

**CITY OF REED CITY
REGULAR COUNCIL PROCEEDINGS
February 12, 2024**

Mayor Meinert called the meeting to order at 6:00 P.M. in Council Chambers, 227 E. Lincoln Avenue, Reed City, Michigan.

Present	Mayor, Roger Meinert. Council Members: Trevor Guiles, Russell Nehmer, Nicole Woodside, Brad Nixon and Dan Burchett. David Belden was absent. City Attorney, David Porteous and City Manager, Rich Saladin, were also in attendance. Department Heads attending were, Rich Rehkopf, Kadee Kidd, Chris Lockart Jeff Stein and Curt Brackenrich. The meeting was opened with the pledge to the flag. There were citizens in the audience.
Agenda	Motion by Guiles, seconded by Nehmer, CARRIED , to approve the agenda as presented with the deletion of #11 under new business Discussion and Action on Access Agreement between the City of Reed City and Osceola County land Bank Authority and the addition of new # 12 Discussion and Action on Bankruptcy Court/Opioid. Affirmed by voice vote.
Minutes	Motion by Woodside, seconded by Guiles, CARRIED , to accept the minutes of the January 8, 2024, regular meeting as presented. Affirmed by voice vote.
Bills	Motion by Guiles, seconded by Woodside, CARRIED , to approve paying total amount of \$905,691.38 as presented. Roll call vote. Voting yes were, Woodside, Nixon, Burchett, Meinert, Guiles, Belden, and Nehmer.
Reports	Chief Jeffrey Stein, Police Chief Christopher Lockhart, Rich Rehkopf, DPW, and Curt Brackenrich, WWTP, filed written reports. Kadee Kidd provided by email, Financial Reports including a Revenue/Expenditure Report as of January 31, 2024. Mayor Meinert told Chief Lockart to pass on to Officer Roger Collins from all council THANKS for a fantastic job. Motion by Nehmer, seconded by Woodside, CARRIED , to approve the Department Head reports as submitted. Affirmed by voice vote.
Chamber Incentives	Motion by Meinert, seconded by Guiles, CARRIED , to approve Chamber of Commerce depot rental incentives for renting the Reed City Depot as presented on a yearly trial basis. Voting yes were Meinert, Nixon, Guiles, Burchett, Nehmer, and Woodside.
Camping fees	Motion by Guiles, seconded by Nixon, CARRIED , to approve 2021-10 fee schedule under city park fees: updated camping, dumping, shower, and firewood fees as presented. Voting yes were Meinert, Nixon, Guiles, Burchett, Nehmer, and Woodside.

**CITY OF REED CITY
RESOLUTION NO. 2021-10 - SCHEDULE OF FEES**

Effective July 1, 2021

At a special meeting of the City Council of the City of Reed City, County of Osceola, Michigan, held in said City on June 28, 2021.

PRESENT: Bailey, Burchett, Guiles, Meinert, Nehmer, Nixon and Woodside
ABSENT: None.

The following resolution was offered by Councilperson BAILEY, seconded by Councilperson BURCHETT.

**RESOLUTION TO ADOPT AN UPDATED SCHEDULE
OF FEES FOR CERTAIN PERMITS AND SERVICES**

City Code Violations

City Charter- Penalties for Violations of Ordinances:

Section 7.6 The Council may provide in any ordinance for the punishment of those who violate its provisions. The punishment for the violation of any city ordinance shall not exceed a fine of five hundred dollars or imprisonment for ninety days, or both in the discretion of the court.

Metropolitan Extension Telecommunications Rights-of-Way Oversight Act (Act No. 48 of the Public Acts of 2002) ("Act")

The purposes of this code is to regulate access to and ongoing use of public rights-of-way by telecommunications providers for their telecommunications facilities while protecting the public health, safety, and welfare and exercising reasonable control of the public rights-of-way.

Application Fee. Except as otherwise provided by the Act, the application shall be accompanied by a one-time non-refundable application fee in the amount of \$500.00.

City Charter 1044.02 FIXING RATES.

The rates to be charged for water and sewage disposal service furnished by the system shall be as prescribed by the City Council. (1981 Code § 2.112)

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WHEREAS, Act 94 and the Bond Ordinance require the City Council to establish, by separate resolution of the City Council, rates and charges which will be sufficient to provide for the payment of the Water System's administration and operation expenses, such expenses for the Water System's maintenance as may be necessary to preserve it in good repair and working order and expenses incurred in the acquisition and construction of the Water System; to provide for the payment of principal of and interest on all bonds and junior lien bonds payable therefrom and when the bonds and junior lien bonds shall become due and payable; and to provide for such other expenditures and funds for the Water System as are required by Act 94 and the Ordinance;

