

AGENDA
COMMITTEE OF THE WHOLE MEETING OF THE CARO CITY COUNCIL
JANUARY 13, 2025, 6:00 P.M.
317 S STATE ST – COUNCIL CHAMBERS

CALL TO ORDER

PUBLIC COMMENTS/VISITORS:

BUSINESS ITEMS:

1. Water Reliability Survey
2. Banner Policy
3. Ordinance No. 486 - Food Trucks
4. WWTP Project Update
5. WWTP Vacancy
6. Redevelopment Ready Community (RRC)

ADJOURN

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CITY OF CARO

Banner Policy

- Only non-profit organizations will be authorized to hang banners within the City.
- Banners shall be related to an activity, taking place within the City of Caro.
- Fees – Put up and take down charges (**must** be paid prior to the banner being hung)
1 Banner \$150.00
- City DPW Personnel will be responsible for arranging Banner placement.
- City Council must approve all requests for Banners.
- Banners shall be hung for a period not to exceed two weeks.
- Location of Banner will be determined by the City of Caro and shall be first come, first serve.
- No Banners will be stored by the City of Caro.
- Banners must be 24" to 28" wide and 25' long with wind vents (1/2 moon slit).
- All Banners will be dropped off not sooner than 48 hours prior to the event and picked up no later than 48 hours after the event at DPW, 741 Hooper St. Caro.
- The City reserves the right to refuse any banners that are unsightly, material is not durable or are deemed a safety hazard.

BANNER REQUEST

NAME _____ PHONE _____

ORGANIZATION _____

EVENT _____

DATE YOU WISH BANNERS TO BE PUT UP _____

DATE YOU WISH BANNERS TO BE TAKEN DOWN _____

Approved By: _____

City Council
By: City Clerk

_____ Date

Payment Received by: _____

_____ Date

Adopted by Council: 04-03-06

Revised 9-19-22

Policy # 06-002

CITY OF CARO

ORDINANCE NO. 486

AN ORDINANCE TO REGULATE THE OPERATION OF TRANSITORY FOOD SERVICE UNITS AND THE ISSUANCE OF PERMITS, LICENSES, OR APPROVALS FOR TRANSITORY FOOD SERVICE UNITS

THE CITY OF CARO ORDAINS:

Section 1. Purpose

The purpose of this Ordinance is to establish a policy to regulate and manage Transitory Food Service Units in the City of Caro (the "City"); to permit and regulate Transitory Food Service Units in the City; to reduce vehicular and pedestrian traffic congestion; to encourage new business; and to protect the health, safety, and welfare of the City's business district and the City's people.

Section 2. Definition

Transitory Food Service Unit means a motorized vehicle, including pulled mobile trailer, a temporary food service station, cart, smoker, grill, freezing or cutting unit, or similar apparatuses that engages in the storage, preparation, service, sale, or distribution of ready-to-eat or immediately consumable food items to the public directly from the unit. Transitory Food Service Unit includes a "special transitory food unit" and a "temporary food establishment" as defined under the Michigan Food Law, MCL 289.1111.

Section 3. Permit Requirements

Except as otherwise authorized under this Ordinance, no Transitory Food Service Unit may engage in the preparation, service, sale, or distribution of food in the City on public or private property without first obtaining a permit from the City in the manner prescribed in this ordinance. The application fee will be set from time to time by resolution of the City Council. All fees must be paid to the City Treasurer at the time the application is submitted. All permits issued pursuant to this Ordinance must be available on site for inspection upon request by the City Zoning Administrator or law enforcement officer. Permits must be conspicuously displayed on the premises or any cart, stand, booth, motorized vehicle, mobile trailer, or similar apparatus used in the business at all times. No person may carry or display any expired, suspended, or revoked permit, or any license or permit for which a duplicate has been issued. Additionally, the Transitory Food Service Unit must comply with all applicable state licensing requirements, including but not limited to filing a Notification of Intent to Operate a Special Transitory Food Unit, and must further comply with all applicable requirements of the Tuscola County Health Department. Failure to comply with all applicable licensing and regulatory requirements may result in revocation of the permit by the City.

Section 4. Permit Exceptions

A Transitory Food Service Unit may engage in the preparation, service, sale, or distribution of food in the City on public or private property without a permit required under Section 3 of this Ordinance if:

1. Operating at a single location for less than 2 hours;
2. The operator is a USA veteran licensed to sell goods under Mich. Public Act 359 of 1921 or is otherwise exempt from the permitting requirements of this Ordinance under state or federal law;
3. The operator is operating under the invitation of a special event permit holder, or a special event held by the City of Caro, or one of its agencies.

The City reserves the right to request documentation in support of any exemption.

