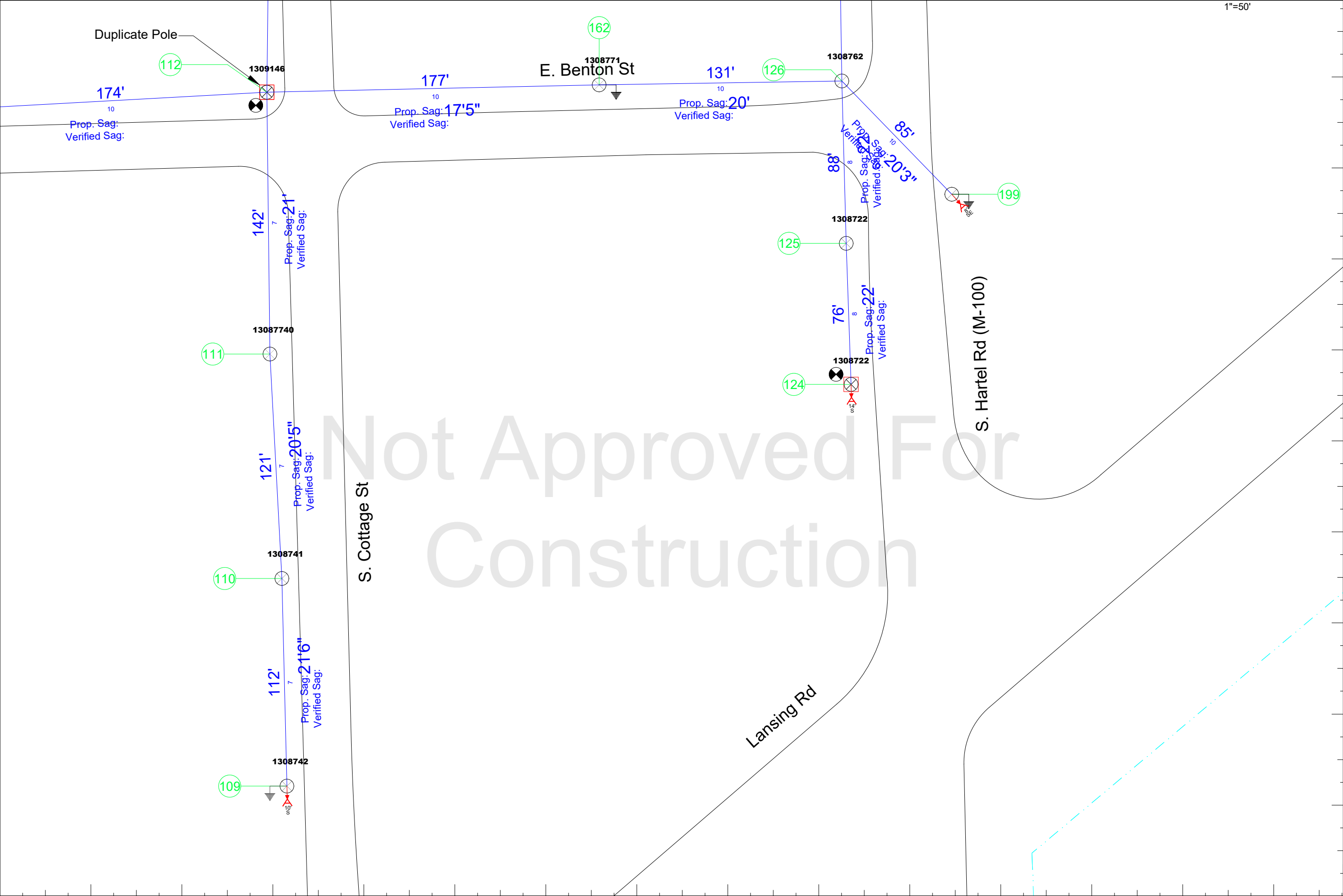
As Built	Date

**Revisions**

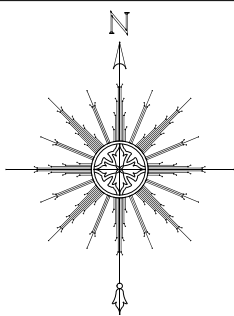
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	REVISIONS		

**Exhibit:** C

Remarks:				PEACHTREE ID: 32548	
SCALE: 1" = 50'		TRS:			
COUNTY: Eaton	TOWNSHIP:	CITY: Potterville	PROJECT ID: GZ011733FO032548	CUSTOMER NUMBER: 11733	



1"=50'



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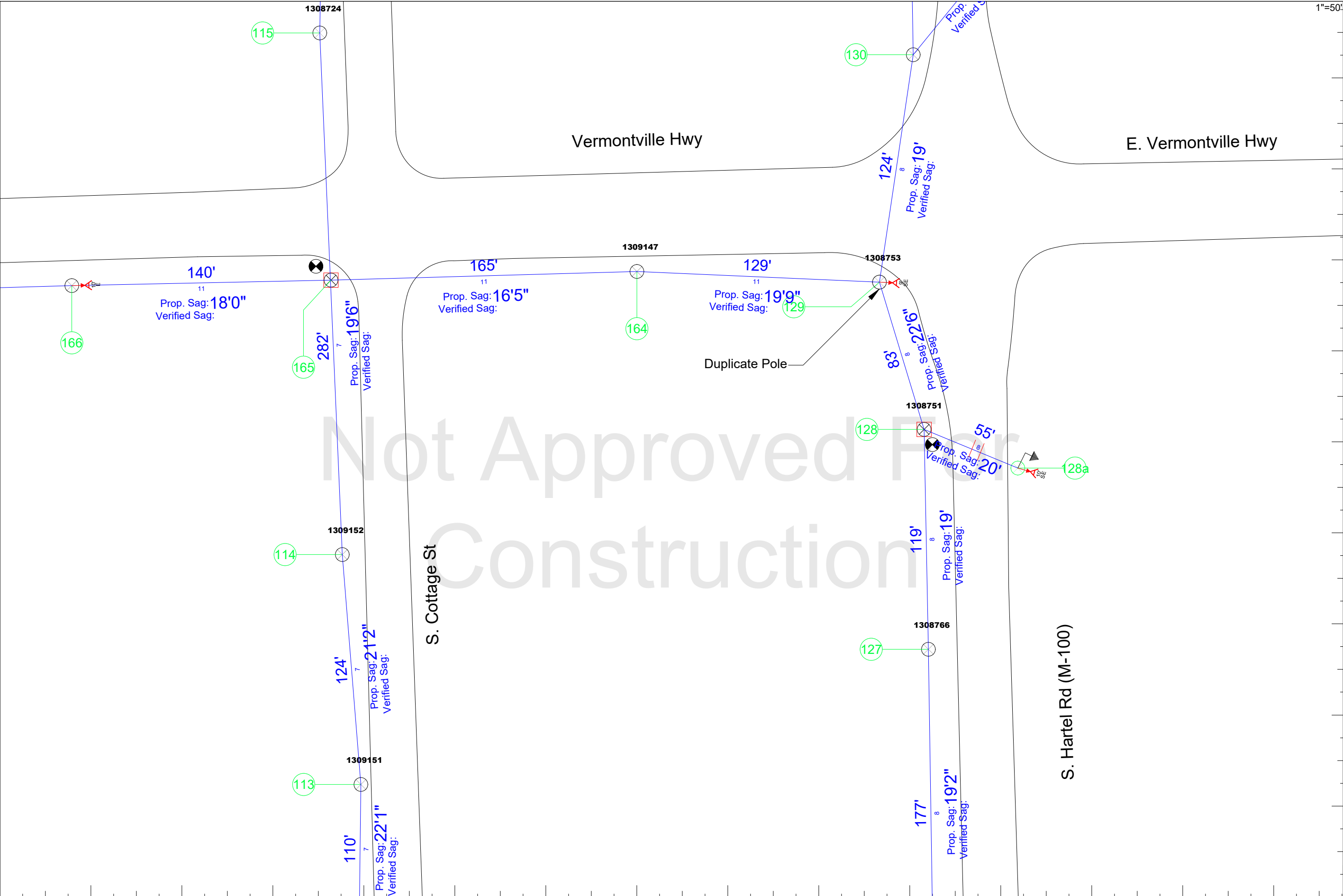
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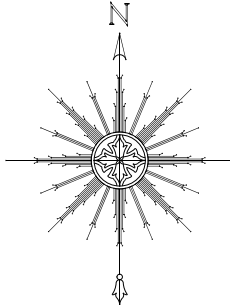
TOWNSHIP:


