

# CITY OF MARINE CITY

## City Commission Meeting Agenda

Guy Community Center, 260 South Parker Street  
Regular Meeting: Thursday, October 21, 2021; 7:00 PM

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### 1. CALL TO ORDER

### 2. MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE

### 3. ROLL CALL: Mayor Cheryl Vercammen; Commissioners Jacob Bryson, Elizabeth Hendrick, Wendy Kellehan, William Klaassen, John Kreidler, Brian Ross; City Manager Holly Tatman

### 4. APPROVE AGENDA

### 5. PUBLIC COMMENT

Anyone is welcome to address the City Commission. Please state name and limit comments to five (5) minutes. This is a time for you to raise issues. The Commission will not respond, but issues will be followed up on as necessary.

### 6. APPROVE MINUTES

- a. City Commission Meeting – September 2, 2021
- b. City Commission Meeting – October 7, 2021

### 7. CONSENT AGENDA

- a. Departmental Activity Reports
- b. MCAFA Run Report
- c. Planning Commission Meeting Minutes – September 13, 2021
- d. Correspondence

### 8. FINANCIAL BUSINESS

- a. Expenditures (including payroll) - \$669,540.55

### 9. PUBLIC HEARING

- a. Zoning Code Amendments – Chapter 160

### 10. UNFINISHED BUSINESS

- a. Ordinance 2021-02 – Amendment to Section 92.03 Open Burning – 2<sup>nd</sup> Reading/Adoption

### 11. NEW BUSINESS

- a. Zoning Code Amendments – Chapter 160
- b. 2020-2021 Office Accounting & Audit Update
- c. Water Tower Repairs
- d. Minute Taking Including Attorney-Client Communication
- e. Attorney Client Communication on Pension & Retiree Healthcare Eligibility

### 12. ITEMS REMOVED FROM CONSENT AGENDA

**13. CITY MANAGER'S REPORT**

**14. COMMISSIONER PRIVILEGE/LIAISON REPORTS**

**15. ADJOURNMENT**

**City of Marine City  
City Commission  
September 2, 2021**

A regular meeting of the Marine City Commission was held on Thursday, September 2, 2021 at 260 South Parker Street, Marine City, and was called to order by Mayor Vercammen at 7:00 pm.

Present: Mayor Cheryl Vercammen; Commissioners Jacob Bryson, Elizabeth Hendrick, Wendy Kellehan, William Klaassen, Brian Ross; Interim City Manager Michael Itrich; City Clerk Kristen Baxter

Absent: Commissioner John Kreidler

Motion by Commissioner Ross, seconded by Commissioner Bryson, to excuse Commissioner Kreidler from the meeting. All Ayes. Motion Carried.

Also Present: City Attorney Robert Davis

**APPROVE AGENDA**

Motion by Commissioner Hendrick, seconded by Commissioner Ross, to approve the Agenda with the following amendments:

- Add Special Event – Friends of City Hall Concert to Consent Agenda
- Move Cancellation of September 16, 2021 to Items Removed From Consent Agenda

All Ayes. Motion Carried.

**PUBLIC COMMENT**

Public comment was given by Phil Oleksiak.

Public comment was given by Judy White.

**APPROVE MINUTES**

Motion by Commissioner Bryson, seconded by Commissioner Klaassen, to approve the City Commission meeting minutes of July 15, 2021. All Ayes. Motion Carried.

Commissioner Kellehan clarified her vote regarding the July 15, 2021 minutes.

Commissioner Hendrick questioned if the Board was going to address Mr. Oleksiak's request to amend his statement given during public comment at the August 19, 2021 meeting. City Clerk Baxter spoke to her formal training and instruction regarding minute taking and advised that under no circumstance should the public be able to weigh in on what was stated in the minutes and that minutes regarding public comment should be very minimal. She advised that she would be willing to change the minutes to reflect: Phil Oleksiak made comment on the sale of City property.

Commissioner Hendrick also expressed her opinion regarding why she believed it was important to include a lot of detail in the minutes. She stated that eventually recordings disappear and all you have left are the minutes.

City Attorney Davis stated that the law required only date, time and the action taken to be included in meeting minutes.

Motion by Commissioner Bryson, seconded by Commissioner Klaassen, to approve the City Commission meeting minutes of August 19, 2021 with the revision to Mr. Oleksiak's public comment. Ayes: Bryson, Kellehan, Ross, Vercammen. Nays: Hendrick, Klaassen. Motion Carried.

## **CONSENT AGENDA**

Presented:

- Communication from Jim Turner
- Cancellation of September 16, 2021 meeting
- SCC Gypsy Moth Program
- Special Event – Tenyer's Automotive 2<sup>nd</sup> Annual Customer Appreciation & Memorial Car Show
- Special Event – MC Chamber of Commerce Pumpkin Palooza
- Business License – Harvest Church
- Business License – Back Door Grill
- Special Event – Friends of City Hall Concert

Motion by Commissioner Bryson, seconded by Commissioner Ross, to approve the Consent Agenda items A & C-H. **Roll Call Vote.** Ayes: Bryson, Hendrick, Kellehan, Klaassen, Ross, Vercammen. Nays: None. Motion Carried.

## **FINANCIAL BUSINESS**

### Expenditures



Motion by Commissioner Kellehan, seconded by Commissioner Bryson, to approve total expenditures including payroll, in the amount of \$110,658.75. **Roll Call Vote.** Ayes: Bryson, Hendrick, Kellehan, Klaassen, Ross, Vercammen. Nays: None. Motion Carried.

## **UNFINISHED BUSINESS**

### Ratification of Level 3 Background Investigation for New City Manager

City Attorney Davis spoke to the timeline of events regarding the background investigation for the new City Manager including: the formation of a subcommittee to select potential candidates to be interviewed, the unanimous vote to hire Mrs. Tatman, the subcommittee's work with City Attorney Davis to draft a contract, which was ultimately approved by Commission, the motion by Commission to do a level 2 background investigation, and the signing of the employment agreement subject to an enhanced background investigation, the level of which was not identified in the employment agreement.

City Attorney Davis informed the Board that the subcommittee had met, as a whole, to analyze levels 2 and 3 of the background investigation and they had come to the conclusion that portions of the level 2 background were too intrusive and requested Mr. Davis' permission to address modifications; he stated it was acceptable if the subcommittee agreed, as a whole, to the changes. He informed the Board that although he was not at the meeting, it was conveyed that a unified decision was made to do the level 3 background investigation.

City Attorney Davis informed the Board that Fifer Investigations then sent in their investigation dated August 13, 2021 with an invoice that did not identify the level of investigation. He stated that he personally contacted Mr. Fifer to reissue the invoice identifying the level of investigation completed, which was done. City Attorney Davis gave his opinion that the Interim City Manager accepted the initial investigation report as what was ordered since the invoice did not state anything differently. The background report was then put into the employee's personnel file; from there, the investigation report made its way out of the personnel file and into communications with others. City Attorney Davis confirmed that the initial background report provided was not a level 3 and was inadequate however, the level of report was not identified on the invoice and he gave his opinion that there was no one in the City office who would have been qualified to tell the difference in the levels of background investigation therefore, the initial background provided was accepted as satisfactory.

City Attorney Davis stated he then worked directly with Fifer Investigations to perform a full level 3 investigation background which was recently provided to the City Commission via email. He stated that because of the process that had taken place, he had advised

the Commission to take action to ratify the decision to accept and receive the level 3 investigation report.

Commissioner Hendrick stated her opinion that the Board was misled and made to believe the level 2 investigation was performed and completed prior to the Commission voting to approve the City Manager's contract at the previous City Commission meeting. She confirmed the subcommittee discussed a level 3 background however, she had informed the subcommittee that the City Commission had voted on a level 2 background report and they had to follow the decision of the City Commission. Commissioner Hendrick stated that she thought the subcommittee meeting ended but instead the meeting went on in the Clerk's office without her being present. She also stated that she was approached by Chief Heaslip after the August 19, 2021 meeting and, at that time, he provided her with information on the background report that had not been provided in the Commissioner packets.

Commissioner Hendrick questioned what Board Members were provided with an anonymous letter as she was informed that an anonymous letter had been sent to the City offices and it was her belief the letter should have been released to the Board. City Attorney Davis stated he had been contacted about the letter and advised that if the letter contained merit or had veracity it should be released. Commissioner Hendrick questioned Interim City Manager Itrich as to what the letter said and he replied that he had not read the letter and said it was addressed to the Mayor and Mayor ProTem. Commissioner Hendrick inquired why the letter was not shared with the Commission. Mayor Vercammen advised that she was in receipt of the anonymous letter, addressed to her, and she determined the information to have no merit.

Commissioner Hendrick questioned if a complaint was made by a City staff member regarding the anonymous letter and the initial background investigation and what was done with the complaint and when was it filed. Interim City Manager Itrich and City Attorney Davis responded that they had not received a complaint from a City staff member.

Commissioner Hendrick questioned why the subcommittee continued to meet once she had left the building. Mayor Vercammen and City Clerk Baxter responded that the meeting did not continue. Commissioner Hendrick sought confirmation from Chief Heaslip that while in the subcommittee meeting they had agreed to keep the investigation at a level 2; he confirmed. City Attorney Davis stated that he had had a conversation with Commissioner Hendrick at which time she had agreed to remove some portions of the level 2 background, including medical. City Clerk Baxter informed the Board that once the subcommittee meeting had ended, she went to her office to contact the City Attorney to verify that the changes made by the subcommittee were acceptable.