WATER RATES

<u>Ready to Serve Charge – Effective with January 2023 billing cycle</u>		(Approved December 11, 2023)
<u>Meter Size</u>	<u>Monthly Charge</u>	<u>Volume Included</u>
5/8" 3/4"	\$ 15.00	0
1"	\$ 26.55	0
1 1/4"	\$ 40.95	0
1 1/2"	\$ 60.00	0
2"	\$ 106.80	0
3"	\$240.00	0
4"	\$426.75	0
6"	\$960.00	0
8"	\$1,339.05	0

Consumption Charge (Approved November 15, 2021)
\$2.58 per 1000 gallons

<u>Connection Fees</u>		
<u>Meter Size</u>	<u>Residential</u>	<u>Commercial</u>
5/8" - 3/4"	\$ 350.00	\$ 700.00
1"	\$ 420.00	\$ 840.00
1 1/2"	\$ 512.00	\$ 1,024.00
2"	\$ 695.00	\$ 1,390.00
3"	\$ 1,544.00	\$ 3,088.00
4"	\$ 2,779.00	\$ 5,558.00
6"	\$ 6,176.00	\$12,352.00
8"	\$11,001.00	\$22,002.00
10"	\$16,984.00	\$33,968.00

SEWER RATES

<u>Ready to Serve Charge</u>	<u>Meter Size</u>	<u>Monthly Charge</u>	<u>Volume Included</u>
	5/8" 3/4"	\$ 4.69	0
	1"	\$ 8.34	0
	1 1/4"	\$ 11.20	0
	1 1/2"	\$ 18.77	0
	2"	\$ 33.36	0
	3"	\$ 75.07	0
	4"	\$ 133.45	0
	6"	\$ 173.56	0
	8"	\$480.00	0

Consumption Charge
\$5.38 per 1000 gallons

<u>Connection Fees</u>		
<u>Meter Size</u>	<u>Residential</u>	<u>Commercial</u>
5/8" 3/4"	\$ 1,050.00	\$ 2,100.00
1"	\$ 1,260.00	\$ 2,520.00
1 1/2"	\$ 1,554.00	\$ 3,108.00
2"	\$ 2,324.00	\$ 4,648.00
3"	\$ 4,396.00	\$ 8,792.00
4"	\$ 9,296.00	\$ 18,592.00
6"	\$17,584.00	\$ 35,168.00
8"	\$37,100.00	\$ 74,200.00
10"	\$64,190.00	\$128,380.00

<u>Surcharge Fees</u>		
Phosphorus	\$3.488 per pound	>300 mg/L
BOD	\$.315 per pound	>7.5 mg/L

<u>Miscellaneous Fees</u>		
Delinquent account Shut Off fee	\$25.00	
Delinquent utility account which has to be added to tax roll for delinquency	\$50.00	
After hours call out fee	\$50.00	
Turn on fee – after a customer has requested that the water be turned off	\$10.00	

Solid Waste Collection Fees

1060.07 RATES FOR Residential GARBAGE COLLECTION SERVICES.

The rate for garbage collection services for each single-family residential unit shall be as established from time to time by Council.

Reed City uses a per bag charge to pay for residential waste collection. (Approved October 17, 2022)	
Garbage bags [Effective January 1, 2023]	\$ 25.90/package of 10
[Effective January 1, 2024]	\$ 27.20/package of 10
[Effective January 1, 2025]	\$ 28.60/package of 10
Reed City uses a monthly charge on the utility bill to pay for monthly clean up expenses	
Monthly Clean Up (Code CU) [Effective January 1, 2023]	\$2.44/ month
[Effective January 1, 2024]	\$2.56/ month
[Effective January 1, 2025]	\$2.69/ month
Yard Waste (Code YW)	\$2.00/month

1061.10 LICENSE; WASTE HAULERS.
Commencing on December 1, 1993, no person shall engage in the business of collecting, transporting, delivering, or disposing of solid waste in the City without first obtaining a Waste Hauler License.
Annual Waste Hauler License fee - Effective 7/1/2017 \$250.00

Property Tax Administration Fee

Whereas, in accordance with Section 44 (7) of Act No. 206 of P.A. of 1893
1% Property Tax Administration Fee

THEREFORE BE IT RESOLVED, by the Council of the City of Reed City, Michigan, that the City Treasurer, of the City of Reed City, be authorized to collect a 1 percent administration fee on all County and School Taxes collected before February 15, and an additional 3 percent late penalty charge from September 1 on County and School Taxes due August 31 and from February 15 on all County and School Taxes due February 14, until March 1 when the taxes are turned back to the County Treasurer for collection. DATED: June 15, 2020