Section 5. Applications

1. A person requesting a Transitory Food Service Unit permit must submit a written application no more than 6 months in advance, and no less than 14 days prior to the proposed operation date.
2. Applications are to be on forms provided by the City and must state under oath such facts as may be required for, or applicable to, the granting of the permit. The City reserves the right to request additional information or documentation regarding the application to ensure proper compliance with this Ordinance and the safety of the general public.
3. The applicant must pay a fee of in an amount set by City Council from time to time by resolution. Fees must be made payable to "The City of Caro". All payments must be made by cash , check, credit card, or electronic fund transfers.
4. The application fee is nonrefundable and does not guarantee approval by the City.
5. Permits are valid for 14 consecutive days. Each additional period of 14 days or less requires an additional application submitted in the same manner as an original application.
6. A Transitory Food Service Unit that is engaged in the business of selling prepared food that is cooked or heated with a device or appliance using any gas or liquid may not receive a permit until and unless the motor vehicle, conveyance, cart, stand, booth or other similar structure or fixture, device or appliance is reviewed or inspected by the Tuscola County Health Department.
7. Application Process
 - A. Applications must be submitted to: City of Caro, 317 South State Steet, Caro MI 48723 in accordance with the requirements this Ordinance for approval by either the City Manager or the Chief of Police.

- B. The City reserves the right to deny the application for incompleteness. No permit may be granted to any person owing any personal property taxes, money judgments, or any other indebtedness to the city, except for real property taxes and special assessments, or to any person using any personal property in the operation of a business upon which personal property taxes are delinquent.
- C. If, within 14 days from application submission, the applicant is unable to furnish any required or requested initial or supplemental documentation and/or delinquent payments, the application will be considered abandoned.

Section 6. Regulations

All the following regulations must be followed at all times by any Transitory Food Service Unit operating in the City:

1. Transitory Food Service Units may operate in zoning districts B-1 and B-2, as designated by the current City of Caro Zoning Map, and in designated public parks, and lots, or on private property. Those applying for a permit to operate on public property may only operate in designated spaces..
2. No Transitory Food Service Unit may operate within the vicinity of a hospital entrance or within 100 ft of the main entrance of a brick-and-mortar food service establishment.
3. Transitory Food Service Units may operate within the hours of 7:00 am and 10:00 pm on Sundays through Thursdays and 7:00 am and 12:00 am on Fridays and Saturdays unless the City Council approves additional permitted hours upon request of a Transitory Food Service Unit.
4. No Transitory Food Service Units may be left overnight, or unattended on public property, unless specified in a special events permit.
5. No Transitory Food Service Unit may block, obstruct, restrict, or otherwise interfere with the movement of vehicular traffic, or designated public parking.
6. No Transitory Food Service Unit may block, obstruct, restrict, or otherwise interfere with the flow of pedestrian foot traffic, movement or access to public walkways, trails or public amenities.
7. No furnishings are allowed on curbs, sidewalks, trails, in roads, pedestrian or vehicular right of ways. This includes, but is not limited to, lights, signs, banners, chairs, tables, or external waste receptacles.
8. The City of Caro reserves the right to permit furnishings on any public lawn, lot, park, or space. All furnishings must be included on a site plan and submitted with application

and must be in good quality condition. Furnishings are subject to approval by the City Manager or Chief of Police.

9. No liquid, solid, or food waste, or debris will be permitted to emit from the Transitory Food Service Unit. The permittee must keep the premises whereon said Transitory Food Service Unit is located free from their own rubbish, waste products, cans, bottles and debris including napkins, straws, paper cups and plates and other waste material.
10. Only reasonable vapors, steam or exhaust will be permitted to emit from the Transitory Food Service Unit.
11. Use of generators may be prohibited if its use, location, or condition is anticipated to create a nuisance to neighbors or pedestrians.
12. The Transitory Food Service Unit must comply with all local, state, and federal laws set forth by the Michigan Food Code, Michigan Health Department, USDA, Michigan Department of Agriculture, Michigan Secretary of State, Michigan Liquor Control Code, Internal Revenue Service, Tuscola County Health Department, or any other agency or entity with lawful jurisdiction over the Transitory Food Service Unit, its operation, and product sales.
13. Transitory Food Service Unit must comply with all regulations herein, and subsequent recommendations by the City of Caro. The Transitory Food Service Unit must furnish all documents as outlined, and any other proofs, or documents requested by Chief of Police.

Section 7. Indemnification

A Transitory Food Service Unit permit holder, and private property owner, agrees to hold harmless and indemnify the City of Caro, its agencies, its employees, or agents in all matters arising from the permitted application, and/or the operation of the Transitory Food Service Unit.