Commissioner Hendrick distributed to each Board member two separate letters addressed to Fifer Investigations. She questioned if the letter approving the level 2 investigation was signed and submitted to Fifer Investigations. She then claimed that a second letter materialized that had the level 2 investigation removed and asked for confirmation from Interim City Manager Itrich which letter was sent to Fifer Investigations. Interim City Manager Itrich responded and said that the Police Chief had assisted him with writing the signed letter. He said he did not have knowledge of the unsigned letter and questioned Commissioner Hendrick on where the letter came from as his name was on it; she stated that she had no idea.

Commissioner Hendrick questioned who contacted Fifer Investigations and reduced the background investigation from a level 2 to less than a level 4. Interim City Manager Itrich responded that he had contacted Fifer Investigations. She asked him why the Board wasn't advised that a level 2 investigation wasn't completed and why all of this information was hidden from the Board prior to them approving the hire of City Manager Tatman. Interim City Manager Itrich expressed his belief that the issues relating to the background investigation could have been prevented if Commissioner Hendrick and Chief Heaslip would have informed him of their concerns prior to the meeting. He stated that Chief Heaslip knew prior to the last meeting that the background check was not a level 3.

Commissioner Klaassen stated that prior to voting for the City Manager, he had asked if the background check was completed and he was told yes.

Commissioner Hendrick questioned what staff members had access to the file for City Manager Tatman. City Attorney Davis stated that that was a good question as information from that file had escaped. Commissioner Hendrick called for an investigation by the State Police to find out what had transpired to evaluate what had happened. City Attorney Davis and Interim City Manager Itrich agreed and said there was information provided to some that could have only come from a personnel file and they would like to know how that happened.

City Attorney Davis reiterated that the level 3 background report was provided to the Commission and that if it was deemed sufficient, then the Commission could vote to accept the ratification of the level 3 background investigation. Commissioner Hendrick expressed her unwillingness to accept the level 3 background report as sufficient and called for the removal of individuals implicated in the pending State Police investigation. She further said until we get to the bottom of the investigation, no one should move forward on bringing this person on board.

Mayor Vercammen stated that there were some internal leaks that needed to be investigated however, it should not affect the hiring of City Manager Tatman.

Motion by Commissioner Hendrick, seconded by Commissioner Klaassen, to elevate the level 3 to a level 2 background investigation on the applicant. Roll Call Vote. Ayes: Hendrick, Klaassen. Nays: Bryson, Kellehan, Ross, Vercammen. Motion Failed.

Motion by Mayor Vercammen, seconded by Commissioner Bryson, to ratify the interim decision made to go from level 2 to accept a level 3 as the enhanced background check pursuant to the offer of employment.

Commissioner Ross stated that when the background report was received he had looked over every level and the portion the Commission had received was a full level 4 and met a level 3 with some removals. He questioned why the Commission was not informed by the subcommittee that they were downgrading from a level 2 investigation to a level 3. He conveyed that the differences between a level 2 and level 3 investigation were the removal of a section addressing social media and internet presence and the level 2 required more family and personal references. He further said he was okay going to a level 3 but was disappointed that he was not informed prior to this meeting.

Commissioner Bryson expressed his disappointment at the breakdown in communication and said he was fully in support of the State Police conducting an investigation and said we needed to move forward. He asked for confirmation that a complete level 3 investigation had been conducted by Fifer Investigation. City Attorney Davis stated that Fifer Investigation supplied an invoice stating that a level 3 had been completed.

Roll Call Vote: Ayes: Bryson, Kellehan, Ross, Vercammen. Nays: Klaassen, Hendrick. Motion Carried.

Motion by Commissioner Hendrick, seconded by Commissioner Klaassen, to reconsider revisiting the Commission's prior vote made on August 19, 2021 to approve the contract for the new City Manager. Ayes: Hendrick, Klaassen. Nays: Bryson, Kellehan, Ross, Vercammen. Motion Failed.

City Attorney Davis advised that Chief Heaslip could not do the investigation and that City Attorney Davis would contact the State Police.

Commissioner Hendrick stated that she would like a new Interim City Manager until the investigation was complete. No action was taken by the Board.

Repeal Section 70.057 (Snow Removal) of Ordinance No. 2018-01-2<sup>nd</sup> Reading/Adoption  
Motion by Commissioner Bryson, seconded by Commissioner Ross, to approve the second reading and adoption of Repeal Section 70.057 (Snow Removal) Ordinance No. 2018-01. **Roll Call Vote:** Ayes: Bryson, Hendrick, Kellehan, Klaassen, Ross, Vercammen. Motion Carried.

## **NEW BUSINESS**

### Friends of City Hall – Request for Signage

Interim City Manager Itrich stated that the request for signage was for two signs, one facing Broadway and one facing South Main promoting the Phase II Restoration of their Capital Campaign.

Motion by Commissioner Hendrick, seconded by Commissioner Ross, to allow the Friends of City Hall to put up their 4x4 signs. All Ayes. Motion Carried.

### Board Appointment – Board of Review

Motion by Commissioner Hendrick, seconded by Commissioner Klaassen, to approve the Board Appointment of Gary Westrick to the Board of Review. All Ayes. Motion Carried.

### Attorney Opinion – Retiree Healthcare Eligibility

City Attorney Davis advised the Board that the topic of Retiree Healthcare Eligibility, regarding Richard Ames and John Ameal's spouse, was being presented as there was a motion at the lower Board level to bring the issue before the City Commission. He stated that the City had two ordinance sections that worked together, Section 32 and Section 33, and they interplay in such a manner that one's roll in the retirement program affected one's roll in the healthcare program. City Attorney Davis advised that both ordinances had to be read in conjunction and it was his legal opinion that Richard Ames and John Ameal's spouse qualified for retirement healthcare benefits and that the City was contractually obligated to give them retirement healthcare benefits.

Motion by Mayor Vercammen, seconded by Commissioner Bryson to accept the conclusions and recommendations made in the Attorney's opinion regarding the Retiree Healthcare Eligibility of Richard Ames and John Ameal's spouse. Ayes: Bryson, Kellehan, Klaassen, Ross, Vercammen. Nays: Hendrick. Motion Carried.

### Water Plant Upgrade – Programmable Logic Controller

Motion by Commissioner Bryson, seconded by Commissioner Klaassen, to waive competitive bidding for the installation of the Programmable Logic Controller by Kerr Pump and Supply at the Water Plant. **Roll Call Vote.** Ayes: Bryson, Hendrick, Kellehan, Klaassen, Ross, Vercammen. Nays: None. Motion Carried.

Motion by Commissioner Bryson, seconded by Commissioner Klaassen, to accept the quote from Kerr Pump and Supply following a 3 year plan: Phase 1 for the amount of \$28,300, Phase 2 for the amount of \$36,090, and Phase 3 for the amount of \$49,259.

**Roll Call Vote.** Ayes: Bryson, Hendrick, Kellehan, Klaassen, Ross, Vercammen. Nays: None. Motion Carried.

#### Cruise Boat – Termination of Lease

Motion by Commissioner Klaassen, seconded by Commissioner Hendrick, to terminate the lease in full, not to extend past October 31, 2021. All Ayes. Motion Carried.

### **ITEMS REMOVED FROM CONSENT AGENDA**

#### Cancellation of September 16, 2021 Meeting

Motion by Commissioner Bryson, seconded Commissioner Hendrick to not approve the cancellation of the September 16, 2021 City Commission meeting. All Ayes. Motion Carried.

### **CITY MANAGER REPORT**

Interim City Manager Itrich provided a list of his ongoing duties as DPW Superintendent and Interim City Manager.

### **COMMISSIONER PRIVILEGE/LIAISON REPORTS**

Commissioner Bryson commented on his disappointment regarding the breakdown in communication that had occurred.

Commissioner Hendrick stated she no longer supported the hiring of the new City Manager and chastised the other Board Members for the way they chose to vote on agenda items, stating they had failed the community.

Commissioner Kellehan echoed Commissioner Bryson's comments that she was disappointed in the breakdown of communication. She further commented that she believed City Manager Tatman was extremely competent and stressed the importance of giving her a chance. Furthermore, she stated she did not feel she had let the community down and said she would not be bullied or accused of not doing her job as a Commissioner. She thanked the CED Board for doing a good job.

Commissioner Klaassen stated he would like better communication.

Commissioner Ross reiterated that there was a very small amount of information removed from the Background investigation so he was ok with it however, would prefer more transparency. He would like everyone to give the new City Manager a chance and said he still felt she was the best candidate for the job.

Mayor Vercammen reminded residents that there was a code compliance complaint form. She spoke to the presentation they gave in Lansing for the Marina project. She concluded that there was no intentional wrong doing associated with hiring the new City Manager and that there needed to be confidentiality within the City offices. She thanked Michael Itrich for stepping up and for all he does to help the community.

City Attorney Davis spoke to how everyone at the City offices was just trying to do their best having been put in positions with no training and being short staffed.

## **ADJOURNMENT**

Motion by Commissioner Hendrick, seconded by Commissioner Ross, to adjourn at 9:14 pm. All Ayes. Motion Carried.

Respectfully submitted,

Kristen Baxter  
City Clerk

**City of Marine City  
City Commission  
October 7, 2021**

A regular meeting of the Marine City Commission was held on Thursday, October 7, 2021 at 260 South Parker Street, Marine City, and was called to order by Mayor Vercammen at 7:00 pm.

Present: Mayor Cheryl Vercammen; Commissioners Jacob Bryson, Elizabeth Hendrick, Wendy Kellehan, William Klaassen, Brian Ross; City Manager Holly Tatman; City Clerk Kristen Baxter

Absent: Commissioner John Kreidler

Also Present: City Attorney Robert Davis

Motion by Commissioner Ross, seconded by Commissioner Kellehan, to excuse Commissioner Kreidler from the meeting. All Ayes. Motion Carried.