Adopted March 15, 2004 effective May 1, 2004

Street Opening Permit	\$20.00	(After Hours \$30.00)
Curb Cuts	\$10.00	
Sidewalk Permit	\$40.00	
(Refundable security deposit plus proof of liability insurance) (Returned after inspection)		
Fence Permit	\$10.00	
Demolition Permit	\$50.00	
Outdoor Café Permit (initial permit)	\$100.00	- annual renewal \$25.00

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ZONING FEES

Zoning Compliance Permit	\$ 10.00
Rezoning Petition	\$200.00
Site Plan Review	\$100.00
Special Land Use Application	\$200.00
Variance Application	\$200.00

SIGN PERMIT

<u>Wall Mount</u>	\$10.00 for 1 – 50 sq ft \$15.00 for 51-100 sq ft \$20.00 for 101-150 sq ft \$25.00 for 150
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<u>Free Standing</u>	\$.60 per sq ft
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MISCELLANEOUS

Winter Parking Violations	\$30.00 plus towing charges
Accident Report	\$ 5.00
Photocopies	\$.10
Fax (sending)	\$.25 per page
Marriage Performed by Mayor	\$25.00
Notary Fee	\$10.00
NSF Fee	\$25.00

ASSESSMENT RECORDS

View tax assessment records	No Charge
Copy of a tax assessment record by a City resident	\$ 2.00 each
Copy of a tax assessment record by Appraisers, Realtors and non City residents	\$ 5.00 each
Parcel Division Application	\$45.00 each (Effective October 18, 2021)

DEPOT RENTAL RATES

Community Meeting Room:	Monday – Wednesday: \$20.00/hour
	Thursday – Sunday: \$25.00/hour Full Day Rental (any day): \$175.00/day

Outdoor Pavilion (any day): \$10.00/hour up to \$50.00 for Full Day

FIRE DEPT. TRAINING ROOM (effective July 2023)

Non-Profit – Resident	\$50.00
Non-Profit – Non-Resident	\$75.00
Profit Businesses – Resident	\$75.00
Profit Businesses – Non-Resident	\$100.00

CITY PARK FEES

Pavilion in either park	(Resident) \$50.00
	(Non-resident) \$75.00
Concession Building	\$100.00 plus \$100.00 security deposit
Ball Field rental	\$ 50.00 per day/night
Ball Field lights	\$ 5.00 per hour
Gazebo in Linear Park	\$10.00
Camp Sites	\$25.00 per night (Effective February 12, 2024)
Dumping Fees	\$10.00 Campers (Effective February 12, 2024)
Dumping Fees	\$15.00 Non-Campers (Effective February 12, 2024)
Shower key deposit	\$ 5.00 Charged if key not returned.
Firewood bundle	\$5.00 (Effective February 12, 2024)

PEDDLERS AND SOLICITORS

<u>Peddler (850.01)</u>	Per day	Per week	\$10.00
		Per year	\$30.00
<u>Solicitor (850.02)</u>	Per Day	Per Week	\$10.00
		Per Year	\$30.00
			\$60.00

WOODLAND CEMETERY - Burial Fees (Effective 2015)

Grave Opening		Weekdays	Saturday	Sunday	\$850.00
			\$480.00	\$325.00	
Adult			\$250.00		
Infant – Child under 3 years	\$200.00				
Cremains			\$150.00		
Family burial of Ashes are NOT ALLOWED					
Holidays			Burial rate applies plus additional \$400.00		

Winter Burial rates begin on December 1
Winter interments may be restricted during inclement weather at the discretion of the Sexton.

Additional Fee after 3:30 P.M. - \$100.00 per half hour per employee
Lot Transfer \$15.00

<u>Graves:</u>	Per grave (Residents) \$400.00
	Per grave (Non-Resident) \$600.00

Disinterment - Add \$100.00 to burial rate
Reinterment - Burial rate applies

Reimbursement for Cleanup of Dangerous or Hazardous Materials

1066.01 The purpose of this chapter is to enable the City of Reed City, hereinafter referred to as the City, to require reimbursement from those responsible for the leaking, spilling, or otherwise allowing certain dangerous or hazardous substances or materials to escape containment, thereby requiring cleanup and disposal by the City or its agents.
(Ord. 9.137, Passed 12-15-97)
Any such person or entity which fails to comply with Section 1066.04 shall be liable to and shall pay the City for its costs and expenses, including the costs incurred by the City to any party which it engages (which includes any fire suppression unit utilized) for the complete abatement, cleanup and restoration of the affected area. Costs incurred by the City shall include, but shall not be limited to, the following: actual labor costs of City personnel, including worker's compensation benefits, fringe benefits, administrative overhead, cost of equipment operation, cost of materials obtained directly by the City; and cost of and contract labor and materials.

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REMOVAL OF TREES, PLANTS, SHRUBBERY AND GRASS BY CITY.