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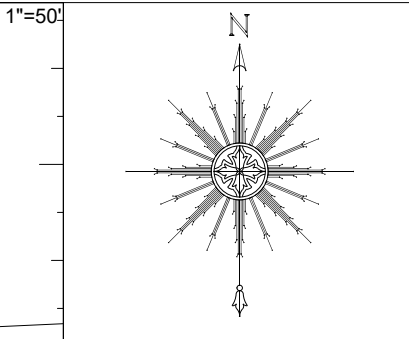
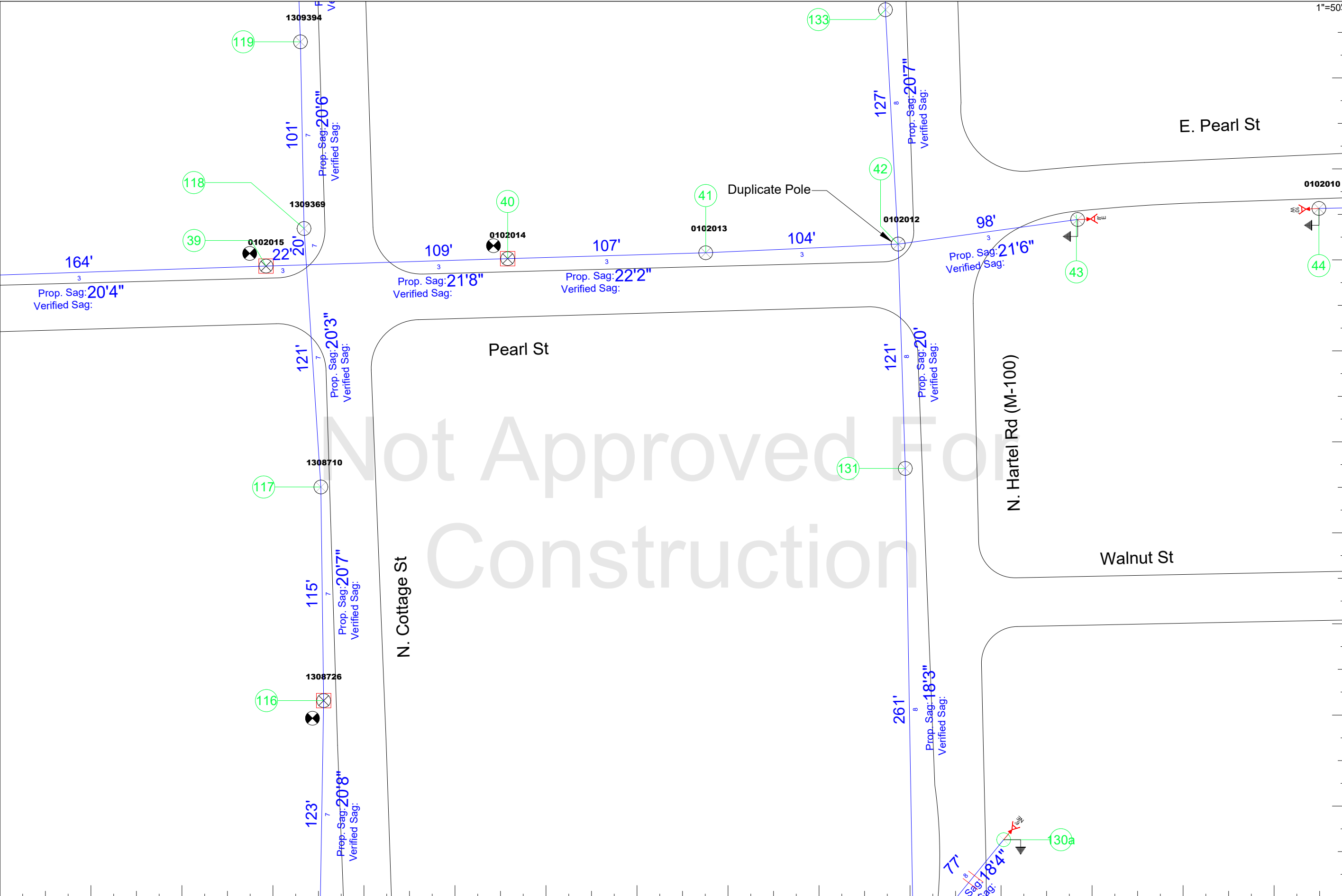
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SCALE: 1" = 50'		TRS:			
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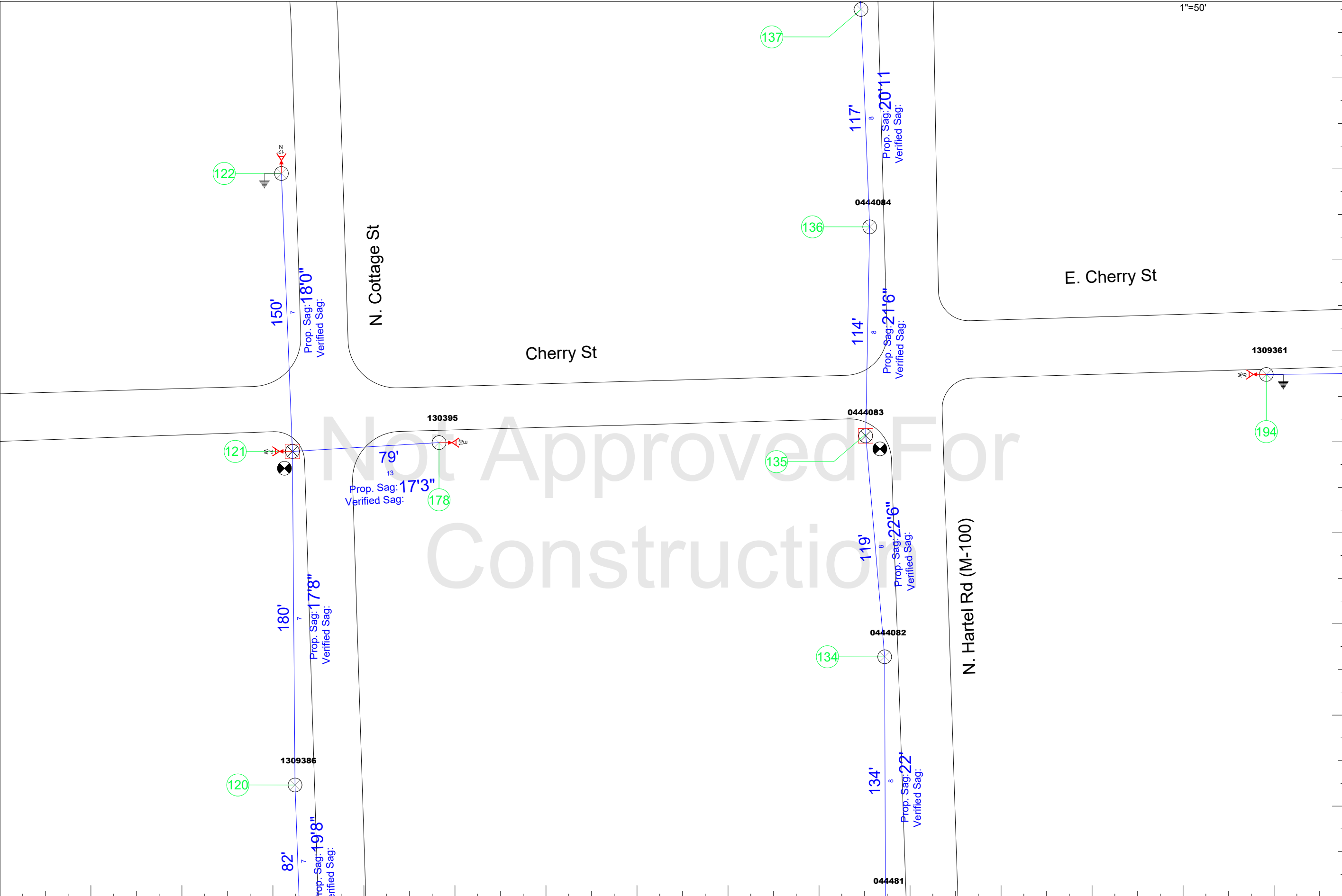
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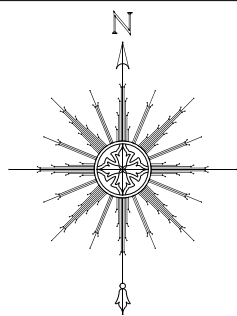
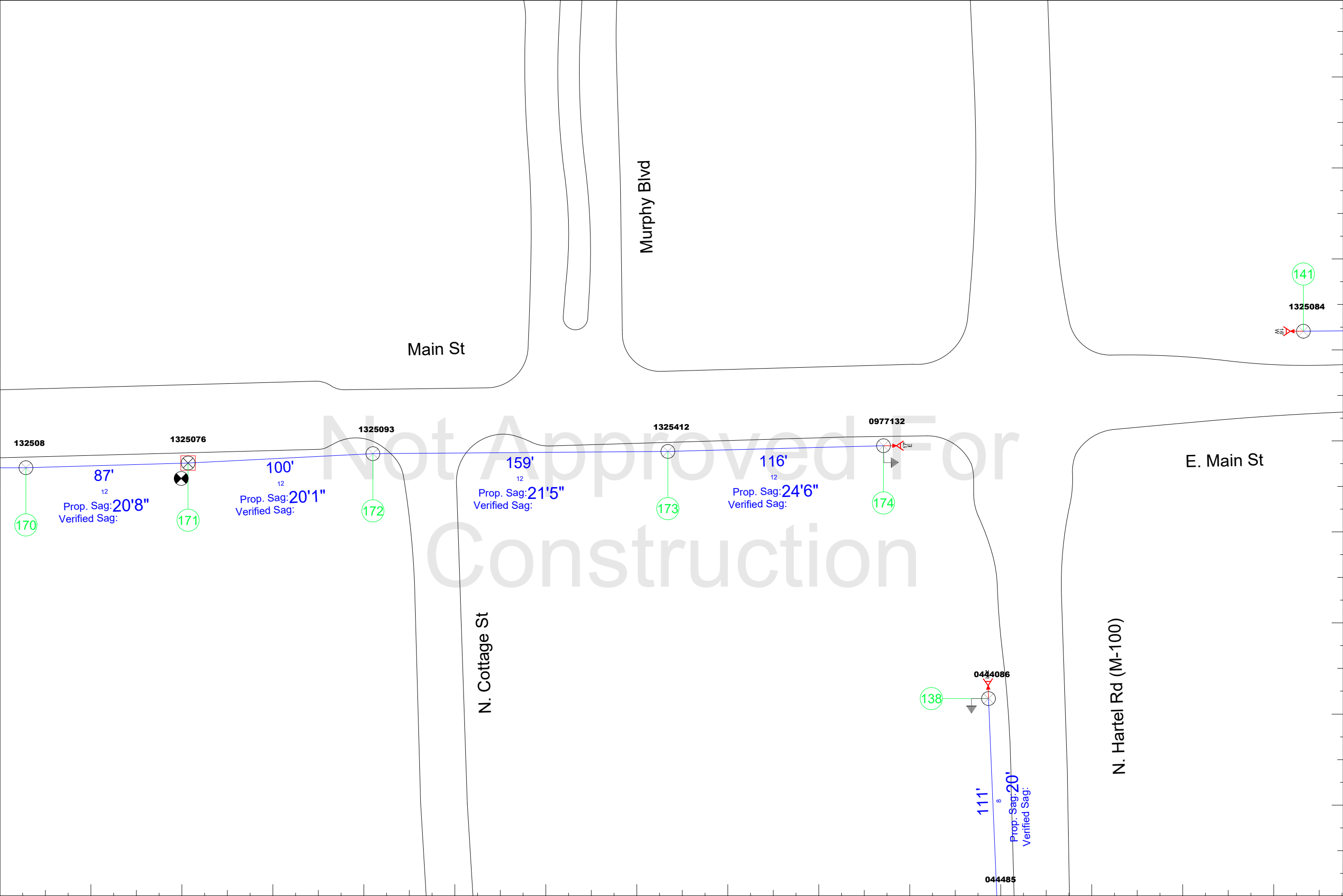