**APPROVE AGENDA**

Motion by Commissioner Ross, seconded by Commissioner Bryson, to approve the Agenda. All Ayes. Motion Carried.

**PUBLIC COMMENT**

Public comment was given by Phil Oleksiak.

Public comment was given by Rosalie Skwiers.

Public comment was given by Laura Scaccia.

**APPROVE MINUTES**

Commissioner Hendrick stated that the portion of the minutes pertaining to the ratification of the level 3 background investigation for the new City Manager was not factual. The Clerk was instructed to listen to the meeting recording and amend the minutes, as necessary.



Motion by Commissioner Hendrick, seconded by Commissioner Klaassen, to table the approval of the City Commission meeting minutes of September 2, 2021. All Ayes. Motion Carried.

Motion by Commissioner Bryson, seconded by Commissioner Ross, to approve the City Commission Special Meeting minutes of September 27, 2021. All Ayes. Motion Carried.

Motion by Commissioner Bryson, seconded by Commissioner Kellehan, to approve the City Commission Closed Session minutes of September 27, 2021. All Ayes. Motion Carried.

## **CONSENT AGENDA**

Presented:

- Departmental Activity Reports
- MCAFA Run Report
- Planning Commission Minutes – August 9, 2021
- Community & Economic Development Minutes – July 28, 2021
- Community & Economic Development Minutes – August 25, 2021
- Business License – Knot Yoga
- Kristen Baxter – Michigan Association of Municipal Clerks
- Halloween Trick or Treating

Motion by Commissioner Hendrick, seconded by Commissioner Ross, to approve the Consent Agenda. **Roll Call Vote.** Ayes: Bryson, Hendrick, Kellehan, Klaassen, Ross, Vercammen. Nays: None. Motion Carried.

## **FINANCIAL BUSINESS**

### Expenditures

Motion by Commissioner Bryson, seconded by Commissioner Kellehan, to approve total expenditures including payroll, in the amount of \$4,369,886.81. **Roll Call Vote.** Ayes: Bryson, Hendrick, Kellehan, Klaassen, Ross, Vercammen. Nays: None. Motion Carried.

### Tax Refund

Motion by Commissioner Bryson, seconded by Commissioner Klaassen, to approve the following tax refunds:

- \$850.60: Maria R. Pappas
- \$170.27: Prime Property Acquisition LLC
- \$1,356.99: Corelogic Real Estate Tax Service Refund Department
- \$1,723.73: Corelogic Real Estate Tax Service Refund Department

- \$.40: Norma J. Kelley

**Roll Call Vote.** Ayes: Bryson, Hendrick, Kellehan, Klaassen, Ross, Vercammen. Nays: None. Motion Carried.

#### American Rescue Plan Act Request Approval

City Manager Tatman advised the Board that the City's funding request for the Coronavirus Local Fiscal Recovery Fund had been approved in the amount of \$424,745.

Motion by Commissioner Ross, seconded by Commissioner Klaassen, to receive and file the approval letter from the American Rescue Plan Act. All Ayes. Motion Carried.

### **UNFINISHED BUSINESS**

#### Ordinance No. 2021-02 – Amendment to Section 92.03 Open Burning – 1<sup>st</sup> Reading/Introduction

The Board discussed the need for several minor modifications to the ordinance regarding increasing the diameter of the inner ring of round and square fire pits. City Attorney to work with the Fire Chief on the modifications to be brought back for adoption at the October 21, 2021 meeting.

Motion by Commissioner Hendrick, seconded by Commissioner Klaassen, to approve the 1<sup>st</sup> Reading/Introduction of Ordinance No. 2021-02 – Amendment to Section 92.03 Opening Burning with the amendments discussed. **Roll Call Vote.** Ayes: Bryson, Hendrick, Kellehan, Klaassen, Ross, Vercammen. Nays: None. Motion Carried.

#### 924 Metropolis: Dangerous Building

City Attorney Davis advised that he had been working with the property owner's Attorney, Gary Gendernalik, on resolving the dangerous building issue at 924 Metropolis. He reported that Mr. Gendernalik had also been communicating with Building Official Kallek regarding the zoning of the property.

Mr. Gendernalik addressed the Board and provided a proposed timeline to demolish the structure. He questioned the zoning of the property due to it being zoned two different ways.

Motion by Commissioner Hendrick, seconded by Commissioner Klaassen, to approve the terms of the proposal and allow the Attorneys to work out an agreement to come back for approval by the Commission, and to initiate the steps to correct the zoning. **Roll Call Vote:** Ayes: Bryson, Hendrick, Kellehan, Klaassen, Ross, Vercammen. Nays: None. Motion Carried.

823 Bruce Street: Appraisal

Motion by Commissioner Bryson, seconded by Commissioner Ross, to put the property on the market for sale at a price of \$8,000. All Ayes. Motion Carried.

303 South Water Street: Appraisal

Motion by Mayor Vercammen, seconded by Commissioner Ross, to put the property back out for bids from a commercial appraiser. Ayes: Bryson, Kellehan, Klaassen, Ross, Vercammen. Nays: Hendrick. Motion Carried.

Public meetings will be set to discuss the future of the building.

300 Broadway: Proposal & Work Group Discussion

Motion by Mayor Vercammen, seconded by Commissioner Kellehan, to create a work group, to discuss the proposal and the future of 300 Broadway, and also obtain a commercial appraisal on the property. The work group will be held in accordance with the Open Meetings Act, will be open to the public, and more than one meeting will take place.

Commissioner Hendrick inquired if the sale would include the property itself of 300 Broadway. She stated that the property was designated as a park and could not be sold, per the Charter. Minutes of past meetings of the Planning Commission and City Commission to be provided for discussion showing the removal of 300 Broadway from the Master Plan.

**Roll Call Vote:** Ayes: Bryson, Kellehan, Klaassen, Ross, Vercammen. Nays: Hendrick. Motion Carried.

Electronic Sign/Municipal Building Sign

City Manager Tatman announced that the electronic sign would not be moved from the DPW to new City Hall. She said the decision was made following public comment where community members said they enjoyed reading the sign while they were pumping gas.

DPW Superintendent Itrich to get designs and pricing for a non-electronic sign to be placed at new City Hall and bring them back to the Board for consideration.

**NEW BUSINESS**

City of Marine City Mission Statement

The proposed mission statement provided by the Community & Economic Development Board reads as follows:

*In partnership with our community, the City of Marine City is committed to protecting and enhancing the quality of life for our residents and for those involved with the promotion, development and preservation of the City. The City of Marine City is dedicated to providing our citizens and business owners with a safe and clean environment, a high level of administrative and government services, and diverse opportunities for community development.*

Motion by Mayor Vercammen, seconded by Commissioner Bryson, to approve the mission statement for the City of Marine City. All Ayes. Motion Carried.

#### EGLE Updates

DPW Superintendent Itrich provided information on three site violations from EGLE at the City's Waste Water Treatment Plant:

- 1) Laboratory Documentation: Bench sheets have been updated with required information.
- 2) Sampling Procedures: Several samples have not been received on time which affected the acceptable temperature range. The delay was a result of the slow mail service provided by the USPS. To correct this, samples are being sent out five times a week with additional ice packs.
- 3) Equipment Installation without Permit: DPW Superintendent Itrich completing necessary permit and having Flow & Moisture Solutions Inc. inspect the time-proportional sampler to resolve the issue.

#### Smoke Testing – Sanitary Sewer System

Motion by Commissioner Bryson, seconded by Commissioner Ross, to waive competitive bidding for smoke testing of the sanitary sewer system. **Roll Call Vote:** Ayes: Bryson, Hendrick, Kellehan, Klaassen, Ross, Vercammen. Nays: None. Motion Carried.

Motion by Commissioner Ross, seconded by Commissioner Bryson, to approve the bid from Project Control Engineering in the amount of \$6,849 for smoke testing. **Roll Call Vote:** Ayes: Bryson, Hendrick, Kellehan, Klaassen, Ross, Vercammen. Nays: None. Motion Carried

DPW Superintendent Itrich also provided an update for the water main project currently underway for the Water Main and Road Improvement Project.

#### **ITEMS REMOVED FROM CONSENT AGENDA**

#### **CITY MANAGER REPORT**

City Manager Tatman made her first official City Manager report saying that she had attended several meetings, enjoyed meeting Board members from various City Boards,

and members of the community. She announced that the kayak launch had arrived and would be installed in the spring.

## **COMMISSIONER PRIVILEGE/LIAISON REPORTS**

Commissioner Bryson read correspondence from Captain Paul Gallas. Mr. Gallas expressed his opinion that any oil sheen on the water did not come from his boat and that his reputation was important to him, even in retirement. Commissioner Bryson informed the Board that if an oil spill was suspected to call the Coast Guard as they have sole jurisdiction for enforcing pollution in the waterways. Commissioner Bryson stated that he did not believe Mr. Gallas had ever been cited for an oil spill and deserved the benefit of being presumed innocent of any pollution in the waterways.