Section 8. Insurance

A Transitory Food Service Unit permit holder, operating on public property, must have no less than \$1,000,000.00 business liability insurance naming the City of Caro as an additional insured for approved dates of operation. Proof of business insurance must be submitted with permit application. Proof of insurance is due prior to the Transitory Food Service Unit permitted operation dates.

Section 9. Impoundment

Any equipment associated with a Transitory Food Service Unit that is not in compliance with this Ordinance and is left on public property may be impounded at the owner's sole expense.

Section 10. Non-exclusivity:

No provision in this chapter limits or intends to limit in any way the Transitory Food Service Unit, or its operator the right to offer or sell its products to the general public, other business entities, municipalities, or agencies before, during or after the operation permitted herein. The permit does not limit the City of Caro from freely engaging other persons, organizations, or businesses to provide the same or similar products or services at any time. Approval for a permit does not constitute approval or agreement to approve future applications.

Section 11. Revocation, Suspension, or Refusal; Appeal

Once a permit has been issued, the Zoning Administrator may, at any time, revoke or suspend a license for failure to comply with the provisions of this Ordinance or any rules or regulations promulgated by the City included, but not limited to one or more of the following reasons:

1. Failure to pay all required fees;
2. Fraud, misrepresentation or false statement contained in the application for a permit;
3. Fraud, misrepresentation or false statement made in the operation of a business;
4. Any violation amounting to a felony, or misdemeanor involving moral turpitude, resulting from or related to operation of a business in the City;
5. Conducting a business in an unlawful manner or in such manner as to constitute a breach of the peace or to constitute a nuisance per se to the health, safety or welfare of the public;
6. Failure to comply with an requirement of any authorized city official as it relates to the operation or business pertaining to the permit;
7. The failure of any applicant or permittee (including all employees, agents and representatives of the applicant or permittee) to meet and satisfy any provision of this Code or any other duly established rule or regulation of the city applicable to the business for which the permit has been requested or granted;
8. Failure to obtain any other required license or permit for the business from any federal, state or local agency or authority and lack of any evidence that such state license or permit has been obtained and proof that all fees pertaining thereto have been paid;
9. Failure to provide any information reasonably requested by the Zoning Administrator related to the application;
10. Failing to comply with this Ordinance.

The City must provide a permittee with reasonable notice and an opportunity to be heard before revoking or suspending a permit.

If a permit application is denied or a permit is revoked or suspended, the aggrieved party may appeal to the City Council in writing within ten days. If no appeal is timely filed, then the denial, revocation, or suspension is final.

Section 12. Other Permits

A permit obtained does not relieve any Transitory Food Service Unit of its responsibility for obtaining any other permit or license or authorization required by any other ordinance, statute, law or administrative rule promulgated by any entity with jurisdiction over the location or conduct considered within this Ordinance.

Section 13. Validity and Severability

Should any portion of this Ordinance be found invalid for any reason, such holding will not be construed as affecting the validity of the remaining portions of this Ordinance.

Section 14. Repealer Clause

Any ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 15. Violation

A violation of this ordinance is a municipal civil infraction and, in addition, the City of Caro is entitled to enforce this ordinance by seeking injunctive relief or any other remedy allowed by law.

Section 16. Effective Date

This ordinance is effective 30 days after publication.

87253:00001:6297338-3

Wastewater Treatment Plant Superintendent

City of Caro – Caro, MI 48723

The City of Caro is a hub of Michigan's Thumb region. The economic center and county seat of Tuscola County, the community is home to an ethanol bio-refinery, sugar beet processing plant, many small businesses focused on retail, professional, industrial, and agricultural services. While the City contains small medium-to-high density neighborhoods, it is surrounded by agricultural lands and many active farms. Caro is also home to numerous events and activities throughout the year including Cars & Crafts, Gingerbread Village, Tuscola County Pumpkin Festival, and the Tuscola County Fair.

Under the direct supervision of the City Manager, plans and directs the operations of the Department of Wastewater Treatment Services, has administrative and operational responsibility for all wastewater treatment functions including the operation and maintenance of the wastewater treatment plant and all mechanical infrastructure of the wastewater collection system. The Director is also responsible to coordinate assigned activities with other city departments and outside agencies; and to provide highly responsible and complex support to the City Manager on all wastewater treatment matters. This position is a member of the Public Utilities Interdepartmental Working Group along with the Director of Public Works. This position is also a member of the City of Caro's executive team and will have input related to the City's overall strategic goals and objectives.

FLSA Status: Management (Exempt); at-will

Supervised By: City Manager

Supervises: Subordinate union employees, non-union part-time employees, seasonal employees and/or paid/unpaid interns.