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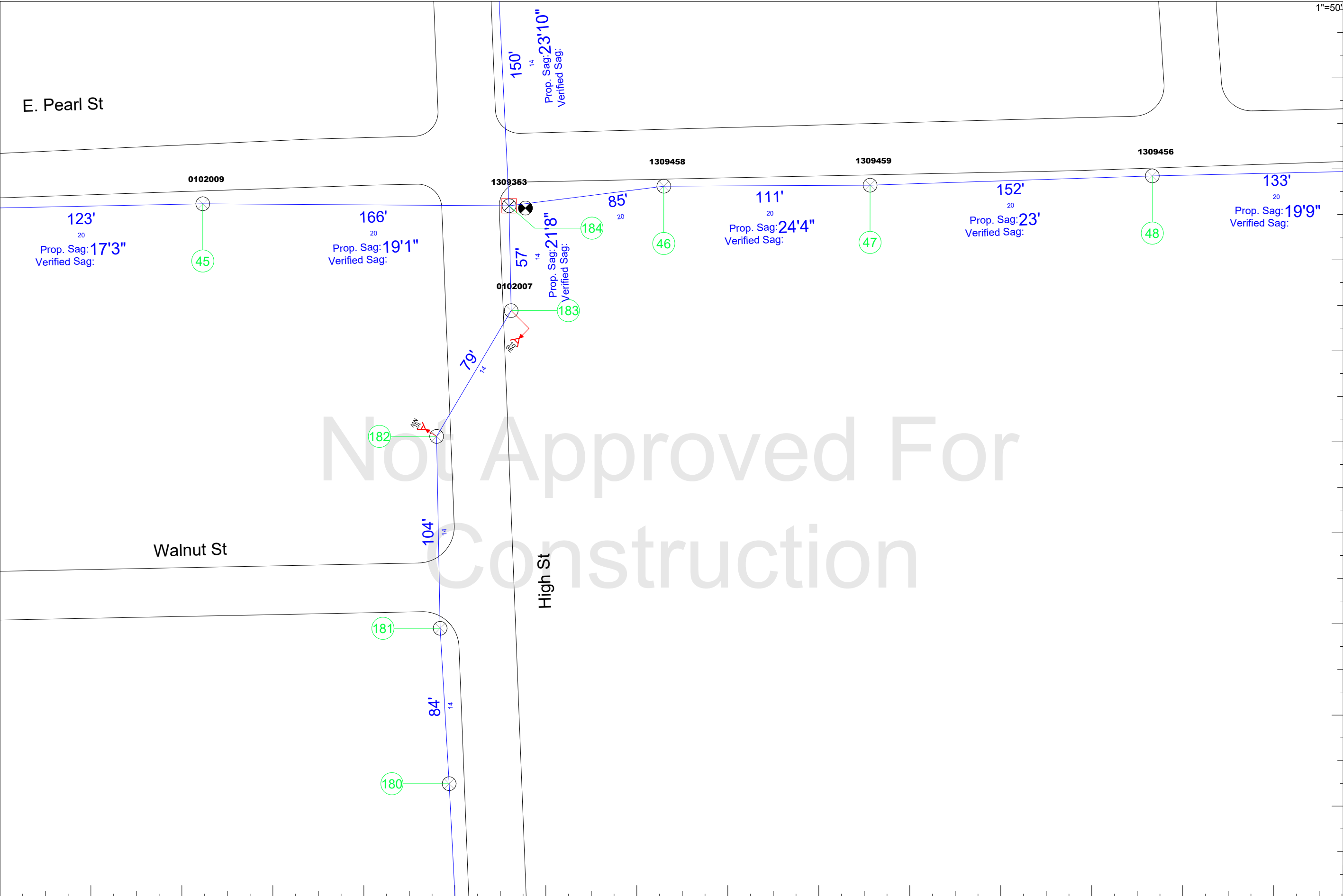
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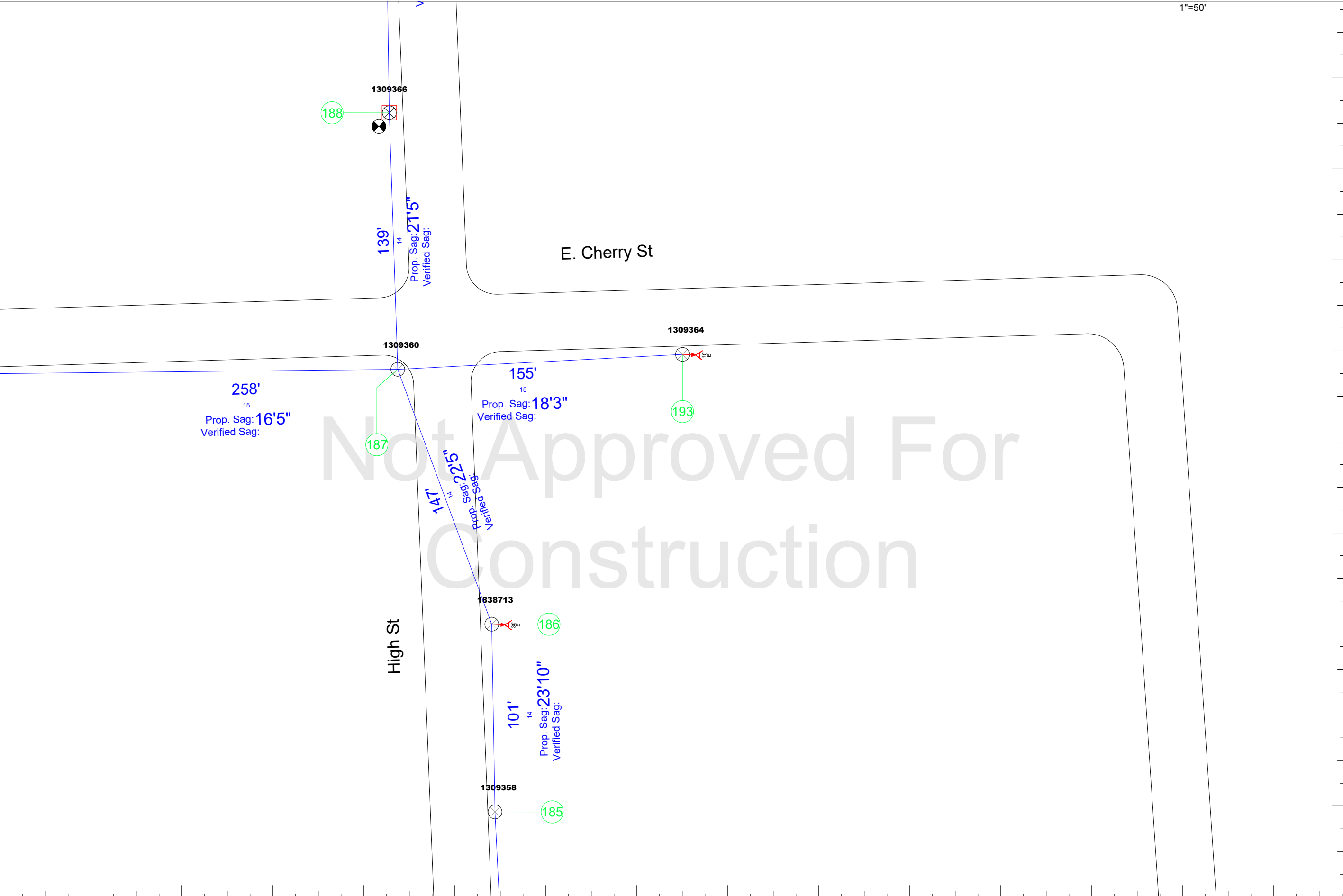
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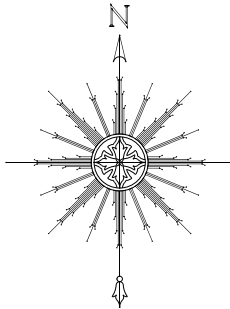
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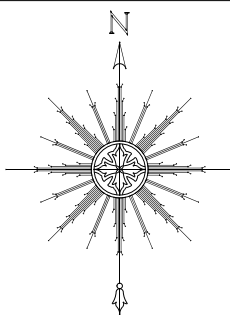
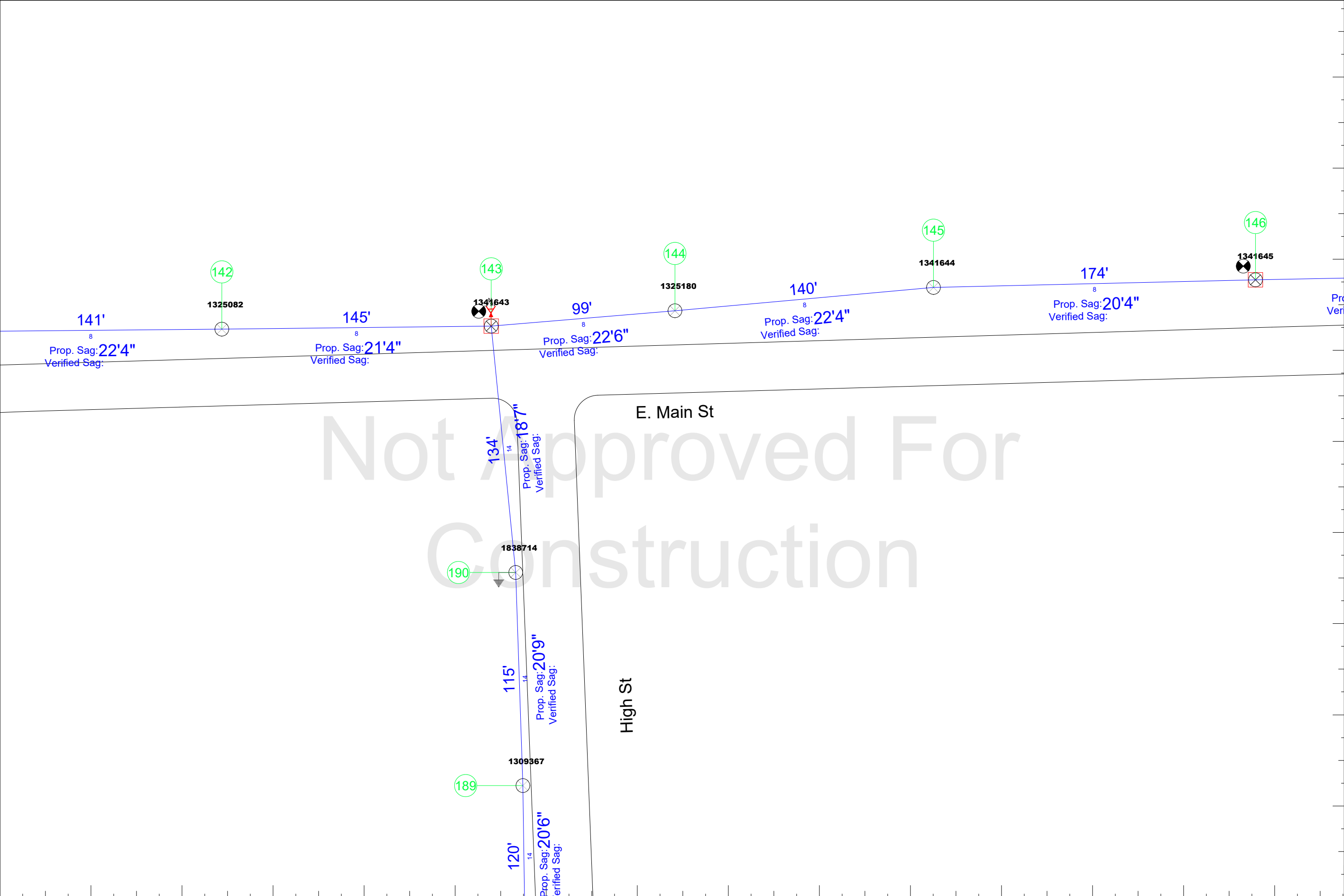
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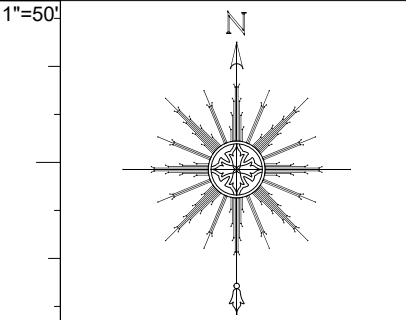