Commissioner Bryson spoke to his belief that Commissioner Hendrick was inappropriate when she called the Board members "spineless" and accused them of not caring about Marine City because they disagreed with her opinion at the September 2 meeting. He believed that while the Board may disagree on matters, there should not have been attacks on a person's character or integrity due to any difference of opinions. Addressing Commissioner Hendrick, Commissioner Bryson stated that her behavior toward her colleagues was wrong and he believed that every Commissioner on the Board was trying their hardest to do what they believed was right for the City. He further explained that he was a Commissioner because this is where his family lived and he wanted to do his part to ensure the City moved in an upward, forward position. Commissioner Bryson informed the Board that he made the best decisions he could and followed them up to ensure their success. He stated that he welcomed healthy debate however, there was no justification for Commissioner Hendrick to attack the character or integrity of the Board members who disagreed with her. Commissioner Bryson implored Commissioner Hendrick to keep childish opinions to herself and requested a sincere apology for her behavior at the last Commission meeting.

Commissioner Hendrick responded to Commissioner Bryson's comments and said she had nothing to apologize for. She said there were rules of the Commission and when she saw that things were going wrong and how badly they were handled, she was going to call people out on it. She stated that the Board didn't want to listen to what she said or the questions she had, but it was her job. She reiterated that the last meeting was not documented properly. She said the minutes were written to someone else's specifications and not about what actually happened at the meeting. Commissioner Hendrick said she didn't expect to see change, but she expected Board members to do the right thing. It was her opinion that at the last meeting, the right thing wasn't done.

Commissioner Klaassen announced a Planning Commission meeting on Monday, October 11 and said he thought we needed to get the zoning straightened out with

updated maps. He also said that Commissioners have to look out for the good for the City and do the right thing.

Commissioner Ross spoke about how easily a 2-stroke boat could leave an oil sheen on the water. He said it was important for people to make sure they understood both sides of the story before making accusations. As a community member, he said our job is to understand your complaints, thoughts, and feelings but also be sure that it is backed up with evidence, which helps everyone in the long run. Commissioner Ross noted that his personal cell phone number was on his business cards and said his door was always open and that he was willing to hear about things that would make the City better. He said he moved his family here because he loved the City and wanted to make it a better place and said that's why he was on this Board.

Mayor Vercammen shared that the DPW was asking that people do not rake leaves into the street. She explained that the leaves could be put in yard waste bags. If residents missed their weekly pick up, they could bring them to the DPW and set them next to the dumpster. Mayor Vercammen advised that she had interviewed City Manager Holly Tatman on the Mayor Minute and looked forward to interviewing Fire Chief Joe Slankster next week. She also announced Halloween Trick or Treating on October 31 from 5-8 pm.

#### **ADJOURNMENT**

Motion by Commissioner Hendrick, seconded by Commissioner Ross, to adjourn at 8:50 pm. All Ayes. Motion Carried.

Respectfully submitted,

Kristen Baxter  
City Clerk

# Invoice

Tracy Kallek  
 3210 Church Rd.  
 Casco, MI 48064

Date	Invoice #
10/12/2021	73

Bill To
City of Marine City 303 S. Water St. Marine City, MI 48039

P.O. No.	Terms	Project
	Net 30	

Quantity	Description	Rate	Amount
8	Week ending 09-04-2021	38.00	304.00
8	Week ending 09-11-2021	38.00	304.00
8	Week ending 09-18-2021	38.00	304.00
0	COCM CONFRENCE	0.00	0.00
1	Building Permits	2,244.11	2,244.11
		<b>Total</b>	<b>\$3,156.11</b>

Permit List		10/11/2021		
Permit #	Address	Amount Paid	Total minus App/reg.	Total minus M/C 25%
PB190026	202 BROADWAY ST	\$645.00		
Invoice Details:			\$545.00	\$408.75
APPLICATION FEE	\$75.00			
CONTRACTOR REGISTRATION	\$25.00			
VALUATION \$100,001-\$500,000	\$545.00			
PB190088	231 MICHIGAN DRIVE	\$220.00		
Invoice Details:			\$145.00	\$108.75
APPLICATION FEE	\$75.00			
VALUATION \$1,001-\$10,000	\$95.00			
Insp Other	\$50.00			
PB200008	250 RIVERVIEW	\$280.00		
Invoice Details:			\$205.00	\$153.75
INSP OTHER- FINAL	\$50.00			
APPLICATION FEE	\$75.00			
VALUATION \$1,001-\$10,000	\$155.00			
PB200016	867 DEGURSE AVE	\$823.20		
Invoice Details:			\$748.20	\$561.15
APPLICATION FEE	\$75.00			
Plan Review Comm/Ind	\$100.20			
VALUATION \$10,001-\$100,000	\$415.00			
Plan Review Comm/Ind	\$183.00			
INSP - FINAL	\$50.00			
PB200024	601 BROADWAY ST	\$353.75		
Invoice Details:			\$278.75	\$209.06
APPLICATION FEE	\$75.00			
Demolition	\$178.75			
INSP OPEN HOLE	\$50.00			



INSP FINAL GRADE		\$50.00		
PB210052	610 S WATER ST		\$15.00	
Invoice Details:				
TEMPORARY SIGN		\$15.00		\$15.00
				\$11.25
PB210062	213 BROADWAY ST		\$460.20	
Invoice Details:				
APPLICATION FEE		\$75.00		\$360.20
CONTRACTOR REGISTRATION		\$25.00		\$270.15
VALUATION \$10,001-\$100,000		\$260.00		
Plan Review Comm/Ind		\$100.20		
PB210065	1085 WARD ST		\$415.00	
Invoice Details:				
APPLICATION FEE		\$75.00		\$340.00
INSP OPEN BOARD		\$50.00		\$255.00
INSP FINAL		\$50.00		
VALUATION \$10,001-\$100,000		\$240.00		
PB210069	640 N MARY ST		\$330.00	
Invoice Details:				
APPLICATION FEE		\$75.00		\$255.00
INSP OPEN BRD		\$50.00		\$191.25
INSP FINAL		\$50.00		
VALUATION \$1,001-\$10,000		\$155.00		
PZ210035	6135 KING RD		\$100.00	
Invoice Details:				
PERMANENT SIGN		\$100.00		\$100.00
				\$75.00
Number of Permits:		10	\$3,642.15	<b>PAY THIS AMOUNT</b>
Population:	All Records			<b>\$2,244.11</b>

Permit.Status = FINALED AND

Permit.DateFinaled Between 9/1/2021 12:00:00 AM AND 9/30/2021 12:00:00 AM

AND

Permit.PermitType = Building OR

Permit.PermitType = ZONING

**Kris Baxter**

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**From:** code  
**Sent:** Wednesday, October 13, 2021 8:16 AM  
**To:** Kris Baxter  
**Subject:** Re: September Code Enforcement Report.

Kristen,

September Code Enforcement Report:

3- Grass complaints ;

1 - Letter sent to comply with ordinance.

2- With no compliance, email was sent to the DPW to cut the grass.

1- Blight Complaints;

Letter sent to comply with ordinance.

4- Parking and Storage Complaints;

3 - Investigated and in compliance with ordinance.

1- Ongoing with someone living in a RV on private property.

4- Parking Complaints;

Parking complaints in the City streets and City easement. Email sent to PD to address

3-Email Question;

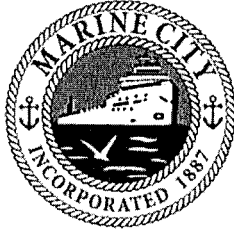
2- Directed as a civil matter.

1- Blight / garbage

Jim Schafer

Code Enforcement

Marine City



Office of City Clerk

TO: Holly Tatman, City Manger  
FROM: Kristen Baxter  
DATE: October 6, 2021  
SUBJECT: September Activity Report

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September highlights from the Clerk's Department include the following:

- Received & processed 16 Freedom of Information Act requests
- Preparation for new City Manager
- Rewrite and format Open Burning Ordinance to allow for campfires; processed Repeal of Snow Ordinance
- Worked with BLB Engraving for graphics in lobbies and signage for 260 South Parker Street
- Approval of (2) Business Licenses: Harvest Church, Back Door Grill
- Approval of (3) Special Events: Tenyer's Automotive Customer Appreciation, Pumpkin Palooza, MCHS Homecoming Dance
- 2 burials at Woodlawn Cemetery
- Hosted the SCC Clerk's Association meeting with 35 participants
- Clerk & Deputy Clerk completed Election Administration online training
- Deputy Clerk attended Bridge to Bay Trail Advisory Meeting
- SCC Community Foundation Grant updates
- Completed Beacon updates for utility billing
- Follow-up on non-compliant Business Licenses (2021-2022)