674.06 ASSESSMENT OF COSTS BY CITY.

Whenever any tree, plant or shrubbery, or part thereof, or weeds, noxious weeds, and grass are growing in any street or public place, or upon private property contiguous to a street or sidewalk, or public place, or are a public nuisance as defined by this chapter, and are trimmed or removed by the City or its contractor, then, after the work is done, the City shall give five days notice, by regular mail, to the owner of such lot or parcel of land, at his or her last known address, to pay the cost of such trimming or removal of trees, plants, shrubbery, grass, noxious weeds, or weeds, or parts thereof. The expense shall include any actual costs or charges incurred by the City, plus any administrative charges as deemed necessary by the City Council. Said notice shall be accompanied by a statement of the amount of cost incurred, and in the event the same is not paid within thirty days after the mailing of said notice, then such amount shall be certified to the City Treasurer for collection of the same as other taxes and assessments are collected. The City Clerk or Treasurer may also file with the County Register of Deeds a statement of lien claim. This statement shall contain a legal description of the premises, the amount of the costs and expenses incurred, the date the weeds, grass, or other vegetation was cut or removed, and a notice that the City claims a lien in that amount.

674.99 PENALTY

Any violation of this chapter shall constitute a violation punishable as a municipal civil infraction. For purposes of enforcing this chapter, appearance citations may be issued by any police officer of the City. Increased civil fines may be imposed for repeated violations by a person of any requirement or provisions of this chapter. As used in this chapter, "repeat offense" means any second (or any subsequent) municipal civil infraction violation of the same requirement or provision committed by a person within a calendar year (January 01 - December 31) and for which the person admits responsibility or is determined to be responsible. The increased fine for a repeat offender shall be as follows:

- (a) The fine for any offense which is a first repeat offense shall be no less than one hundred dollars (\$100.00) plus reimbursement to the City for charges assessed for the expense of abatement, plus costs and other sanctions for each infraction.
- (b) The fine for any offense which is a second repeat offense or any subsequent repeat offense shall be no less than two hundred dollars (\$200.00) plus reimbursement to the City for charges assessed for the expense of the abatement, plus costs and other sanctions for each infraction.
- (c) If the offender has received a municipal civil infraction citation during the previous calendar year for an offense of this chapter, after serving an abatement notice for the current calendar year, the person shall be deemed a chronic offender and fines for the first repeat offense shall be increased to \$200 and increased to \$400 for any second or subsequent repeat offense plus reimbursement to the City for charges assessed for the expense of the abatement, plus costs and other sanctions for each infraction.

Ord. 001-2020. Passed 9-21-2020.

UNIFORM TRAFFIC CODE VIOLATIONS

****The below listed violations are by example and not limited by those presented and do not include any fees imposed by the Court.

430.05 TRAFFIC TICKETS AND VIOLATION NOTICES.

The issuance of a traffic ticket or notice of violation by a police officer of the City shall be deemed an allegation of a parking violation. Such traffic ticket or notice of violation shall indicate the length of time in which the person to whom the same was issued must respond before the Parking Violations Bureau. It shall also indicate the address of the Bureau, the hours during which the Bureau is open and the amount of the penalty scheduled for the offense for which the ticket was issued and advise that a warrant for the arrest of the person to whom the ticket was issued will be sought if such person fails to respond within the time limit. (1981 Code § 10.105)

430.06 SCHEDULE OF FINES.

The following schedule of fines shall apply for all violations relating thereto:

OFFENSE	UTC SECTION	PENALTY
Parking too far from curb	(8.1, 8.2)	*
Angle parking violations	(8.3)	*
Obstructing traffic	(8.5)	*
Prohibited parking (signs unnecessary)	(8.10)	
(a) on sidewalk		*
(b) in front of drive		*
(c) within intersection		*
(d) within 15 feet of hydrant		*
(e) on cross walk		*
(f) within 20 feet of cross walk or 15 feet of corner lot lines		*
(g) within 30 feet of street side traffic sign or signal		*
(h) within 50 feet of railroad crossing or within ten feet of the nearest track of a railroad track		*
(i) within 20 feet of fire station entrance		*
(j) within 75 feet of fire station entrance on opposite side of street (signs required)		*
(k) beside street excavation when traffic obstructed		*
(l) double parking		*
(m) on bridge		*
(n) within 200 feet of accident where police in attendance		*
(o) blocking emergency exit		*
(p) blocking fire escape		*
In prohibited zone (signs required)	(8.10(r))	*
In alley	(8.13)	*
Parking for prohibited purpose	(8.14)	
(a) displaying vehicle for sale		*
(b) working on or repairing vehicle		*
(c) displaying advertising		*
(d) selling merchandise		*
(e) storage over 48 hours		*
Wrong side of boulevard roadway	(8.15)	*
Loading zone violation	(8.16, 8.17)	*
Bus, parking other than bus stop	(8.19)	*
Failure to set brakes	(5.58)	*
Parked on grade wheels not turned to curb	(5.58)	*
Parking when prohibited for snow removal plus, if impounded, towing fee	(8.26)	*
Bicycle parking violations	(6.17)	*

* The penalty (fine) for a violation of any offense in this section shall be \$30.00 as established by resolution of the City Council. (Ord. Unno. Passed 6-17-96; Ord. 007-05-A. Passed 12-18-06.)