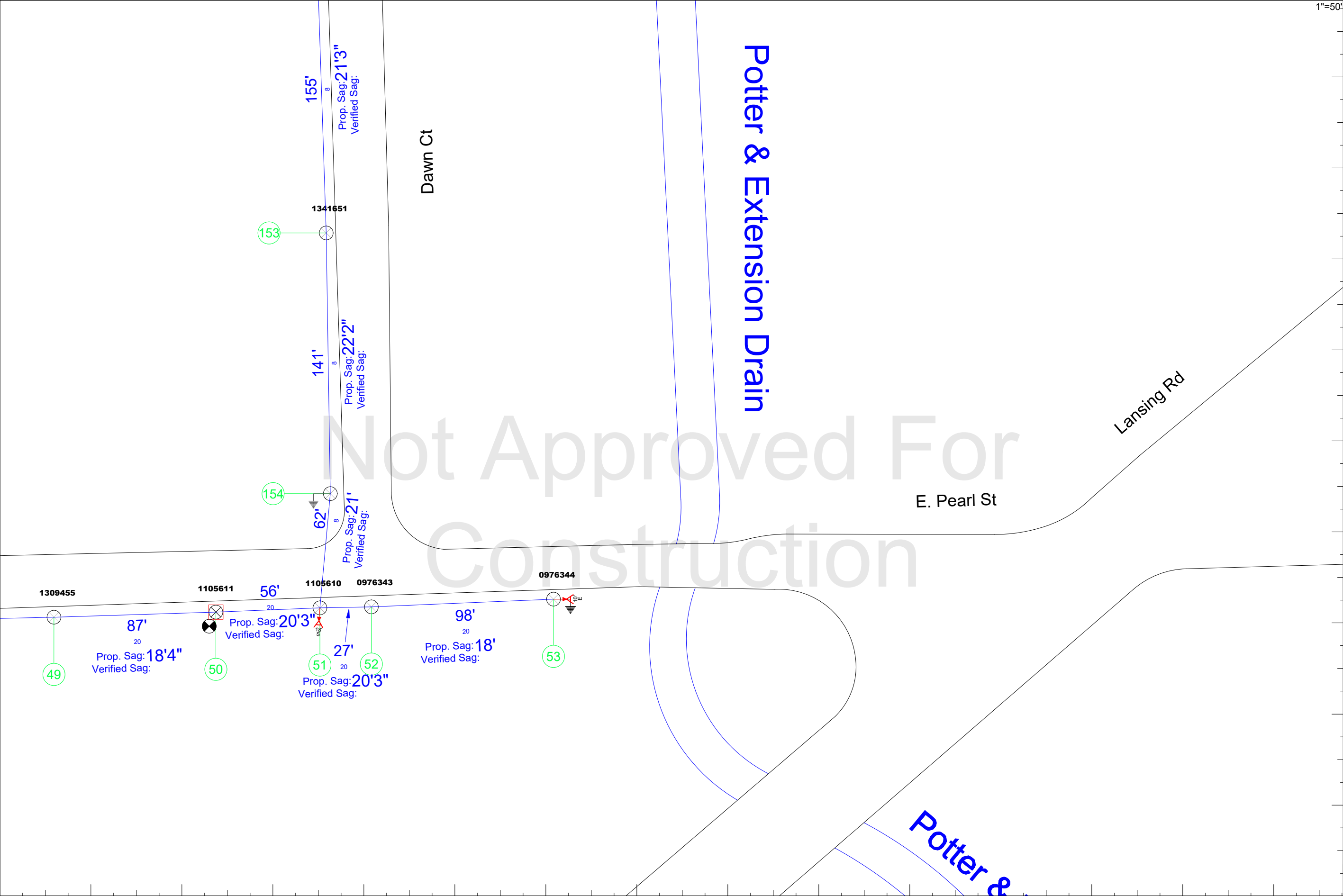
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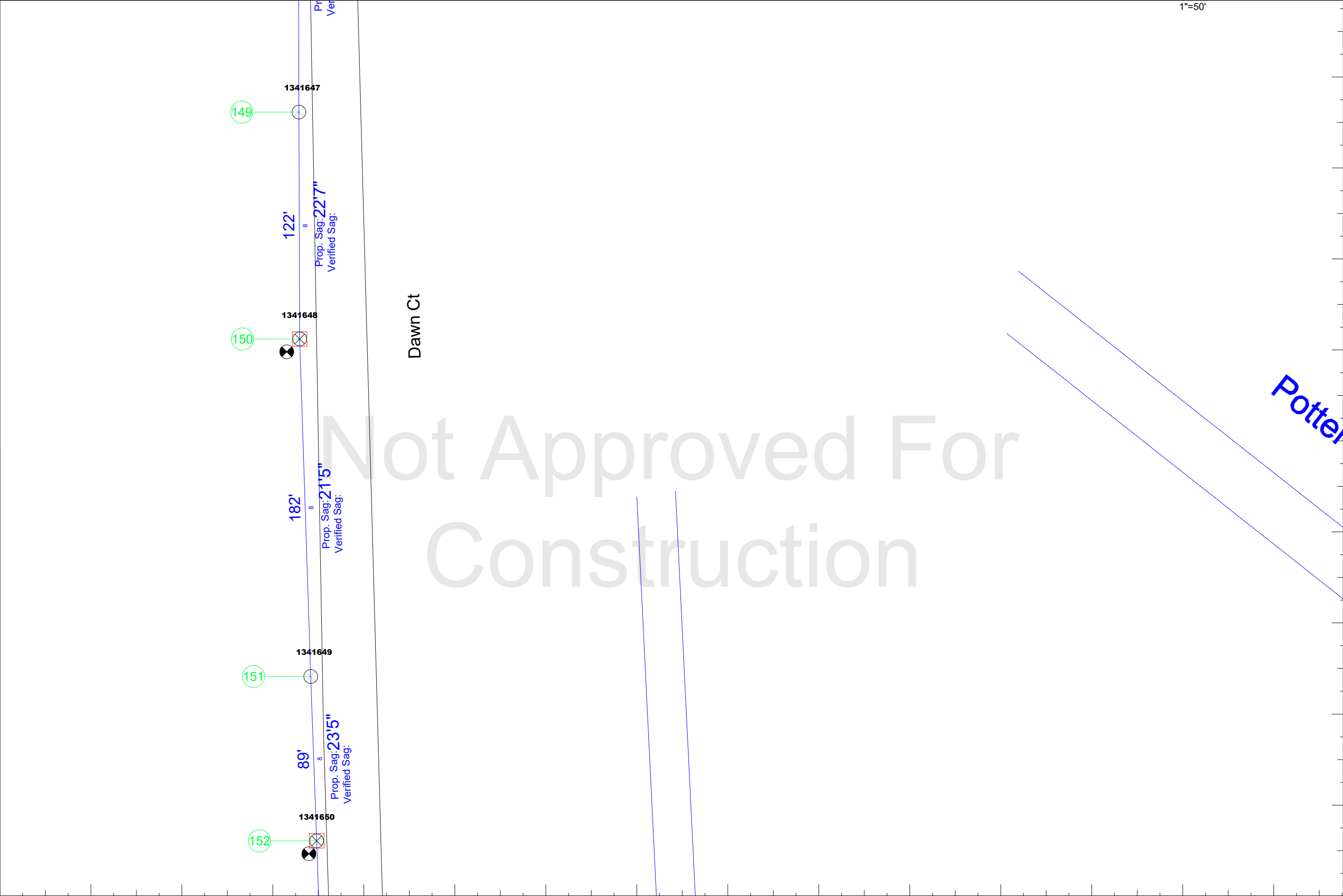
**Project Manager**  
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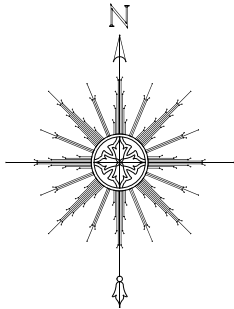
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Remarks:				PEACHTREE ID: 32548	
SCALE: 1" = 50'		TRS:			
COUNTY: Eaton	TOWNSHIP:	CITY: Pottersville	PROJECT ID: GZ011733FO032548		CUSTOMER NUMBER: 11733