Department of Public Works

Monthly Activity Report:  
SEPTEMBER 2021

Job Category	Location	Activity	Equipment	Hours
Building Maintenance	WWTP/WW/Belle River Pump Station/260 S. Parker	<u>WWTP</u> : General repairs; <u>Water Plant</u> : General repairs; <u>260 S. Parker</u> : Meetings; <u>BRPS</u> : General repairs	Camel, '16 Silverado, '06 Silverado, '15 Silverado, 1 Ton, JCB	86
Banners / Decorations / Flags	Marine City	Install/Maintain Banners & Decorations	Boom Truck	0
Review Plans		Road Project		0
Cemetery Maint. / Burials / Columbarium	Woodlawn Cemetery	Routine Maintenance / Probes / Burials		16
Sidewalks	Marine City & DPW	Maintenance / Office	1 Ton	1
Equipment / Vehicle Maintenance	DPW	Repairs / Maintenance / Preventative Care	Sweeper, Camel, 4052r John Deere, JCBs, Sterlings, Pumps, Trucks	42.5
Office	DPW	Misc. Office Duties / Reports / Meetings / Budget / Kayak Launch / Christopher & Dana Reeve Foundation Grant / Field Work		257.5
Beach Attendants	Beach			52
Flower Watering	Marine City			0
Grass Cutting	Buildings & Parks			158
Park Maintenance	Marine City	Garbage Pickup/ General Maintenance/ Beach Pilings/ Winterizing	06 Silverado, 1 Ton	97
Routine Road Maintenance / Road Projects	Local/Major Roads/Parking Lots	Cold Patching/ Hot Patching/ Misc. Maintenance/ Sweeping	06 Silverado, Camel, '18 JCB, '14 JD Sweeper	87
Sanitary Sewer Maintenance	Marine City	Clean Sanitary Sewers/ Sanitary Sewer Maintenance/ Inspection	06 Silverado, Camel, Silverado	54
Shop Maintenance	DPW	Shop Repairs/ Maint./ Cleaning		40
Signs	Marine City		15 Silverado	0
Storm Sewer Maintenance	Marine City	Catch Basin Cleaning/ Storm Sewer Maintenance & Locating	06 Silverado, Camel	28
Bridge	Marine City	Maintenance	1 Ton	16
Water System Maintenance	Marine City	Water Leaks/ Leak Investigation/ Curb Box Maint./ Misc. Maint./ Service Line Maint. & Replace./ Meters/ Final Reads/ Water Turn On & Off / Shutoffs / MissDigs/ Valve locate/ hydroexcavating	06 Silverado, Camel	223.5
Training	Marine City			0
			<b>Total Hours:</b>	1159
<b>Upcoming Projects:</b>				
Mariner Park Improvements	Kayak Launch Pump	Replacement at BRPS		



# Marine City Police Department

**James D. Heaslip**  
Chief of Police

375 S. Parker Street • Marine City, Michigan 48039  
(810) 765-4040 • Fax (810) 765-4135

October 4, 2021

City Manager Tatman:

During the month of September 2021, Marine City Police Department responded to 323 complaints. An activity log detailing incident type, report date, and the Officer that handled the complaint is attached.

The following is a summary of meetings and calls I have responded to for the month:

- Issued 14 Lexipol Daily Training Bulletins
- Attended St. Clair County CJA meeting- Bolowrap demonstration
- Assisted in recovery of Nadine Moses' vehicle in St. Clair River
- Attended installation of new Livescan system
- Attended Chief's meeting regarding Medical Examiners Scene Investigator (MESI)
- Coordinated and implemented new training program with Police One Academy
- Attended onboarding training for Police One Academy

Sincerely,

James D. Heaslip  
Chief of Police

*"To Protect and Serve"*  
*Marine City is an Equal Opportunity Provider*

#	DATE/TIME	INCIDENT #	LOCATION	OFFICER	OFFENSE
1	09/01/2021 08:34 AM	210001900	S PARKER ST&RIVER RD	MAPALUCKIE	L3590 - Traffic Stop - MA
2	09/01/2021 01:53 PM	210001901	6800 KING RD	MAPALUCKIE	2999 - Damage to Property - MDOP (other) [29000]
3	09/01/2021 03:06 PM	210001902	321 N ELIZABETH ST	MAVANDERMEULENJ	1173 - CSC 1st Degree - Penetration Oral/Anal [11003]
4	09/01/2021 06:37 PM	210001903	514 S PARKER ST	MAPALUCKIE	C3804 - Animal Complaint
5	09/01/2021 08:06 PM	210001904	CARROLL ST&S BELLE RIVER AVE	MAMARTINELLIC	L3590 - Traffic Stop - MA
6	09/01/2021 09:00 PM	210001905	S WATER ST&JEFFERSON ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
7	09/01/2021 09:19 PM	210001906	S WATER ST&UNION ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
8	09/01/2021 09:25 PM	210001907	S WATER ST&BRIDGE ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
9	09/02/2021 07:40 AM	210001908	159 ROBERTSON ST	MAVANDERMEULENJ	C3331 - Assist Medical
10	09/02/2021 07:55 AM	210001909	375 S PARKER ST	MABELLJ	L3522 - Records Check - MA
11	09/02/2021 09:22 AM	210001910	375 S PARKER ST	MABELLJ	C3381 - Sex Offender Registration - SOR
12	09/02/2021 01:28 PM	210001911	N MAIN ST&HOLLAND ST	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
13	09/02/2021 04:17 PM	210001912	6800 KING RD	MAVANDERMEULENJ	C3355 - Civil Matter - Other
14	09/02/2021 04:46 PM	210001913	6800 KING RD	NA	L3542 Follow Up - MA
15	09/02/2021 05:50 PM	210001914	WOODWORTH ST&PLEASANT ST	MAVANDERMEULENJ	C3330 - Assist Other Law Enforcement Agency
16	09/02/2021 07:37 PM	210001915	S WATER ST&E SAINT CLAIR ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
17	09/02/2021 07:56 PM	210001916	WESTMINSTER ST&N MAIN ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
18	09/02/2021 08:49 PM	210001917	S WATER ST&BROADWAY ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
19	09/02/2021 09:15 PM	210001918	S WATER ST&E SAINT CLAIR ST	MAMARTINELLIC	C2934 - Vehicle Insurance - None / Expired
20	09/03/2021 08:47 AM	210001919	102 PEARL ST	MAPALUCKIE	2999 - Damage to Property - MDOP (other) [29000]
21	09/03/2021 01:10 PM	210001920	700 S WATER ST	MACRAFTW	C3332 - Assist Fire Department
22	09/03/2021 01:17 PM	210001921	415 BROWN ST	MACRAFTW	C3332 - Assist Fire Department
23	09/03/2021 01:43 PM	210001922	375 S PARKER ST	MACRAFTW	C3336 - Assist Citizen
24	09/03/2021 02:26 PM	210001923	N BELLE RIVER AVE&DEGURSE AVE	MACRAFTW	L3590 - Traffic Stop - MA
25	09/03/2021 03:15 PM	210001924	N BELLE RIVER AVE&DEGURSE AVE	MACRAFTW	L3590 - Traffic Stop - MA
26	09/03/2021 03:40 PM	210001925	375 S PARKER ST	MAPALUCKIE	C3336 - Assist Citizen
27	09/03/2021 04:14 PM	210001926	S PARKER ST&BOWERY ST	MAPALUCKIE	L3590 - Traffic Stop - MA
28	09/03/2021 10:15 PM	210001927	N. BELLE RIVER RD&DEGURSE	MAGRZENIAS	L3590 - Traffic Stop - MA

#	DATE/TIME	INCIDENT #	LOCATION	OFFICER	OFFENSE
29	09/04/2021 02:54 AM	210001928	6800 KING RD	MAGRZENIAS	C3355 - Civil Matter - Other
30	09/04/2021 04:39 AM	210001929	6800 KING RD	MAGRZENIAS	C3355 - Civil Matter - Other
31	09/04/2021 06:58 AM	210001930	6800 KING RD	MAKELLYP	C3310 - Family Trouble
32	09/04/2021 08:12 AM	210001931	WEST BLVD&KING RD	MAKELLYP	L3590 - Traffic Stop - MA
33	09/04/2021 01:22 PM	210001932	6658 RIVER RD	MAKELLYP	C3345 - Accidental Property Damage
34	09/04/2021 05:16 PM	210001933	N MARKET ST&WESTMINSTER ST	MAKELLYP	L3590 - Traffic Stop - MA
35	09/04/2021 06:11 PM	210001934	1239 S PARKER ST	MAKELLYP	C3318 - Found Property
36	09/05/2021 09:37 AM	210001935	S PARKER ST&WARD ST	NA	L3592 BOL - MA
37	09/05/2021 10:25 AM	210001936	S PARKER ST&THOMPSON DR	MAKELLYP	L3590 - Traffic Stop - MA
38	09/05/2021 05:13 PM	210001937	DEGURSE AVE&RIVER VALLEY DR	MAKELLYP	L3590 - Traffic Stop - MA
39	09/05/2021 07:57 PM	210001938	1771 S PARKER ST	MAPALUCKIE	L3590 - Traffic Stop - MA
40	09/05/2021 08:52 PM	210001939	DEGURSE AVE&KING RD	MAGRZENIAS	L3590 - Traffic Stop - MA
41	09/06/2021 01:06 AM	210001940	6115 URBAN DR	MAGRZENIAS	C3330 - Assist Other Law Enforcement Agency
42	09/06/2021 02:36 AM	210001941	6100 KING RD	MAGRZENIAS	L5060 - False Alarm - MA
43	09/06/2021 09:35 AM	210001942	556 ROBERTSON ST	MAVANDERMEULENJ	5203 - Concealed Weapons - Carrying Prohibited [52001]
44	09/06/2021 10:36 AM	210001943	375 S PARKER ST	MAVANDERMEULENJ	C3336 - Assist Citizen
45	09/06/2021 02:03 PM	210001944	BROADWAY ST&N WATER ST	MAJONESJ	C3318 - Found Property
46	09/06/2021 03:52 PM	210001945	645 MATTISON ST	NA	L3542 Follow Up - MA
47	09/06/2021 04:35 PM	210001946	6730 RIVER RD	MAVANDERMEULENJ	C3336 - Assist Citizen
48	09/06/2021 05:47 PM	210001947	121 S WILLIAM ST	MAJONESJ	C3332 - Assist Fire Department
49	09/06/2021 08:47 PM	210001948	BROADWAY ST&S MARKET ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
50	09/06/2021 08:56 PM	210001949	N ELIZABETH ST&BROADWAY ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
51	09/06/2021 09:14 PM	210001950	S MAIN ST&BROADWAY ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
52	09/06/2021 09:22 PM	210001951	N ELIZABETH ST&BROADWAY ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
53	09/07/2021 09:00 AM	210001952	S PARKER ST&BELL ST	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
54	09/07/2021 09:30 AM	210001953	375 S PARKER ST	MABELLJ	C3381 - Sex Offender Registration - SOR
55	09/07/2021 10:16 AM	210001954	354 N ELIZABETH ST	MAVANDERMEULENJ	C3299 - Welfare Check
56	09/07/2021 11:34 AM	210001955	1484 S PARKER ST	MAVANDERMEULENJ	C3324 - Suspicious Circumstances