430.07 PARKING IN MUNICIPAL PARKING LOTS.

No person shall park in a municipal parking lot in violation of any of the posted signs. A person who parks a vehicle in a municipal parking lot in violation of any of the posted signs will be subject to a fine as provided in Section 430.06 and the vehicle may be towed and the person is responsible for all towing and storage costs. (Ord. 006-06. Passed 12-18-06.)

I, Jacalyn R. Beam, the duly qualified City Clerk for the City of Reed City, Michigan do certify that the foregoing is a true copy of a Resolution adopted by the Reed City Council, Osceola County, Michigan, at a special meeting held on June 28, 2021.

Jacalyn R. Beam, City Clerk

002-2024

Pet Ordinance Guiles introduced Pet Ordinance to amend the code of the City of Reed City Ordinance 606.02 (e) of Chapter 606. A public hearing will be held at March 2024 Council Meeting.

Resolution 2024-01 Motion by Guiles, seconded by Nixon, **CARRIED**, to approve Resolution 2024-01 Poverty Exemptions as presented with adding dollar sign where noted. Voting yes were Meinert, Nixon, Guiles, Burchett, Nehmer, and Woodside.

RESOLUTION # 2024-01

RESOLUTION ESTABLISHING POVERTY GUIDELINES FOR EXEMPTION FROM PROPERTY TAX CONTRIBUTIONS FOR 2024

WHEREAS, the adoption of guidelines for poverty exemptions is within the purview of the City Council; and

WHEREAS, the principal residence of persons who, in the judgement of the Board of Review, by reason of poverty, are unable to contribute to the public charges is eligible for exemption in whole or in part from taxation under Public Act 390 1994 (MCL 211.7u); and

WHEREAS, pursuant to PA 390 of 1994, the City of Reed City, Osceola County adopts the following guidelines for the Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year;

To be eligible, a person shall do all of the following on an annual basis:

- 1) Be an owner of and occupy as a principal residence the property for which an exemption is requested.
- 2) File a claim with the assessor or Board of Review using Form 5753 Application for MCL 211.7u. Form needs to be accompanied by federal and state income tax returns for all persons residing in the principal residence or file form 4988 Poverty Exemption Affidavit if you are not required to file a Federal Income Tax Return.
- 3) Produce a valid driver's license or other form of identification if requested.
- 4) Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.
- 5) File a claim reporting that the combined assets of all persons do not exceed the current guidelines.
- 6) Meet the current year federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services.
- 7) The application for an exemption shall be filed after January 1, but one day prior to the last day of the December Board of Review. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.

The following are the 2023 federal poverty income guidelines which are updated annually by the United States Department of Health and Human Services. The annual allowable income includes income for all persons residing in the principal residence.

Size of Family Unit	2023 Poverty Guidelines
1	\$15,060
2	\$20,440
3	\$25,820
4	\$31,200
5	\$36,580
6	\$41,960
7	\$47,340
8	\$52,720
9	\$58,100
10	\$63,480
For each additional person	\$5,380

Total Liquid and non-homestead assets along with non-essential personal property shall not exceed \$7,500 per individual or \$15,000 per household. For purposes of this paragraph, the Board of Review shall consider the value of the assets and shall not reduce such value by any indebtedness owed on such assets, or indebtedness otherwise owed by the applicant.

- Liquid assets to be considered include cash, unrestricted deposits and accounts, securities, bonds, promissory notes, stocks, and other similar type of assets.
- A second home, land, vehicles.
- Recreational vehicles such as campers, motor-homes, boats and ATVs.
- Buildings other than residence.
- Jewelry, antiques, artwork.
- Equipment, other personal property of value.
- Bank Accounts over \$10,000, stocks.
- Money received from the sale of property, such as stocks, bonds, a house or car (unless a person is in the specific business of selling such property).
- Withdrawals of bank deposits and borrowed money.
- Gifts, loans, lump-sum inheritances and one-time insurance payments.
- Food or housing received in lieu of wages.
- Federal non-cash benefit programs such as Medicare, Medicaid, food stamps and school lunches.