517-999-9999  
1800 Grand River Ave  
Lansing MI 48906

PROPRIETARY  
INFORMATION NOT FOR  
DISCLOSURE

This Set of Plans contains confidential or proprietary information, and the recipient must not disclose, copy, re-create, or distribute the plans or the information contained therein, either directly or indirectly, to other entities or individuals without written or express permission from ACD.NET

DRAWING DISCLAIMER

Facility Locations are general in nature, ACD.NET will not be held accountable for the accuracy of the information provided on these drawings. Contact the Local ONE CALL AGENCY 72 HOURS PRIOR TO CONSTRUCTION FOR EXACT UTILITY LOCATIONS AT:

MISS DIG 1-800-482-7171	O.U.P.S 1-800-362-2764	INDIANA811 1-800-382-5544
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CAD Standard Ver. 72919

Project Manager

Jacob Ohm

Permitting

Shirley Yohnka

Transport Manager

Gary Gould

Drawn By	Date
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Travis Zellers	11/20/20
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As Built	Date
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Revisions

REV #	DESCRIPTION	BY	DATE
	REVISIONS		

Exhibit: C

Remarks:

PEACHTREE ID: 32548

SCALE: 1" = 50'

TRS:

COUNTY: Eaton

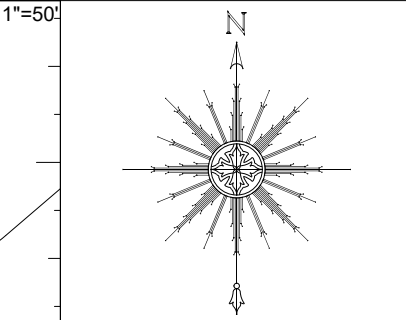
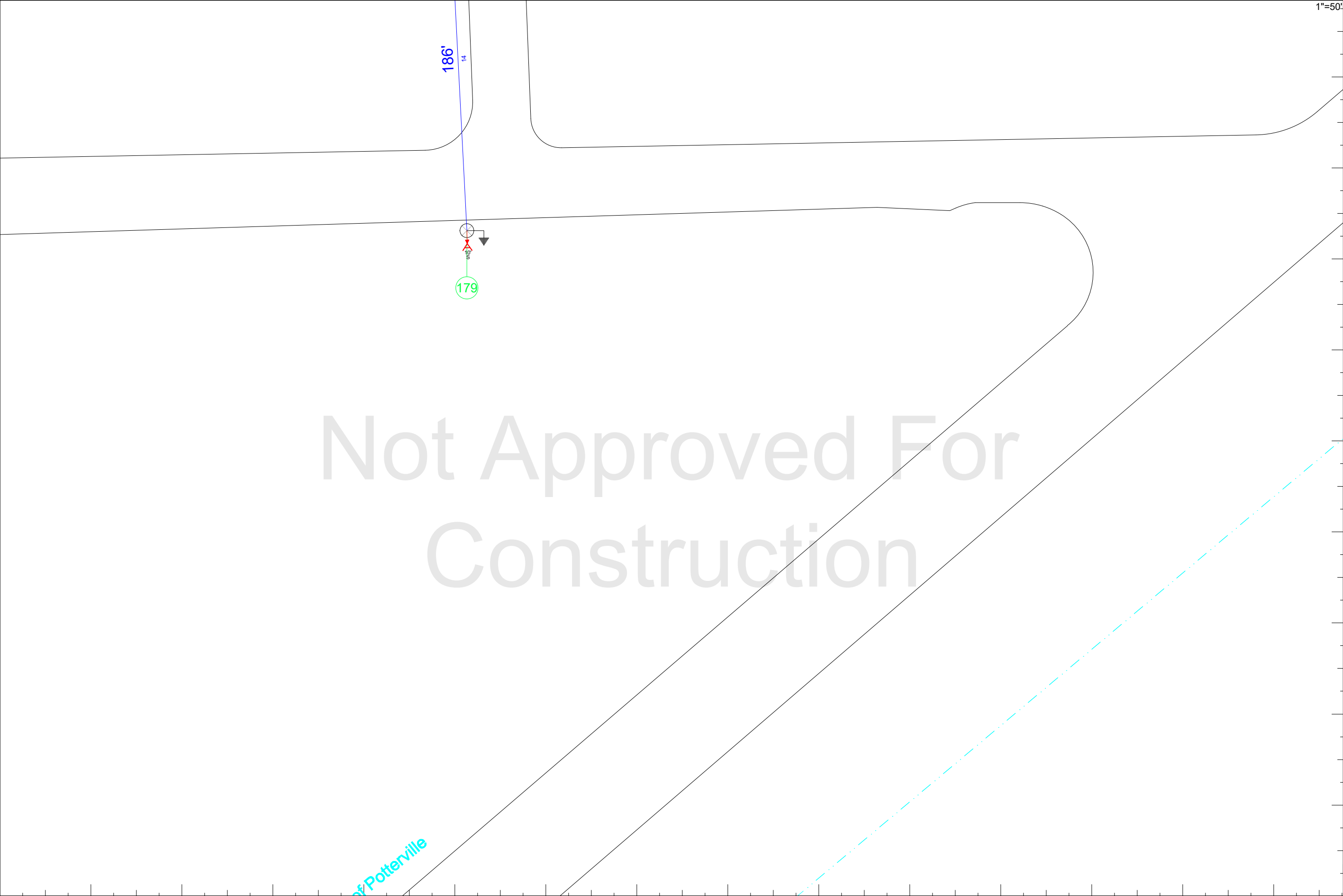
TOWNSHIP:

CITY: Potterville

PROJECT ID: GZ011733FO032548

CUSTOMER NUMBER: 11733





**ACD.NET**  
Advanced  
Communications & Data  
517-999-9999  
1800 Grand River Ave  
Lansing MI 48906

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CAD Standard Ver. 72919

Project Manager	
Jacob Ohm	
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Transport Manager	
Gary Gould	
Drawn By	Date
Travis Zellers	11/20/20
As Built	Date

Revisions			
REV #	DESCRIPTION	BY	DATE
	REVISIONS		

**Exhibit: C**

Remarks:				PEACHTREE ID: 32548	
SCALE: 1" = 50'		TRS:			
COUNTY: Eaton	TOWNSHIP:	CITY: Potterville	PROJECT ID: GZ011733FO032548		CUSTOMER NUMBER: 11733

# EXHIBIT B

**[Bond will be provided by the permitholder pursuant to the METRO Act in an amount equal to the reasonable cost to ensure that the public right-of-way is returned to its original condition during and after the provider's access and use.]**

# MEMO

**FOSTER SWIFT**  
FOSTER SWIFT COLLINS & SMITH PC || ATTORNEYS

**ATTORNEY-CLIENT PRIVILEGE/CONFIDENTIAL**

**TO:** Aaron Sheridan, City of Potterville  
**FROM:** Alexander J. Thibodeau  
**DATE:** August 12, 2021  
**RE:** KEPS (ACD.net) METRO Act Permit

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Any telecommunication provider “owning telecommunications facilities located within a public right of way”, subject to some exceptions, must acquire a permit from the municipality where facilities are located. The standard bilateral permit is provided by the MPSC and, most providers including KEPS, submit permit very closely to the form permit.