#	DATE/TIME	INCIDENT #	LOCATION	OFFICER	OFFENSE
57	09/07/2021 11:49 AM	210001956	1771 S PARKER ST	MAHEASLIPJ	L3598 - General Assistance - Specify - MA
58	09/07/2021 12:12 PM	210001957	125 WEST BLVD	NA	C3334 - Assist Other Govt Agency
59	09/07/2021 12:42 PM	210001958	1107 MILITARY ST	NA	L3542 Follow Up - MA
60	09/07/2021 01:26 PM	210001959	125 WEST BLVD	MAHEASLIPJ	C3355 - Civil Matter - Other
61	09/07/2021 05:05 PM	210001960	303 S WATER ST	MAVANDERMEULENJ	C3336 - Assist Citizen
62	09/07/2021 05:26 PM	210001961	GLADYS ST	MAVANDERMEULENJ	C3728 - Traffic Complaint / Parking Complaint
63	09/07/2021 07:23 PM	210001962	6800 KING RD	MAPALUCKIE	C3336 - Assist Citizen
64	09/07/2021 08:40 PM	210001963	240 S WATER ST	MAPALUCKIE	L3590 - Traffic Stop - MA
65	09/07/2021 08:39 PM	210001964	536 S PARKER ST	NA	L3592 BOL - MA
66	09/07/2021 09:01 PM	210001965	BROADWAY ST&N MAIN ST	MAPALUCKIE	L3590 - Traffic Stop - MA
67	09/07/2021 09:17 PM	210001966	240 S WATER ST	MAPALUCKIE	L3590 - Traffic Stop - MA
68	09/07/2021 10:38 PM	210001967	KING RD&CHARTIER RD	MAPALUCKIE	L3590 - Traffic Stop - MA
69	09/08/2021 05:20 AM	210001968	175 S WATER ST	MAMARTINELLIC	L3505 - Opened in Error - MA
70	09/08/2021 05:26 AM	210001969	337 MATTISON ST	MAMARTINELLIC	C3330 - Assist Other Law Enforcement Agency
71	09/08/2021 08:09 AM	210001970	375 S PARKER ST	MABELLJ	L3520 - Pistol Sales Record - MA
72	09/08/2021 08:10 AM	210001971	375 S PARKER ST	MABELLJ	L3520 - Pistol Sales Record - MA
73	09/08/2021 08:10 AM	210001972	375 S PARKER ST	MABELLJ	L3520 - Pistol Sales Record - MA
74	09/08/2021 11:02 AM	210001973	536 S PARKER ST	MABAXENDALED	C3145 - Property Damage Traffic Crash PDA
75	09/08/2021 02:05 PM	210001974	260 S PARKER ST	MABAXENDALED	C3334 - Assist Other Govt Agency
76	09/08/2021 02:57 PM	210001975	2088 S PARKER ST	MABAXENDALED	C3328 - Suspicious Persons
77	09/08/2021 08:32 PM	210001976	MARINE CITY HWY&KING RD	MAGRZENIAS	C3333 - Assist Motorist
78	09/09/2021 09:13 AM	210001977	375 S PARKER ST	MABELLJ	L3502 - Fingerprints - MA
79	09/09/2021 09:18 AM	210001978	375 S PARKER ST	MABELLJ	L3521 - Pistol Purchase Permit - MA
80	09/09/2021 09:35 AM	210001979	CHARTIER RD&KING RD	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
81	09/09/2021 09:45 AM	210001980	375 S PARKER ST	MABELLJ	L3502 - Fingerprints - MA
82	09/09/2021 09:49 AM	210001981	CHARTIER RD&ELIZABETH AVE	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
83	09/09/2021 10:02 AM	210001982	CHARTIER RD&KING RD	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
84	09/09/2021 10:28 AM	210001983	S PARKER ST&CHARTIER RD	MAVANDERMEULENJ	L3590 - Traffic Stop - MA

#	DATE/TIME	INCIDENT #	LOCATION	OFFICER	OFFENSE
85	09/09/2021 10:56 AM	210001984	1239 S PARKER ST	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
86	09/09/2021 11:47 AM	210001985	S PARKER ST&BOWERY ST	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
87	09/09/2021 12:05 PM	210001986	RIVER RD&SHORTCUT RD	MABAXENDALED	L3590 - Traffic Stop - MA
88	09/09/2021 01:04 PM	210001987	CHARTIER RD&KING RD	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
89	09/09/2021 01:47 PM	210001988	KING RD&BRUCE ST	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
90	09/09/2021 01:59 PM	210001989	375 S PARKER ST	MAPALUCKIE	5309 - Harassing Communications [53002]
91	09/09/2021 02:07 PM	210001990	CHARTIER RD&KING RD	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
92	09/09/2021 02:32 PM	210001991	KING RD&CHARTIER RD	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
93	09/09/2021 02:57 PM	210001992	CHARTIER RD&S 3RD ST	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
94	09/09/2021 03:24 PM	210001993	KING RD&WEST BLVD	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
95	09/09/2021 03:54 PM	210001994	CHARTIER RD&ELIZABETH AVE	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
96	09/09/2021 03:58 PM	210001995	534 S BELLE RIVER AVE	NA	L3517 Subpoena Service - MA
97	09/09/2021 04:26 PM	210001996	CHARTIER RD&S PARKER ST	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
98	09/09/2021 04:50 PM	210001997	S PARKER ST&ALGER ST	MAVANDERMEULENJ	C2933 - Vehicle Registration - Improper / Expired
99	09/09/2021 09:41 PM	210001998	KING RD&WEST BLVD	MAPALUCKIE	L3590 - Traffic Stop - MA
100	09/09/2021 09:53 PM	210001999	KING RD&WARD ST	MAGRZENIAS	L3590 - Traffic Stop - MA
101	09/10/2021 10:43 AM	210002000	CHARTIER RD&ELIZABETH AVE	MAVANDERMEULENJ	C2933 - Vehicle Registration - Improper / Expired
102	09/10/2021 10:47 AM	210002001	375 S PARKER ST	MABELLJ	L3520 - Pistol Sales Record - MA
103	09/10/2021 10:52 AM	210002002	#MARINE CITY BEACH	MAVANDERMEULENJ	C3403 - Watercraft - Navigation Hazard
104	09/10/2021 02:06 PM	210002003	KING RD&DEGURSE AVE	MACRAFTW	C3110 - Crash, Other / Known
105	09/10/2021 02:48 PM	210002004	438 S MARKET ST	MAVANDERMEULENJ	2602 - Fraud - Swindle [26001]
106	09/10/2021 03:09 PM	210002005	375 S PARKER ST	MABELLJ	L3521 - Pistol Purchase Permit - MA
107	09/10/2021 03:32 PM	210002006	525 WOODWORTH ST	MAVANDERMEULENJ	C3355 - Civil Matter - Other
108	09/10/2021 06:07 PM	210002007	339 FAIRBANKS ST	MACRAFTW	C3324 - Suspicious Circumstances
109	09/10/2021 09:23 PM	210002008	S PARKER ST&WEST BLVD	MAPALUCKIE	L3590 - Traffic Stop - MA
110	09/10/2021 10:52 PM	210002009	310 S BELLE RIVER AVE	MAPALUCKIE	C3804 - Animal Complaint
111	09/11/2021 05:59 AM	210002010	1295 S PARKER ST	MAMARTINELLIC	C3902 - Burglary Alarm
112	09/11/2021 01:50 PM	210002011	KING RD&BRUCE ST	MACRAFTW	L3590 - Traffic Stop - MA
113	09/11/2021 02:04 PM	210002012	DEGURSE AVE&N BELLE RIVER AVE	MACRAFTW	L3590 - Traffic Stop - MA