WHEREAS, if a person meets all eligibility requirements in statute, the Board of Review must grant a full exemption equal to 100% reduction in taxable value; and

WHEREAS, pursuant to PA 253 of 2020, (MCL 211.7u(8)), the City of Reed City can carry a poverty exemption that was granted in 2019 or 2020, forward to 2021, 2022, and 2023 for those persons who receive a fixed income solely from public assistance that is not subject to significant annual increases (Federal Supplemental Security Income, Social Security disability or retirement benefits) by filing Form 5739 Affirmation of Ownership and Occupancy to Remain Exempt by Reason of Poverty.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Assessor and Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption. Any denial shall be communicated in writing to the claimant.

The foregoing resolution offered by City Council Member Guiles and supported by City Council Member Nixon.

Upon roll call vote, the following voted:

"Aye": Burchett, Nehmer, Woodside, Giles, Nixon and Meinert.

Absent: Belden.

"Nay": n/a

ATTESTED BY _____ DATE _____

DWSRF 23/24

Change order 1 Motion by Guiles, seconded by Woodside, **CARRIED**, to approve change order #1 DWSRF 23/24 as presented. Voting yes were Meinert, Nixon, Guiles, Burchett, Nehmer, and Woodside.

Water Parts Motion by Guiles, seconded by Nehmer, **CARRIED**, to approve water bid parts to Ferguson for \$11,951.50 as presented. Voting yes were Meinert, Nixon, Guiles, Burchett, Nehmer, and Woodside.

Dep. heads

Vacation Days Motion by Nehmer seconded by Guiles, **CARRIED**, to approve 2023-11 updated vacation day years of service as presented. Voting yes were Meinert, Nixon, Guiles, Burchett, Nehmer, and Woodside.

**CITY OF REED CITY
DEPARTMENT HEAD/ADMIN
BENEFIT RESOLUTION
Resolution 2023-11
Effective July 1, 2023**

WHEREAS, the City Council of the City of Reed City, Michigan, pursuant to the provisions of Section 5.16 of the City Charter has heretofore established the positions of the Department Heads and Administrative Officers and designated benefits and;

WHEREAS, it is necessary to enumerate the benefits from time to time;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Reed City, Michigan that the following benefits are provided to Department Heads and Administrative Officers effective July 1, 2023.

A. Insurance

1. Life Insurance: Term life insurance for each Department Head in the amount of Fifty Thousand (\$50,000) dollars except the Chief of Police which will be in the amount of One Hundred Thousand (\$100,000) dollars.
2. Medical Insurance: Blue Cross Blue Shield SB Gold 1500 Medical Insurance is current plan.
Employee Monthly Copay: Calculated by using state hard cap and age and number of current employees. This is susceptible to change in January 2024 based on introduction of new plans and compliance PA 152. Available to all full-time employees.
Employees are now allowed to have more than one medical insurance plan and Treasury "hard cap" would be subtracted from the individual premium to determine total coverage to be split amongst the participants of the plan.
3. Dental Insurance: (80/50/50)
4. Optical Insurance: (24-24-24)
5. Payment in lieu of Medical Insurance coverage is the amount \$500.00 per month.
6. Health Care Savings Plan: The City agrees to adopt Health Care Savings Plans selected by majority vote of the non-union employees that allows employees to authorize a payroll deduction deposit of pre-tax earnings to that plan.
7. Sick and Accident Insurance: The City agrees to pay for all full-time employees to be on a Short-Term Disability (STD) and Long Term Disability (LTD) insurance through the Municipal Employees Retirement System of Michigan – Standard Insurance Company of Portland, Oregon, with plan based on paying 66 2/3 of base pay not to exceed \$1,000/week.

B. Retirement

Municipal Employees Retirement System of Michigan Defined Benefit Plan B-3 with F55/15 rider. New Employees after October 19, 2009 will receive B-2 Plan with F55/25.

C. Vacations

Employees shall be eligible for vacation according to the following schedule:

Years of Service	Days Paid Vacation
Less than 5	10
At least 5 but less than 10 or step 3 or 4 on Dept Head Pay Scale	15
At least 10 or Step 5 or higher on Dept Head Pay Scale	20

A maximum accumulation equal to twice the employee's annual benefit may be carried over from, fiscal year to fiscal year.

D. Sick Leave

All employees shall accumulate paid sick leave on the basis of one (1) day of paid sick leave for each month of service with a maximum accumulation of one hundred forty five (145) days.

