

CITY OF REED CITY
REGULAR COUNCIL PROCEEDINGS
In Person and Virtual Meeting
April 19, 2021

Mayor Meinert called the meeting to order at 7:00 P.M. in Council Chambers, 227 E. Lincoln Avenue, Reed City, Michigan in person, and also electronically for participation via computer or phone.

- Present Mayor, Roger Meinert. Council Members: Nathan Bailey, Dan Burchett, Trevor Guiles, Russell Nehmer, Brad Nixon and Nicole Woodside. City Attorney, David Porteous and City Manager, Ron Howell, also attended in person. Department Heads attending electronically were, Curt Brackenrich, Rich Rehkopf, Barb Westerburg and Jeffrey Stein. Police Chief, Chris Lockhart, attended in person. The meeting was opened with the pledge to the flag. There were citizens attending in person and via electronically.
- Add/Delete Revision to Agenda: Under City Manager item No. 3 Disc Golf Project Work Plan move to Unfinished Business No. 1.
- Agenda Motion by Guiles, seconded by Burchett, **CARRIED**, to approve the Agenda as amended. Affirmed by voice vote.
- Minutes Motion by Burchett, seconded by Woodside, **CARRIED**, to accept the minutes of the March 15, 2021 regular meeting as presented. Affirmed by voice vote.
- Bills Motion by Woodside, seconded by Bailey, **CARRIED**, to approve paying bills as presented for payment for a grand total approved amount of \$276,824.78. Roll call vote. Voting yes were, Guiles, Nixon, Woodside, Bailey, Burchett, Meinert and Nehmer.
- Audience Deanna Murphy, of Reed City Brewing, appeared to request outdoor seating proposing two options for council's consideration. One option was for a smaller west side of the building option and one for a larger option. It was the opinion of the city attorney that a Peddler's Permit would not be needed for a food truck if the food truck was parked on the Brewery's private property and not public property.
- RC Brewery Motion by Guiles, seconded by Nehmer, **CARRIED**, to allow Reed City Brewing Co. to use the sidewalk area up to 48" from the outer edge of the sidewalk on any sidewalk that abuts their property for seating and dining through October 31, 2021. Affirmed by voice vote.
- Motion by Guiles, seconded by Nixon, **CARRIED**, to allow Reed City Brewing Co. to use the four northern most parking spaces on Higbee Street from the corner south through June 21, 2021 as a trial period to see what the impact might be, to be used for additional seating and dining and must allow a strip 48" in width on the sidewalk for pedestrian traffic. Affirmed by voice vote. Voting no was Nehmer and Bailey.
- Reports Chief Jeffrey Stein, Fire Dept., Police Chief Christopher Lockhart, Rich Rehkopf, DPW, and Curt Brackenrich, WWTP, filed written reports, Barb Westerburg, also submitted Financial Reports including a Revenue/Expenditure Report as of March 31, 2021.
- Motion by Guiles, seconded by Burchett, **CARRIED**, to approve the Department Head reports as submitted. Affirmed by voice vote.
- Disc Golf City Attorney Porteous reminded Council of the Purchasing Policy process and that the construction of the Disc Golf Project needs to be bid out. City Manager, Ron Howell, will bid the project out with a deadline of April 26 and present the bids at the Special Meeting on April 26, 2021.

- Sludge Contract Motion by Bailey, seconded by Nehmer, **CARRIED**, to approve the renewal of the sludge hauling contract with BioTech Agronomics with no rate increase for a period of two (2) years beginning July 1, 2021 through June 30, 2023 at \$0.315 per gallon for hauling from the North Plant and \$0.0329 per gallon for hauling from the South Plant. Roll call vote. Voting yes were, Bailey, Burchett, Meinert, Nehmer, Guiles, Woodside and Nixon.
- Resolution Motion by Bailey, seconded by Nehmer, **FAILED**, to adopt Resolution 2021-04 Excessive Force. Roll call vote. Voting yes were, Bailey, Meinert and Nehmer. Voting no were, Guiles, Nixon, Woodside and Burchett.
- Resolution Motion by Guiles, seconded by Woodside, **CARRIED**, to reconsider adopting Resolution 2021-04, Excessive Force. Roll call vote. Voting yes were, Nixon, Meinert, Guiles, Burchett, Nehmer, Bailey and Woodside.
- Resolution Motion by Guiles, seconded by Bailey, **CARRIED**, to adopt Resolution 2021-04, Excessive Force. Roll call vote. Voting yes were, Burchett, Nehmer, Bailey, Woodside, Guiles, Nixon and Meinert.

CITY OF REED CITY
Resolution No. 2021-04

WHEREAS the Congress of the United States has passed the Armstrong/Walker “Excessive Force” Amendment (Section 104 (L)(1) of Title I of the Housing and Community Development Act of 1974 as amended) prohibiting the use of excessive force by a local law enforcement agency against any individual engaged in nonviolent civil rights demonstration within its jurisdiction; and

WHEREAS the City of has received a Michigan Community Development Block Grant and is required to comply with the Armstrong/Walker “Excessive Force” Amendment; and

WHEREAS the use of excessive force against demonstrators may cause the CITY to lose its grant or eligibility for future federal grants;

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF REED CITY, MICHIGAN:

It is **POLICY** of the CITY that the use of excessive force is prohibited by local law enforcement agencies against individuals engaged in lawful and nonviolent civil rights demonstrations within the City.

The City will adopt and enforce a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstrations within jurisdictions

The City Council directs the Police Chief to implement this Resolution by amending applicable police department procedures.

The Resolution was moved by council member GUILES and seconded by council member BAILEY.

Members in favor of the Resolution: Burchett, Nehmer, Bailey, Woodside, Guiles, Nixon and Meinert.

Members opposed to the Resolution: None.

- Website It was the consensus of council to table discussion on the City website costs and services provided until the regular council meeting in May.
- Meeting Motion by Burchett, seconded by Guiles, **CARRIED**, to approve extending the meeting beyond 9:00 P.M. to finish the items under New Business and to add the remaining items on the Special Meeting Agenda on April 26, 2021. Affirmed by voice vote.

- Concerts 2021 Motion by Bailey, seconded by Guiles, **CARRIED**, to approve the City funding the additional \$1,500.00 to give a total of \$3,000.00 for the Crossroads Picnic Showcase 2021 concerts. Roll call vote. Voting yes were, Bailey, Burchett, Nixon, Guiles, Meinert, Nehmer and Woodside.
- Compensation City Attorney, Dave Porteous, advised council there is a clear process to amending the Charter to make a revision. Dave will review the Charter and outline the process of making an amendment, and get back with council in order to update the council compensation.
- ADA/curb/gutter Motion by Guiles, seconded by Woodside, **CARRIED**, to approve the bid from Gerber Construction Company in the amount of \$9,460.00 for ADA curb and gutter at Todd Street and Park Street. Roll call vote. Voting yes were, Bailey, Burchett, Guiles, Meinert, Nehmer, Nixon and Woodside.
- Comments Nate Bailey informed council that Paul Ebels condition has taken a turn for the worse.
- Dan Burchett reported Goodman’s store on north Chestnut, collapsed this evening. No one was inside at the time or was hurt.
- Roger Meinert reminded that Saturday, April 24th is Refresh Reed City 2021. He invited everyone to come out and lend a hand if they are available. A hot dog lunch is provided for all the volunteers’ compliments of the Ebels General Store.
- Adjourn Mayor Meinert adjourned the meeting at 9:21 P.M.

Jacalyn R. Beam, City Clerk