#	DATE/TIME	INCIDENT #	LOCATION	OFFICER	OFFENSE
114	09/11/2021 02:40 PM	210002013	DEGURSE AVE&N BELLE RIVER AVE	MACRAFTW	L3590 - Traffic Stop - MA
115	09/11/2021 05:07 PM	210002014		MAVANDERMEULENJ	1313 - Assault/ Battery/Simple (Incl Domestic and Police Officer [13001]
116	09/11/2021 05:11 PM	210002015	517 WARD ST	MACRAFTW	C3355 - Civil Matter - Other
117	09/11/2021 07:28 PM	210002016	447 S WATER ST	MAMARTINELLIC	C4205 - Handicapped Parking Citation
118	09/11/2021 07:42 PM	210002017	S WATER ST&E SAINT CLAIR ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
119	09/11/2021 08:07 PM	210002018	DEGURSE AVE&N BELLE RIVER AVE	MACRAFTW	L3590 - Traffic Stop - MA
120	09/11/2021 08:12 PM	210002019	S WATER ST&JEFFERSON ST	MAMARTINELLIC	C2934 - Vehicle Insurance None / Expired
121	09/11/2021 08:45 PM	210002020	1295 S PARKER ST	MACRAFTW	L5060 - False Alarm - MA
122	09/11/2021 11:33 PM	210002021	153 S WILLIAM ST	MACRAFTW	L3515 - Disorderly House - Loud Party - MA
123	09/12/2021 12:16 AM	210002022	N ELIZABETH ST&BROADWAY ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
124	09/12/2021 10:14 AM	210002023	156 S WILLIAM ST	MAVANDERMEULENJ	C3331 - Assist Medical
125	09/12/2021 12:34 PM	210002024	112 MURRAY CT	NA	L3542 Follow Up - MA
126	09/12/2021 01:27 PM	210002025	227 HAROLD ST	MACRAFTW	C3324 - Suspicious Circumstances
127	09/12/2021 03:50 PM	210002026	DEGURSE AVE&N BELLE RIVER AVE	MACRAFTW	L3590 - Traffic Stop - MA
128	09/12/2021 04:17 PM	210002027	DEGURSE AVE&N BELLE RIVER AVE	MACRAFTW	L3590 - Traffic Stop - MA
129	09/12/2021 06:18 PM	210002028	1295 S PARKER ST	MACRAFTW	C3902 - Burglary Alarm
130	09/12/2021 06:24 PM	210002029	BROWN ST&S 3RD ST	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
131	09/12/2021 07:48 PM	210002030	105 MURRAY CT	MACRAFTW	C3312 - Neighborhood Trouble
132	09/13/2021 01:03 AM	210002031	6730 RIVER RD	MAPALUCKIE	C3902 - Burglary Alarm
133	09/13/2021 09:34 AM	210002032	375 S PARKER ST	MABELLJ	C3381 - Sex Offender Registration - SOR
134	09/13/2021 11:08 AM	210002033	2088 S PARKER ST	MABAXENDALED	C3324 - Suspicious Circumstances
135	09/13/2021 01:22 PM	210002034	608 WESTMINISTER ST	MABAXENDALED	C3728 - Traffic Complaint / Parking Complaint
136	09/13/2021 04:20 PM	210002035	242 N ELIZABETH ST	MABAXENDALED	C3336 - Assist Citizen
137	09/13/2021 05:17 PM	210002036	7493 RIVER RD	MABAXENDALED	C3334 - Assist Other Govt Agency
138	09/13/2021 08:33 PM	210002037	1295 S PARKER ST	MAGRZENIAS	L5060 - False Alarm - MA
139	09/14/2021 09:32 AM	210002038	375 S PARKER ST	MABELLJ	L3522 - Records Check - MA
140	09/14/2021 09:32 AM	210002039	375 S PARKER ST	MABELLJ	L3522 - Records Check - MA
141	09/14/2021 10:25 AM	210002040	375 S PARKER ST	MABELLJ	L3521 - Pistol Purchase Permit - MA

#	DATE/TIME	INCIDENT #	LOCATION	OFFICER	OFFENSE
142	09/14/2021 12:35 PM	210002041	375 S PARKER ST	MABELLJ	L3520 - Pistol Sales Record - MA
143	09/14/2021 02:15 PM	210002042	375 S PARKER ST	MAPALUCKIE	C3324 - Suspicious Circumstances
144	09/14/2021 02:47 PM	210002043	260 S PARKER ST	MAPALUCKIE	L3598 - General Assistance - Specify - MA
145	09/14/2021 07:13 PM	210002044	1295 S PARKER ST	MAGRZENIAS	L5060 - False Alarm - MA
146	09/14/2021 07:49 PM	210002045	105 MURRAY CT	MAGRZENIAS	C3728 - Traffic Complaint / Parking Complaint
147	09/15/2021 09:04 AM	210002046	375 S PARKER ST	MABELLJ	C3381 - Sex Offender Registration - SOR
148	09/15/2021 03:31 PM	210002047	375 S PARKER ST	MABELLJ	L3520 - Pistol Sales Record - MA
149	09/15/2021 07:22 PM	210002048	HILL ST&S 3RD ST	MAKELLYP	L3590 - Traffic Stop - MA
150	09/15/2021 09:32 PM	210002049	1295 S PARKER ST	MAKELLYP	C3902 - Burglary Alarm
151	09/15/2021 09:55 PM	210002050	CHARTIER RD&S PARKER ST	MAKELLYP	L3590 - Traffic Stop - MA
152	09/15/2021 11:09 PM	210002051	CHARTIER RD&S PARKER ST	MAKELLYP	L3590 - Traffic Stop - MA
153	09/16/2021 05:47 AM	210002052	N MAIN ST&PEARL ST	MAKELLYP	L3590 - Traffic Stop - MA
154	09/16/2021 01:18 PM	210002053	375 S PARKER ST	MABELLJ	L3520 - Pistol Sales Record - MA
155	09/16/2021 01:31 PM	210002054	108 MURRAY CT	MACRAFTW	C3728 - Traffic Complaint / Parking Complaint
156	09/16/2021 02:37 PM	210002055	N BELLE RIVER AVE&DEGURSE AVE	MACRAFTW	L3590 - Traffic Stop - MA
157	09/16/2021 03:01 PM	210002056	N BELLE RIVER AVE&DEGURSE AVE	MACRAFTW	L3590 - Traffic Stop - MA
158	09/16/2021 03:19 PM	210002057	DEGURSE AVE&N BELLE RIVER AVE	MACRAFTW	L3590 - Traffic Stop - MA
159	09/16/2021 04:07 PM	210002058	168 SCOTT ST	MACRAFTW	C3145 - Property Damage Traffic Crash PDA
160	09/16/2021 06:12 PM	210002059	102 PEARL ST	MAVANDERMEULENJ	C2899 - Juvenile - All Other
161	09/16/2021 06:39 PM	210002060	KING RD&WEST BLVD	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
162	09/16/2021 07:55 PM	210002061	WEST BLVD&BUTLER ST	MAKELLYP	L3590 - Traffic Stop - MA
163	09/16/2021 09:56 PM	210002062	318 S BELLE RIVER AVE	MAKELLYP	L3510 - Noise Complaint - MA
164	09/16/2021 10:14 PM	210002063	1295 S PARKER ST	MAKELLYP	C3902 - Burglary Alarm
165	09/17/2021 01:12 AM	210002064	105 MURRAY CT	MAKELLYP	C3324 - Suspicious Circumstances
166	09/17/2021 08:01 AM	210002065	S PARKER ST&CHARTIER RD	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
167	09/17/2021 08:16 AM	210002066	CHARTIER RD&ELIZABETH AVE	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
168	09/17/2021 08:36 AM	210002067	S PARKER ST&CHARTIER RD	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
169	09/17/2021 09:04 AM	210002068	S PARKER ST&CHARTIER RD	MAVANDERMEULENJ	L3590 - Traffic Stop - MA

#	DATE/TIME	INCIDENT #	LOCATION	OFFICER	OFFENSE
170	09/17/2021 09:19 AM	210002069	CHARTIER RD&KING RD	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
171	09/17/2021 09:28 AM	210002070	9996 N RIVER RD	NA	L3542 Follow Up - MA
172	09/17/2021 09:41 AM	210002071	KING RD&BRUCE ST	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
173	09/17/2021 09:55 AM	210002072	375 S PARKER ST	MAJONESJ	C3355 - Civil Matter - Other
174	09/17/2021 10:33 AM	210002073	1910 S PARKER ST	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
175	09/17/2021 11:00 AM	210002074	KING RD&BRUCE ST	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
176	09/17/2021 11:29 AM	210002075	KING RD&BRUCE ST	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
177	09/17/2021 12:32 PM	210002076	320 N 3RD ST	MARICHTERM	C3310 - Family Trouble
178	09/17/2021 01:17 PM	210002077	CHARTIER RD&KING RD	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
179	09/17/2021 08:28 PM	210002078	DEGURSE AVE&N BELLE RIVER AVE	MAGRZENIAS	L3590 - Traffic Stop - MA
180	09/17/2021 09:20 PM	210002079	229 S WATER ST	MARICHTERM	C3324 - Suspicious Circumstances
181	09/17/2021 10:13 PM	210002080	S PARKER ST&SCOTT ST	MAGRZENIAS	L3590 - Traffic Stop - MA
182	09/17/2021 10:27 PM	210002081	PEARL ST&N ELIZABETH ST	NA	L3592 BOL - MA
183	09/18/2021 11:05 AM	210002082	S PARKER ST&CHARTIER RD	MABAXENDALED	L3590 - Traffic Stop - MA
184	09/18/2021 11:20 AM	210002083	S PARKER ST&CHARTIER RD	MABAXENDALED	L3590 - Traffic Stop - MA
185	09/18/2021 03:34 PM	210002084	S PARKER ST&CHARTIER RD	MABAXENDALED	L3590 - Traffic Stop - MA
186	09/18/2021 06:16 PM	210002085	KING RD&MARINE CITY HWY	MABAXENDALED	C3330 - Assist Other Law Enforcement Agency
187	09/18/2021 07:17 PM	210002086	240 S WATER ST	MAGRZENIAS	L3598 - General Assistance - Specify - MA
188	09/18/2021 09:45 PM	210002087	S WATER ST&E ST CLAIR ST	MAGRZENIAS	L3590 - Traffic Stop - MA
189	09/19/2021 10:55 AM	210002088	CHARTIER RD&KING RD	MAPALUCKIE	L3590 - Traffic Stop - MA
190	09/19/2021 11:11 AM	210002089	406 WEST BLVD	MAPALUCKIE	C3804 - Animal Complaint
191	09/19/2021 12:18 PM	210002090	717 BRUCE ST	MARICHTERM	C3330 - Assist Other Law Enforcement Agency
192	09/19/2021 12:20 PM	210002091	HILL ST&S BELLE RIVER AVE	MARICHTERM	C3336 - Assist Citizen
193	09/19/2021 02:11 PM	210002092	139 PITTSBURGH ST	MAPALUCKIE	C3250 - Mental Health Call
194	09/19/2021 04:22 PM	210002093	534 MABEL ST	MAPALUCKIE	C3324 - Suspicious Circumstances
195	09/19/2021 04:42 PM	210002094	9609 LEE	NA	L3542 Follow Up - MA
196	09/19/2021 05:59 PM	210002095	375 S PARKER ST	MAPALUCKIE	C2899 - Juvenile - All Other
197	09/19/2021 07:12 PM	210002096	645 PEARL ST	MARICHTERM	C3336 - Assist Citizen
198	09/19/2021 08:39 PM	210002097	DEGURSE ST&N BELLE RIVER RD	MAGRZENIAS	L3590 - Traffic Stop - MA