The bilateral permit is a signed contractual agreement for up to 30 years (initial 15 years with a possibility of another 15 year extension). There will be a \$500 one-time application fee paid to the municipality at the time the application is submitted. KEPS submitted this fee.

Once this permit is in place, the City will likely receive a franchise request from the provider and they will begin to roll out their infrastructure. The City may still require any permits or licenses as may be required for this project under City Ordinance.

Please send any questions or concerns to me directly.

27468:00001:5661742-1

# City of Potterville

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319 N. Nelson St. ♦ PO Box 488 ♦ Potterville, MI 48876 ♦ Phone: (517) 645-7641  
Fax: (517) 645-7810 ♦ [www.pottervillemi.org](http://www.pottervillemi.org)

Mr. Phil Brown  
OSP Engineer  
KEPS Technologies, Inc.  
1800 N. Grand River Ave.  
Lansing, MI 48906

Dear Phil:

Re: KEPS Technologies, Inc. (d/b/a ACD.net) Application Approval

The Application submitted by KEPS Technologies, Inc. has been approved by the City of Potterville. Enclosed you will find the signed copy of the Permit. The City's approval is conditioned on KEPS Technologies, Inc. obtaining all necessary construction or engineering permits and meeting the bond requirements for construction in the public right-of-way as required by the METRO Act, as amended. KEPS Technologies, Inc. will also be responsible for compliance with all City Ordinances during the construction process as a condition of approval.

Sincerely,

*Becky Dolman*, City Clerk

# City of Potterville

---

319 N. Nelson St. ♦ PO Box 488 ♦ Potterville, MI 48876 ♦ Phone: (517) 645-7641  
Fax: (517) 645-7810 ♦ [www.pottervillemi.org](http://www.pottervillemi.org)

Ms. Robin Ancona  
Director  
Michigan Public Service Commission  
7109 W. Saginaw Hwy  
P.O Box 30221  
Lansing, MI 48909

Re: KEPS Technologies, Inc. (d/b/a ACD.net) METRO Act Application Approval by City of Potterville

Dear Ms. Ancona:

Enclosed is a METRO Act Application and Permit form submitted by applicant KEPS Technologies Inc. d/b/a ACD.net and ACD Telecom, Inc. on August 3, 2021. The permit appears on the MPSC-approved bilateral form, which includes a 15-year term and three subsequent five-year renewal terms. The City of Potterville has approved the application from KEPS Technologies Inc. within 45 days of its submission and both parties have signed the permit form. We have attached the provider's certificates of insurance and a map depicting the proposed installation route.

Date of Approval: August 19, 2021

Questions or concerns about this application or permit may be directed to:

Becky Dolman  
City of Potterville Clerk  
319 N. Nelson  
Potterville, MI 48876  
[cityclerk@pottervillemi.org](mailto:cityclerk@pottervillemi.org)

Sincerely,

*Becky Dolman, City Clerk*

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

**RIGHT-OF-WAY  
TELECOMMUNICATIONS PERMIT**

TERMS AND CONDITIONS

1 Definitions

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

## 2 Grant

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

## 3 Contacts, Maps and Plans

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



- 3.1.3 The name, title, address, e-mail address and telephone numbers of Company's engineering contact person(s) with responsibility for the design, plans and construction of the Telecommunication Facilities is Steve Schoen, 1800 N. Grand River Avenue, Lansing, Michigan 48906. Phone: (517)449-2456 Fax: (517)999-3993 Email: schoen.steve@acd.net.
- 3.1.4 The address, phone number and contact person (title or department) at Company's home office/regional office with responsibility for engineering and construction related aspects of the Telecommunication Facilities is Steve Schoen, 1800 N. Grand River Avenue, Lansing, Michigan 48906. Phone: (517)449-2456 Fax: (517)999-3993 Email: schoen.steve@acd.net.
- 3.1.5 Company shall at all times provide Manager with the phone number at which a live representative of Company (not voice mail) can be reached 24 hours a day, seven (7) days a week, in the event of a public emergency is (517)999-9999 (option #1).
- 3.1.6 The preceding information is accurate as of the Effective Date. Company shall notify Municipality in writing as set forth in Part 12 of any changes in the preceding information.
- 3.2 Route Maps. Within ninety (90) days after the substantial completion of construction of new Facilities in a Municipality, a provider shall submit route maps showing the location of the Telecommunication Facilities to both the Michigan Public Service Commission and to the Municipality, as required under Section 6(7) of the METRO Act, MCLA 484.3106(7).
- 3.3 As-Built Records. Company, without expense to Municipality, shall, upon forty-eight (48) hours notice, give Municipality access to all "as-built" maps, records, plans and specifications showing the Telecommunication Facilities or portions thereof in the Public Right-of-Way. Upon request by Municipality, Company shall inform Municipality as soon as reasonably possible of any changes from previously supplied maps, records, or plans and shall mark up maps provided by Municipality so as to show the location of the Telecommunication Facilities.

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

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

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

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

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

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

- 4.9 Street Vacation. If Municipality vacates or consents to the vacation of Public Right-of-Way within its jurisdiction, and such vacation necessitates the removal and relocation of Company's Facilities in the vacated Public Right-of-Way, Company shall, as a condition of this Permit, consent to the vacation and remove its Facilities at its sole cost and expense when ordered to do so by Municipality or a court of competent jurisdiction. Company shall relocate its Facilities to such alternate route as Municipality and Company mutually agree, applying reasonable engineering standards.
- 4.10 Relocation. If Municipality requests Company to relocate, protect, support, disconnect, or remove its Facilities because of street or utility work, or other public projects, Company shall relocate, protect, support, disconnect, or remove its Facilities, at its sole cost and expense, including where necessary to such alternate route as Municipality and Company mutually agree, applying reasonable engineering standards. The work shall be completed within a reasonable time period.
- 4.11 Public Emergency. Municipality shall have the right to sever, disrupt, dig-up or otherwise destroy Facilities of Company if such action is necessary because of a public emergency. If reasonable to do so under the circumstances, Municipality shall attempt to provide notice to Company. Public emergency shall be any condition which poses an immediate threat to life, health, or property caused by any natural or man-made disaster, including, but not limited to, storms, floods, fire, accidents, explosions, water main breaks, hazardous material spills, etc. Company shall be responsible for repair at its sole cost and expense of any of its Facilities damaged pursuant to any such action taken by Municipality.
- 4.12 Miss Dig. If eligible to join, Company shall subscribe to and be a member of "MISS DIG," the association of utilities formed pursuant to Act 174 of the Public Acts of 2013, as amended, MCL § 460.721 et seq., and shall conduct its business in conformance with the statutory provisions and regulations promulgated thereunder.
- 4.13 Underground Relocation. If Company has its Facilities on poles of Consumers Energy, Detroit Edison or another electric or telecommunications provider and Consumers Energy, Detroit Edison or such other electric or telecommunications provider relocates its system underground, then Company shall relocate its Facilities underground in the same location at Company's sole cost and expense.

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

## 5 Indemnification

- 5.1 Indemnity. Company shall defend, indemnify, protect, and hold harmless Municipality, its officers, agents, employees, elected and appointed officials, departments, boards, and commissions from any and all claims, losses, liabilities, causes of action, demands, judgments, decrees, proceedings, and expenses of any nature (collectively "claim" for this Part 5) (including, without limitation, attorneys' fees) arising out of or resulting from the acts or omissions of Company, its officers, agents, employees, contractors, successors, or assigns, but only to the extent such acts or omissions are related to the Company's use of or installation of facilities in the Public Right-of-Way and only to the extent of the fault or responsibility of Company, its officers, agents, employees, contractors, successors and assigns.
- 5.2 Notice, Cooperation. Municipality shall notify Company promptly in writing of any such claim and the method and means proposed by Municipality for defending or satisfying such claim. Municipality shall cooperate with Company in every reasonable way to facilitate the defense of any such claim. Municipality shall consult with Company respecting the defense and satisfaction of such claim, including the selection and direction of legal counsel.
- 5.3 Settlement. Municipality shall not settle any claim subject to indemnification under this Part 5 without the advance written consent of Company, which consent shall not be unreasonably withheld. Company shall have the right to defend or settle, at its own expense, any claim against Municipality for which Company is responsible hereunder.

## 6 Insurance

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

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

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

## 7 Term

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

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

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

## 8 Performance Bond or Letter of Credit

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

## 9 Fees

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

## 10 Removal

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

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

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



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

- 10.3 Schedule. The schedule and timing of removal shall be subject to approval by Manager. Unless extended by Manager, removal shall be completed not later than twelve (12) months following the Term. Portions of the Telecommunication Facilities in the Public Right-of-Way which are not removed within such time period shall be deemed abandoned and, at the option of Municipality exercised by written notice to Company as set forth in Part 12, title to the portions described in such notice shall vest in Municipality.
- 11 Assignment. Company may assign or transfer its rights under this Permit, or the persons or entities controlling Company may change, in whole or in part, voluntarily, involuntarily, or by operation of law, including by merger or consolidation, change in the ownership or control of Company's business, or by other means, subject to the following:
  - 11.1 No such transfer or assignment or change in the control of Company shall be effective under this Permit, without Municipality's prior approval (not to be unreasonably withheld), during the time period from the Effective Date until the completion of the construction of the Telecommunication Facilities in those portions of the Public Right-of-Way identified on Exhibit A.
  - 11.2 After the completion of such construction, Company must provide notice to Municipality of such transfer, assignment or change in control no later than thirty (30) days after such occurrence; provided, however,
    - 11.2.1 Any transferee or assignee of this Permit shall be qualified to perform under its terms and conditions and comply with applicable law; shall be subject to the obligations of this Permit, including responsibility for any defaults which occurred prior to the transfer or assignment; shall supply Municipality with the information required under Section 3.1; and shall comply with any updated insurance and performance bond requirements under Sections 6 and 8 respectively, which Municipality reasonably deems necessary, and
    - 11.2.2 In the event of a change in control, it shall not be to an entity lacking the qualifications to assure Company's ability to perform under the terms and conditions of this Permit and comply with applicable law; and Company shall comply with any updated insurance and performance bond requirements under Sections 6 and 8 respectively, which Municipality reasonably deems necessary.
  - 11.3 Company may grant a security interest in this Permit, its rights thereunder or the Telecommunication Facilities at any time without notifying Municipality.