- A. After reaching the maximum an employee does not earn monthly days but if sick may use the bank then "re-earn" the days to the maximum.
- B. Those employees who are eligible to retire may (1) request a full pay out at their current rate of pay; (2) transfer accumulated sick leave to a city or private retirement account or current city health savings account (HSA) in accordance with the maximums allowed by the plan or federal or state regulations.
- C. For those employees currently not eligible to retire, upon reaching 70 days of accumulated sick leave they may transfer up to 10 days in January of each calendar year to a city or private retirement account or current city health savings account (HSA) in accordance with the maximums allowed by the plan or federal or state regulations. Those days transferred or paid out shall be subtracted from the accumulation and permanently reduce the maximum accumulation (145 days) allowed.
- D. Sick Leave Payout: If and when an employee retires (and begins receiving benefits under the MERS program) from his employment, or if the employee is forced to terminate his employment due to medical reasons, any unused accumulation of sick leave shall be paid at one hundred (100%) per cent of the employee's current rate of pay when said employee retires, up to 145 days.

If an employee voluntarily leaves the employ of the City under any other condition, he shall receive fifty (50%) per cent of his sick leave accumulation, provided he has at least two (2) years of continuous service with the Employer.

In the event the employee is laid-off, he/she shall receive one hundred percent (100%) of his/her sick leave accumulation, up to 145 days.

E. Funeral Leave

Employees may be granted a paid Funeral leave to attend the funeral of a member of the immediate family. Paid leave shall be limited to three (3) regularly scheduled workdays for the Lower Peninsula or five (5) days if outside the Lower Peninsula. The immediate family is defined as spouse, child, parent, grandparent, brother, sister, mother-in-law, father-in-law, brother-in-law, and sister-in-law, son-in-law and daughter-in-law.

F. Holidays

The following are designated as holidays:

- New Year's Eve Day
- New Year's Day
- Martin Luther King Jr's Birthday
- President's Day
- Good Friday
- Memorial Day
- Juneteenth (Emancipation Day)
- Independence Day (July 4)
- Labor Day
- Thanksgiving Day
- Friday after Thanksgiving
- Christmas Eve Day
- Christmas

G. Personal Days

Employees shall be entitled to five (5) personal leave days per fiscal year.

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H. **Longevity Pay**
Employees shall be paid an annual lump sum longevity payment, based on their hiring anniversary date, on the first pay period in November as follows:

Years of Service	Longevity Pay
At least 3 but less than 6	\$400.00
At least 6 but less than 11	\$600.00
At least 11 but less than 16	\$750.00
At least 16 but less than 21	\$850.00
21 or more	\$950.00

I. **Work Clothing/Uniform Allowance**
The City will provide an allowance for the Department Heads of the Public Works, Wastewater, and Police Departments for obtaining approved work clothing or uniforms.
An allocation of \$416.00 will be designated for the Police Department to have their uniforms dry cleaned.
The City will provide an allotment to the Director of Public Works and the Wastewater Treatment Plant Superintendent for safety shoes.
The City will provide at hire 1 Pair of Approved Safety summer and winter Shoes or Boots (75 lb. test per ANSI Z41.1 – 1967) not to exceed \$200 value each of the employees choice. The employee turns them in when damaged or unusable for replacement by employer with equal or better pair.

J. **Automobile Allowance**
The Director of Public Works, Wastewater Treatment Plant Superintendent and Chief of Police will be provided, depending on availability, either a City owned vehicle for official use or an equivalent monetary allowance for using their private vehicle on official business.
All other Department Heads and Administrative employees shall be reimbursed mileage for using their private vehicle on official business at the prevailing IRS rate.

K. **Phone Allowance**
Any full-time regular employee who is offered by the City Manager to compensate them for the use of their personal cell phone for City business, and accepts, shall be paid \$30/month.
All previous provisions inconsistent with this resolution are hereby declared not applicable.
The foregoing resolution declared approved on this date June 12, 2023.

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Reed City, County of Osceola, State of Michigan, at a regular meeting held on June 12, 2023 the original of which is on file in my office and available to the public. Public notice of said meeting was given pursuant to and in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan of 1976, including in the case of a special or rescheduled meeting, notice by posting at least eighteen (18) hours prior to the time set for said meeting.

Dated: June 12, 2023

Amye Hensel, City Clerk

Lamar Motion by Nehmer, seconded by Guiles, **CARRIED**, to approve Lamar sign contract as presented with City Manager to sign. Voting yes were Meinert, Nixon, Guiles, Burchett, Nehmer, and Woodside.

Phase 2 WWTP Change order 4 Motion by Guiles, seconded by Woodside, **CARRIED**, to approve phase 2 WWTP change order #4 as presented. Voting yes were Meinert, Nixon, Guiles, Burchett, Nehmer, and Woodside.

Metro Act City Manager will get with Point broadband to inquire on a getting stipend for this and will come back at the March 11, 2024, Council Meeting.

Ord 001-2024 116 E Osceola Brad Nixon introduced to rezone 116 E Osceola from a R-3 to a C-2 as recommended by Planning Commission. A Public hearing will be held March 11, 2024, at 6:00.