Position Summary:

Wastewater Treatment Plant Superintendent may be called upon to do any, or all, of the following: (These examples do not include all the tasks which the employee may be expected to perform.)

- Assumes full management and operational responsibility for the wastewater plant and lift stations for the wastewater collection system.
- Develops long and short-term capital and operational plans to ensure safe and efficient wastewater treatment.
- Plans, controls, and monitors budget to ensure fiscal responsibility. Approves purchases of materials, supplies and equipment and reviews vendor quotes to find the most competitive bid on major purchases. Performs wastewater rate and fees analysis and recommends changes.
- Communicates with developers and industrial, commercial, and residential customers to ensure service needs are being met.

- Assists in preparation of specifications, analyzes bids, presents recommendations to City Manager, and facilitates purchase of services, supplies and equipment.
- Responsible for oversight and authorization of all wastewater treatment and collection operations, including system improvements, construction, maintenance and repairs, and preventative maintenance programs, within established City policies.
- Develops all departmental policies and procedures in accordance with City requirements.
- Ensures the City of Caro wastewater follows all applicable laws and regulations, including but not limited to the EGLE, EPA and OSHA. Maintains, signs and submits all permit requirements including discharge notices as operator in charge.
- Oversees proper filing of all regulatory and City of Caro reporting requirements.
- Plans, implements, and promotes water conservation.
- Serves as technical advisor to the City Manager on utility and environmental issues and recommends new ordinances, ordinance amendments, new programs, and major policy changes.
- Provides input on general City issues including master planning, growth management, annexation, specific project reviews and personnel issues. Approves new construction as it relates to wastewater regulations.
- Addresses customer concerns and questions through various communication channels. Investigates wastewater complaints and seeks solutions.
- Responsible for the safety of all employees. Promotes a safe working environment through development of proper safety procedures and fostering a culture of safety minded employees.
- Plans for and maintains a knowledgeable, skilled and customer focused workforce. Evaluates workforce and formulates a training and professional development plan. Counsels employees and conducts disciplinary actions when necessary.
- Furthers the mission, vision, and values of the city through excellent customer service, creative problem solving, decision making, and stewardship of City resources.
- All other duties or projects as assigned by the City Manager.

KSAs: (Knowledge, Skills, Abilities)

The requirements listed below are representative of the knowledge, skills, abilities, and minimum qualifications necessary to perform the essential functions of the position. Reasonable accommodations may be made to enable individuals with disabilities to perform the job.

- Advanced knowledge of the principles and practices wastewater treatment and collection.

- Skill in developing, implementing, and maintaining procedures to enhance efficiency in department operations and coordinate activities across departments.
- Skill in the use of office equipment and technology, including Microsoft Office Suite applications, and the ability to master new technologies quickly.
- Ability to perform extensive research, compile complex data and prepare accurate records and reports, including financial analysis.
- Ability to establish effective working relationships and use good judgement, initiative and resourcefulness when dealing with the public, business, and community interests, elected officials, other employees, and professional contacts.
- Ability to effectively communicate and present ideas and concepts orally and in writing and make presentations in public forums.
- Knowledge of wastewater treatment processes and procedures, sampling procedures, and regulatory reporting requirements.
- Knowledge in the principles and practices of municipal budget preparation and administration.
- Knowledge of the principles of supervision, training, and performance evaluations.
- Familiarity with human resources and employee labor law and union issues.
- Understanding of pertinent Federal, State, and local laws, codes, and regulation

EDUCATION, EXPERIENCE & QUALIFICATIONS:

The applicant must possess at least an associate degree or equivalent (bachelor's degree preferred) in engineering, water and/or wastewater operations, biology, microbiology, chemistry, chemical engineering, public administration or similar AND at least 5-7 years of full-time experience in the field wastewater treatment, collection, operations and maintenance. The City of Caro reserves the right to consider other combinations of education and experience, at its discretion.

LICENSES/CERTIFICATION:

- Wastewater B License or Higher is **required**.
- State of Michigan S-2 Water Distribution and D-2 Limited Treatment licenses are *highly desirable*.

o Valid State of Michigan Vehicle Operator's License is **required**; Valid State of Michigan Commercial Driver's License, Class B with Airbrakes endorsement is *preferred*.

COMPENSATION: Salary \$70,000 - \$80,000, DOQ/E; Benefits include: Medical, dental, vision insurance, life insurance, STD/LTD, vacation, sick time, paid holidays, family friendly work environment, phone allowance and education reimbursement.

APPLICATION PROCESS: Qualified applicants should email resume, cover letter, and contact information for at least three (3) professional references to City Clerk Rita Papp. rpapp@carocity.net