## 12 Notices

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

12.1.1 If to Municipality, City of Pottersville, 319 N Nelson St. Pottersville, MI 48876

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

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

## 13 Other items

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

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

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

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

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

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

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

City of Potterville

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

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

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

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

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

KEPS Technologies, Inc. dba ACD.net

By: 

Its: Steve Sihoe

Date: 8/11/21

::ODMA\PCDOCS\GRR\759319\6

**Exhibit A**

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



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

8/10/2021

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

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

<b>PRODUCER</b> Lyman & Sheets Insurance Agency P.O. Box 15127 Lansing MI 48901	<b>CONTACT</b> NAME: Angela Maldonado PHONE (A/C No. Ext): 517-482-2211 E-MAIL: angelam@lymansheets.com ADDRESS:														
<b>INSURER(S) AFFORDING COVERAGE</b>															
<b>INSURED</b> KEPS Technologies Inc dba ACD.net 1800 N. Grand River Avenue Lansing MI 48906-3905	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 80%;">INSURER</th> <th style="width: 20%;">NAIC #</th> </tr> <tr> <td>INSURER A: Chubb Group of Insurance Cos.</td> <td>20303</td> </tr> <tr> <td>INSURER B: Accident Fund Company</td> <td>10166</td> </tr> <tr> <td>INSURER C: Westchester Surplus Lines Ins.</td> <td>10172</td> </tr> <tr> <td>INSURER D: Travelers</td> <td>19038</td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>	INSURER	NAIC #	INSURER A: Chubb Group of Insurance Cos.	20303	INSURER B: Accident Fund Company	10166	INSURER C: Westchester Surplus Lines Ins.	10172	INSURER D: Travelers	19038	INSURER E:		INSURER F:	
INSURER	NAIC #														
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INSURER C: Westchester Surplus Lines Ins.	10172														
INSURER D: Travelers	19038														
INSURER E:															
INSURER F:															

## COVERAGES

CERTIFICATE NUMBER: 1357381104

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
D	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input checked="" type="checkbox"/> LOC OTHER:	Y		630 3P127099	2/20/2021	2/20/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
D	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			BA-1N518151	2/20/2021	2/20/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
D	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB <input checked="" type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			CUP-1N37964	2/20/2021	2/20/2022	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000 \$
B	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	WCV6097262	1/1/2021	1/1/2022	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
C D A	Envir. Contamination Professional/Cyber Liability EPLI Incl 3rd Party			G7096272A ZPL 61N09215 82512353	4/15/2021 2/20/2021 2/16/2021	2/20/2022 2/20/2022 2/16/2022	Each Occurrence 2,000,000 Each Occurrence 3,000,000 Each Occurrence 1,000,000

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

## CERTIFICATE HOLDER

## CANCELLATION

City of Pottsville 319 N Nelson Pottsville MI 48876	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
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# City of Potterville

319 N. Nelson St. ♦ PO Box 488 ♦ Potterville, MI 48876 ♦ Phone: (517) 645-7641  
Fax: (517) 645-7810 ♦ www.pottervillemi.org

## RESOLUTION NO. 21-0819-13

At a regular meeting of the City Council of the City of Potterville, Eaton County, Michigan, held at the City Hall in said City on the 19<sup>th</sup> day of August, 2021, at 7:00 p.m.

### **Present:**

### **Absent:**

The following Resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_

### **RESOLUTION TO APPROVE KEPS TECHNOLOGIES, INC.'S (D/B/A ACD.NET) METRO ACT PERMIT**

**WHEREAS**, KEPS Technologies, Inc. (d/b/a ACD.net ("KEPS Technologies")) desires to construct a part of its telecommunications facilities, specifically fiber optic broadband, within the City of Potterville (hereinafter "City") right-of-ways; and

**WHEREAS**, pursuant to the Metropolitan Extension Telecommunications Rights-of-Way Oversight Act, Public Act 48 of 2002 (hereafter "METRO Act"), a provider using or seeking to use public right-of-ways for its facilities must obtain a permit from the City; and

**WHEREAS**, KEPS Technologies has submitted a completed application for a METRO Act permit for facilities it plans to construct and install in the City's right-of ways; and

**WHEREAS**, KEPS Technologies has chosen to utilize the MPSC Approved Bilateral Permit Form, which provides a fifteen (15) year term, with three (3) subsequent five (5) year renewal terms.

NOW, THEREFORE, the City Council of the City of Potterville, Eaton County, resolves as follows:

1. The City resolves to approve KEPS Technologies' METRO Act bilateral permit in the form attached as Exhibit A to this Resolution, and such approval is subject to all terms and conditions set forth in the Permit, the City Code of Ordinances, and this Resolution.
2. The approval is conditioned upon KEPS Technologies: obtaining the necessary construction or engineering permits from any state, county or township agency, including but not limited to the Road Commission for Eaton County; naming the City of Potterville as an additional insured on all insurance policies and providing the City with a certificate of insurance evidencing such coverage; and providing a bond prior to construction in any public rights of way as required by the METRO Act, as amended, and in accordance with the City Code of Ordinances.
3. The approval only extends to telecommunication facilities as defined by the METRO Act, and does not extend to other equipment or structures, including Distributed Antenna Systems (DAS) antennas, equipment and supporting poles as contemplated in KEPS Technologies' Application.

Becky Dolman  
City Clerk



# City of Potterville

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319 N. Nelson St. ♦ PO Box 488 ♦ Potterville, MI 48876 ♦ Phone: (517) 645-7641  
Fax: (517) 645-7810 ♦ www.pottervillemi.org

## RESOLUTION NO. 21-0819-14

At a regular meeting of the City Council of the City of Potterville, Eaton County, Michigan, held at the City Hall in said City on the 18<sup>th</sup> day of August, 2021, at 7:00 p.m.

**Present:**

**Absent:**

The following Resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_.

### AN ORDINANCE ADOPTING AND ENACTING A NEW CODE OF ORDINANCES FOR THE CITY OF POTTERVILLE

**WHEREAS**, the City of Potterville is authorized to adopt a Code of Ordinances under Section 5b of the Home Rule City Act, MCL 117.5b and Section 3.16(b) of the City Charter; and

**WHEREAS**, the City is also authorized to amend, repeal, revise, and rearrange its current ordinances through the ordinance adopting the Code, under the Home Rule City Act, MCL 117.5b; and

**WHEREAS**, pursuant to this authority, the City wishes to consider adopting the ordinance attached as **Exhibit A** (the "Ordinance") to establish a new Code of Ordinances for the City of Potterville.

**NOW, THEREFORE**, the City Council of the City of Potterville, Eaton County, Michigan resolves as follows:

1. Pursuant to Section 3.13 of the City Charter, the City introduces Ordinance No. 2021-246, an Ordinance Adopting and Enacting a New Code of Ordinances for the City of Potterville.

# City of Potterville

319 N. Nelson St. ♦ PO Box 488 ♦ Potterville, MI 48876 ♦ Phone: (517) 645-7641  
Fax: (517) 645-7810 ♦ www.pottervillemi.org

2. A public hearing regarding the Ordinance will be held on September 16, 2021 at 7:00 p.m. in the City of Potterville City Hall, 319 N. Nelson, Potterville, Michigan.

3. The City Clerk is directed to publish a summary of the Ordinance once in a newspaper of general circulation in the City, together with a notice setting the time and place for a public hearing on the Ordinance, which public hearing shall be held at least seven (7) days after publication.

4. A copy of the Ordinance shall be on file in the office of the City Clerk, and copies may be provided for a reasonable charge.

5. Any and all resolutions that are in conflict with this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

Those Council Members voted:

Yeas:

Nays:

Absent:

RESOLUTION DECLARED ADOPTED

STATE OF MICHIGAN )  
) ss.  
COUNTY OF EATON )

## CLERK'S CERTIFICATE

I, Becky Dolman, the duly qualified and acting City Clerk of the City of Potterville, Eaton County Michigan DO HERBY CERTIFY that the foregoing is a true and complete copy of certain proceeding taken by the City Council of said City at regular meeting held on the August 19, 2021.

*Becky Dolman*  
City Clerk

# City of Potterville

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319 N. Nelson St. ♦ PO Box 488 ♦ Potterville, MI 48876 ♦ Phone: (517) 645-7641  
Fax: (517) 645-7810 ♦ [www.pottervillemi.org](http://www.pottervillemi.org)

**Exhibit A:**

**CITY OF POTTERVILLE  
COUNTY OF EATON, MICHIGAN**

**Ordinance No. 2021-246**

**AN ORDINANCE ADOPTING AND ENACTING A NEW CODE OF  
ORDINANCES FOR THE CITY OF POTTERVILLE**

THE CITY OF POTTERVILLE HEREBY ORDAINS:

**Section 1. Adoption of New Code.**

The Code entitled the "Potterville City Code," published by Municipal Code Corporation, consisting of chapters 1 through 38, each inclusive, is adopted.