Rental inspection Discussion on rental inspections within the City of Reed City. Councilperson Burchett talked with City of Evart about their proposed rental agreement. Burchett reported what they have in place and what is being proposed and all cities in the surrounding counties have a policy. City Attorney recommended City Manager to check insurance liability issues.

Resol 2024-02 Motion by Guiles, seconded by Meinert, **CARRIED**, to approve 2024-02 performance resolution for Municipalities as presented. Voting yes were Meinert, Nixon, Guiles, Burchett, Nehmer, and Woodside.

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Resolution
2024-02

Michigan Department
of Transportation
2207B (05/21)

PERFORMANCE RESOLUTION FOR MUNICIPALITIES

Page 1 of 2

This Performance Resolution (Resolution) is required by the Michigan Department of Transportation for purposes of issuing to a Municipality an "Individual Permit for Use of State Highway Right of Way", and/or an "Annual Application and Permit for Miscellaneous Operations within State Highway Right of Way".

RESOLVED WHEREAS, the _____ City of Reed City _____

(County, City, Village, Township, etc.)

hereinafter referred to as the "MUNICIPALITY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the MUNICIPALITY agrees that:

1. Each party to this *Resolution* shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this *Resolution*, as provided by law. This *Resolution* is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. If any of the work performed for the MUNICIPALITY is performed by a contractor, the MUNICIPALITY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employee's, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the MUNICIPALITY. Failure of the MUNICIPALITY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.
3. Any work performed for the MUNICIPALITY by a contractor or subcontractor will be solely as a contractor for the MUNICIPALITY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the MUNICIPALITY, or their subcontractors or any other person not a party to the PERMIT without the DEPARTMENT'S specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the MUNICIPALITY.
4. The MUNICIPALITY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.
5. The MUNICIPALITY will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the MUNICIPALITY'S facilities according to a PERMIT issued by the DEPARTMENT.

MDOT 2207B (05/21)

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6. With respect to any activities authorized by a PERMIT, when the MUNICIPALITY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.
7. The incorporation by the DEPARTMENT of this *Resolution* as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
8. This *Resolution* shall continue in force from this date until cancelled by the MUNICIPALITY or the DEPARTMENT with no less than thirty (30) days prior written notice provided to the other party. It will not be cancelled or otherwise terminated by the MUNICIPALITY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the MUNICIPALITY.

Title and/or Name:

Rich Rehkopf, DPW Superintendent

Rich Saladin, City Manager

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by

the _____ Reed City Council _____

(Name of Board, etc.)

of the _____ City of Reed City _____ of _____ Osceola _____

(Name of MUNICIPALITY) (County)

at a _____ Regular City Council _____ meeting held on the _____ 12th day

of _____ February _____ A.D. _____ 2023 _____.



Signed

City Clerk

Tilla

Amye Hensel

Print Signed Name

Personnel Com Motion by Guiles, seconded by Burchett, **CARRIED**, to establish a personnel advisory committee that consists of, City Manager, no more than three council members and others as needed appointed by Council, meeting as needed. Voting yes were Meinert, Nixon, Guiles, Burchett, Nehmer, and Woodside.

Lawsuit Motion by Meinert, seconded by Nehmer, **DENIED** to approve on a claim for opioid/bankruptcy and City Manager to sign as presented. Voting no were Meinert, Nixon, Guiles, Burchett, Nehmer, and Woodside.

Consent Agenda Motion by Guiles, seconded by Nixon, **CARRIED**, to approve consent agenda as presented. Affirmed by voice vote.

City Manager Rich Saladin submitted a written report and highlighted the following:

- Sidewalks on Upton will get picnic tables and umbrellas this summer.
- Bob Tolan coming to next meeting for DDA or set up a special meeting. Talking about the history of the DDA.
- Complement Fleis and Vandenbrink Scott and Levi are wonderful and work with on projects. Great Job to Rich Rehkopf and Curt Brackenrich! Both are so involved in these projects. They go above and beyond the normal workload. Kudos to Rich and Curt.

Mayor Report: Motion by Guiles, seconded by Woodside, **CARRIED**, to accept Karen McKinney to Board of Review. Affirmed by voice vote.

Attorney Report Planning commission may want to give some thought to backyard livestock farmers.

Council Dan Burchett: Boy Scout Chili Cook off on 2-24-2024.

Audience Charles Lupo, 320 N Higbee Street, is very passionate about rental properties. He said when you own a property, it is your responsibility to make sure it is secure. We need to keep these landlords accountable with inspections in Reed City. He would like the city to have some guidelines for rentals so they are safe. Please consider rental inspections for tenant and landlord so all are safe and secure.

Adjourn Mayor Meinert adjourned the meeting at 7:45 P.M.