**Section 2. Repeal.**

All ordinances of a general and permanent nature enacted on or before October 26, 2019, and not included in the Code or recognized and continued in force by reference therein, are repealed.

**Section 3. Prior Repeals.**

The repeal provided for in section 2 shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

**Section 4. Penalties.**

# City of Potterville

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319 N. Nelson St. ♦ PO Box 488 ♦ Potterville, MI 48876 ♦ Phone: (517) 645-7641  
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Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a fine up to the maximum amount permitted or required by state law. Each act of violation and each day upon which any such violation shall continue or occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the city council may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

## **Section 5.      Incorporation.**

Additions or amendments to the Code when passed in such form as to indicate the intention of the city council to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

## **Section 6.      Amendments.**

Ordinances adopted after October 26, 2019, that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

## **Section 7.      Effective Date.**

This ordinance shall take effect 30 days after adoption.

# City of Potterville

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Fax: (517) 645-7810 ♦ [www.pottervillemi.org](http://www.pottervillemi.org)

## RESOLUTION NO. 21-0819-15

At a regular meeting of the City Council of the City of Potterville, Eaton County, Michigan, held at the City Hall in said City on the 19<sup>th</sup> day of August, 2021, at 7:00 p.m.

**Present:**

**Absent:**

The following Resolution was offered by \_\_\_\_\_ and seconded by Member \_\_\_\_\_.

**RESOLUTION OF OWNERSHIP, MAINTENANCE AND OPERATION OF LANSING ROAD SIDEWALK AND ADOPTION OF INTERGOVERNMENTAL AGREEMENT ENTITLED “LANSING ROAD SIDEWALK PHASE II OWNERSHIP, MAINTENANCE AND OPERATING AGREEMENT.”**

**WHEREAS**, the City Council (“The City”) intends to own, maintain and operate the entire public sidewalk of the public project entitled the Lansing Road Sidewalk Phase II, in order to provide unencumbered pedestrian access for City residents and business owners in the City to public recreational facilities, and achieve the developmental goals of the City Community Master Plan and City TIFA Development and Financing Plan; and

**WHEREAS**, the City seeks opportunity to work collaboratively with the Eaton County Road Commission and Benton Township in order to own, maintain and operate the contiguous and interconnected sidewalk known as the Lansing Road Sidewalk Phase II that is engineered, designed, and planned to be constructed within the right-of-way the Lansing Road from the entrance of the City’s owned park, Lake Alliance Park, to the corner of the City local Street - Nelson Street; and

# City of Potterville

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**WHEREAS**, the City intends to properly own, maintain and operate the entire sidewalk including any sections of sidewalk that are permitted outside of the City's corporate boundary in Benton Township, but in the right-of-way Eaton County Road Commission; and

**WHEREAS**, the City is permitted to enter into Intergovernmental Contracts/Agreements with other public entities pursuant to the Intergovernmental Contracts Between Municipal Corporations Act, 1951 PA 35, as amended, MCL 124.1 et seq in order to own, maintain and operate the sidewalk of the Lansing Road Sidewalk Phase II in its entirety, including areas outside the City's corporate jurisdiction; and

**WHEREAS**, The City has reviewed Intergovernmental Agreement attached as "Exhibit A" in its entirety, and finds it to be in the best interests of the health, safety and welfare for the City of Potterville.

## **NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

**1.** The City Council of the City of Potterville hereby approves the City's ownership, maintenance and operation of the sidewalk of the Lansing Road Sidewalk Phase II project, and the adoption of the Intergovernmental Agreement entitled "Lansing Road Sidewalk Phase II Ownership, Maintenance and Operating Agreement" as attached as "Exhibit A",

**2.** The City Council hereby directs the City Mayor and City Clerk to execute and provide a copy of said Agreement to the Eaton County Road Commission and the Township of Benton.

**3.** Any and all resolutions that are in conflict with this Resolution are hereby repealed, but only to the extent necessary to give this Resolution full force and effect.

# City of Potterville

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Those Council Members voted:

Yeas:

Nays:

Absent:

RESOLUTION DECLARED ADOPTED

STATE OF MICHIGAN                    )  
  ) ss.  
COUNTY OF EATON                    )

## CLERK'S CERTIFICATE

I, Becky Dolman, the duly qualified and acting City Clerk of the City of Potterville, Eaton County Michigan DO HERBY CERTIFY that the foregoing is a true and complete copy of certain proceeding taken by the City Council of said City at regular meeting held on the August 19<sup>th</sup>, 2021.

*Becky Dolman*  
City Clerk

# City of Potterville

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## **“EXHIBIT A”**



# City of Potterville

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Fax: (517) 645-7810 ♦ [www.pottervillemi.org](http://www.pottervillemi.org)

## **LANSING ROAD SIDEWALK PHASE II OWNERSHIP, MAINTENANCE AND OPERATING AGREEMENT**

This Lansing Road Sidewalk Phase II Ownership, Maintenance and Operating Agreement ("Agreement") is made this 19th day of August 2021, by and between BENTON CHARTER TOWNSHIP (the "Township"), a Michigan municipal corporation whose address is 5136 Windsor Hwy, Potterville, MI, and CITY OF POTTERVILLE (the "City"), a Michigan municipal corporation whose address 319 N Nelson St, Potterville, MI 48876.

### **Recitals**

A. The Township and the City are "municipal corporations" under the Intergovernmental Contracts Between Municipal Corporations Act, PA 35 of 1951, MCL 124.1 *et seq.* (the "Act").

B. The Act provides that municipal corporations may enter into contracts with other municipal corporations for the ownership, operation, or performance, jointly, or by any 1 or more on behalf of all, of any property, facility or service which each would have the power to own, operate or perform separately.

C. The City owns, maintains and operates a sidewalk along Lansing Road (the "Sidewalk") as part of a Tax Increment Financing project ("Lansing Road Sidewalk Phase II") seeking to make the sidewalk more accessible and contiguous.

D. The Sidewalk is within the Eaton County Road Commission's Right-of-Way and the Eaton County Road Commission has approved the City's ownership, operation and maintenance of the Sidewalk.

E. A portion of the Sidewalk is located within the Township as described below:

<https://pottervillemi.org/wp-content/uploads/2021/08/Bid-Plans-002.pdf>

F. The plan for the contiguous Sidewalk is to provide safe pedestrian non-motorized access to existing recreational facilities and recreational programming that benefits City residents – all the way from the Potterville School District (which consists of many Township Residents) to Lake Alliance Park.

G. The City and the Township desire to enter into this Agreement establishing the terms and conditions for the ownership, operation and maintenance of the Sidewalk, including the portion of the Sidewalk within the Township.

# City of Potterville

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## Agreement

In exchange for the consideration identified in this Agreement, the parties agree as follows:

1. Ownership, Operation and Maintenance. By way of this Agreement, the Township grants to the City the right to own, operate and maintain the Sidewalk within the Township, subject to the terms of this Agreement.
2. Payment of Costs. All costs associated with ownership, operation and maintenance of the Sidewalk shall be paid by the City.
3. Ownership of Infrastructure. Notwithstanding any other provision of this Agreement including the requirements in sections 1 and 2 that the City be responsible for all operation, maintenance, repair and replacement of the Sidewalk, the Sidewalk and any related infrastructure related to the Sidewalk within the Township shall be the property of the City.
4. Term. The term of this Agreement is 30 years from the date of the Agreement. This Agreement shall automatically renew every 30 years for an additional 30-year period unless either party provides notice to the other party at least one (1) year prior to the expiration of any such 30-year period.
5. Default. Upon default under this Agreement, the non-defaulting party may pursue any and all remedies provided by law or equity. The prevailing party in any action to enforce this Agreement or to obtain legal or equitable relief for a default under this Agreement shall be entitled to recover its attorney fees and costs from the other party.
6. Limitations on Agreement. This Agreement does not constitute an agreement under PA 425 of 1984, MCL 124.21 *et seq.* or any other agreement providing for a conditional land transfer or annexation of property from the Township to the City. At no time shall this Agreement be construed as a basis for land transfer or annexation of property from the Township to the City.
7. Governing Law. This Agreement shall be interpreted, construed, and enforced pursuant to and in accordance with the laws of the State of Michigan.
8. Notice. Notice under this Agreement may be given by hand delivery, or certified mail, postage prepaid, to the addresses above and is deemed received on the day hand delivered or on the third day after deposit if sent certified mail.
9. Assignment. No assignment of this Agreement or the rights and obligations hereunder shall be valid without the prior written consent of both parties.

# City of Potterville

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319 N. Nelson St. ♦ PO Box 488 ♦ Potterville, MI 48876 ♦ Phone: (517) 645-7641  
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10. Waiver of Breach. The waiver by either party of a breach or violation of any provision of this Agreement shall not operate as, or be construed to be, a waiver of any subsequent breach of the same or other provision hereof.

11. Severability. In the event that any provision of this Agreement is held to be unenforceable for any reason, the unenforceability thereof shall not affect the remainder of this Agreement, which shall remain in full force and effect and be enforceable in accordance with its terms.

12. Amendments. This Agreement may be amended or supplemented only by a written instrument signed by the parties.

13. Entire Agreement. This Agreement, as it may be amended or supplemented from time to time, constitutes the complete agreement between the parties with respect to the subject matter hereof and supersedes all prior agreements, oral and written, except the Agreement for Water Service.

14. Counterparts. This Agreement may be executed in any number of counterparts and each such counterpart shall be considered a valid original.

15. Successors. This Agreement shall bind the Township and the City, as well as their respective officers, agents, and successors in interest.

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement as of the date first written above by authority of the respective Township Board and City Council.

## **BENTON CHARTER TOWNSHIP**

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

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

## **CITY OF POTTERVILLE**

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

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