#	DATE/TIME	INCIDENT #	LOCATION	OFFICER	OFFENSE
199	09/20/2021 10:11 AM	210002098	S WATER&E ST CLAIR	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
200	09/20/2021 10:31 AM	210002099	1474 S PARKER ST	MAVANDERMEULENJ	C3318 - Found Property
201	09/20/2021 01:01 PM	210002100	375 S PARKER ST	MABELLJ	L3520 - Pistol Sales Record - MA
202	09/20/2021 04:56 PM	210002101	2088 S PARKER ST	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
203	09/20/2021 08:08 PM	210002102	S MAIN ST&E SAINT CLAIR ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
204	09/20/2021 08:16 PM	210002103	S WATER ST&WASHINGTON ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
205	09/20/2021 08:41 PM	210002104	N MARKET ST&N MAIN ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
206	09/20/2021 08:55 PM	210002105	BROADWAY ST&N ELIZABETH ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
207	09/20/2021 09:16 PM	210002106	BROADWAY ST&N ELIZABETH ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
208	09/21/2021 08:06 AM	210002107	827 DEGURSE AVE	MAHEASLIPJ	C3324 - Suspicious Circumstances
209	09/21/2021 09:13 AM	210002108	375 S PARKER ST	MABELLJ	L3502 - Fingerprints - MA
210	09/21/2021 09:16 AM	210002109	375 S PARKER ST	MABELLJ	L3520 - Pistol Sales Record - MA
211	09/21/2021 10:05 AM	210002110	375 S PARKER ST	MABELLJ	L3520 - Pistol Sales Record - MA
212	09/21/2021 10:56 AM	210002111	BROADWAY ST&N MARKET ST	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
213	09/21/2021 12:27 PM	210002112	1085 WARD ST	MAPALUCKIE	C3324 - Suspicious Circumstances
214	09/21/2021 01:35 PM	210002113	CHARTIER RD&KING RD	MAPALUCKIE	C3145 - Property Damage Traffic Crash PDA
215	09/21/2021 08:04 PM	210002114	S WATER ST&JEFFERSON ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
216	09/21/2021 08:44 PM	210002115	BROADWAY ST&N ELIZABETH ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
217	09/22/2021 08:03 AM	210002116	N BELLE RIVER AVE&FAIRBANKS ST	MACRAFTW	L3590 - Traffic Stop - MA
218	09/22/2021 08:07 AM	210002117	300 S PARKER ST	MABAXENDALED	C3250 - Mental Health Call
219	09/22/2021 08:17 AM	210002118	DEGURSE AVE&N BELLE RIVER AVE	MACRAFTW	L3590 - Traffic Stop - MA
220	09/22/2021 08:23 AM	210002119	DEGURSE AVE&N BELLE RIVER AVE	MACRAFTW	L3590 - Traffic Stop - MA
221	09/22/2021 08:42 AM	210002120	N BELLE RIVER AVE&DEGURSE AVE	MACRAFTW	L3590 - Traffic Stop - MA
222	09/22/2021 08:56 AM	210002121	DEGURSE AVE&N BELLE RIVER AVE	MACRAFTW	L3590 - Traffic Stop - MA
223	09/22/2021 09:28 AM	210002122	DEGURSE AVE&N BELLE RIVER AVE	MACRAFTW	L3590 - Traffic Stop - MA
224	09/22/2021 09:48 AM	210002123	DEGURSE AVE&N BELLE RIVER AVE	MACRAFTW	L3590 - Traffic Stop - MA
225	09/22/2021 10:19 AM	210002124	DEGURSE AVE&N BELLE RIVER AVE	MACRAFTW	L3590 - Traffic Stop - MA
226	09/22/2021 10:42 AM	210002125	DEGURSE AVE&N BELLE RIVER AVE	MACRAFTW	L3590 - Traffic Stop - MA
227	09/22/2021 11:01 AM	210002126	DEGURSE AVE&N BELLE RIVER AVE	MACRAFTW	L3590 - Traffic Stop - MA

#	DATE/TIME	INCIDENT #	LOCATION	OFFICER	OFFENSE
228	09/22/2021 11:15 AM	210002127	DEGURSE AVE&N BELLE RIVER AVE	MACRAFTW	L3590 - Traffic Stop - MA
229	09/22/2021 11:33 AM	210002128	DEGURSE AVE&N BELLE RIVER AVE	MACRAFTW	L3590 - Traffic Stop - MA
230	09/22/2021 12:48 PM	210002129	DEGURSE AVE&N BELLE RIVER AVE	MACRAFTW	L3590 - Traffic Stop - MA
231	09/22/2021 12:59 PM	210002130	DEGURSE AVE&N BELLE RIVER AVE	MACRAFTW	L3590 - Traffic Stop - MA
232	09/22/2021 01:22 PM	210002131	375 S PARKER ST	MABELLJ	L3520 - Pistol Sales Record - MA
233	09/22/2021 01:29 PM	210002132	DEGURSE AVE&N BELLE RIVER AVE	MACRAFTW	L3590 - Traffic Stop - MA
234	09/22/2021 01:44 PM	210002133	DEGURSE AVE&N BELLE RIVER AVE	MACRAFTW	L3590 - Traffic Stop - MA
235	09/22/2021 02:10 PM	210002134	DEGURSE AVE&N BELLE RIVER AVE	MACRAFTW	L3590 - Traffic Stop - MA
236	09/22/2021 03:12 PM	210002135	375 S PARKER ST	MABELLJ	L3535 - Fire Department Background Check - MA
237	09/22/2021 03:21 PM	210002136	DEGURSE AVE&N BELLE RIVER AVE	MACRAFTW	L3590 - Traffic Stop - MA
238	09/22/2021 03:37 PM	210002137	DEGURSE AVE&N BELLE RIVER AVE	MACRAFTW	L3590 - Traffic Stop - MA
239	09/22/2021 04:12 PM	210002138	163 HANOVER ST	MAPALUCKIE	C3312 - Neighborhood Trouble
240	09/22/2021 04:42 PM	210002139	118 MURRAY CT	MAPALUCKIE	C3355 - Civil Matter - Other
241	09/22/2021 07:00 PM	210002140	1295 S PARKER ST	MAGRZENIAS	L5060 - False Alarm - MA
242	09/22/2021 07:08 PM	210002141	CHARTIER RD&CATHERINE ST	MAGRZENIAS	L3598 - General Assistance - Specify - MA
243	09/23/2021 02:27 PM	210002142	260 S PARKER ST	MABAXENDALED	C3334 - Assist Other Govt Agency
244	09/23/2021 03:24 PM	210002143	DEGURSE AVE&N BELLE RIVER AVE	MACRAFTW	L3590 - Traffic Stop - MA
245	09/23/2021 03:38 PM	210002144	DEGURSE AVE&N BELLE RIVER AVE	MACRAFTW	L3590 - Traffic Stop - MA
246	09/23/2021 03:53 PM	210002145	DEGURSE AVE&N BELLE RIVER AVE	MACRAFTW	L3590 - Traffic Stop - MA
247	09/23/2021 04:04 PM	210002146	DEGURSE AVE&N BELLE RIVER AVE	MACRAFTW	L3590 - Traffic Stop - MA
248	09/23/2021 04:24 PM	210002147	DEGURSE AVE&N BELLE RIVER AVE	MACRAFTW	L3590 - Traffic Stop - MA
249	09/23/2021 04:38 PM	210002148	DEGURSE AVE&N BELLE RIVER AVE	MACRAFTW	L3590 - Traffic Stop - MA
250	09/23/2021 04:58 PM	210002149	DEGURSE AVE&RIVER VALLEY DR	MACRAFTW	L3590 - Traffic Stop - MA
251	09/23/2021 05:03 PM	210002150	S 3RD ST&ROBERTSON ST	MAPALUCKIE	L3590 - Traffic Stop - MA
252	09/23/2021 05:49 PM	210002151	FAIRBANKS ST&N BELLE RIVER AVE	MACRAFTW	L3590 - Traffic Stop - MA
253	09/23/2021 06:06 PM	210002152	RIVER VALLEY DR&DEGURSE AVE	MACRAFTW	L3590 - Traffic Stop - MA
254	09/23/2021 07:08 PM	210002153	1295 S PARKER ST	MAPALUCKIE	L5060 - False Alarm - MA
255	09/23/2021 07:14 PM	210002154	S WATER ST&UNION ST	MACRAFTW	L3590 - Traffic Stop - MA



#	DATE/TIME	INCIDENT #	LOCATION	OFFICER	OFFENSE
256	09/23/2021 08:51 PM	210002155	252 PLEASANT ST	MAPALUCKIE	C3208 - Death Investigation - Cause Unknown
257	09/23/2021 09:21 PM	210002156	358 S WATER ST	MAGRZENIAS	C3326 - Suspicious Vehicles
258	09/24/2021 11:01 AM	210002157	256 N ELIZABETH ST	MAVANDERMEULENJ	C3331 - Assist Medical
259	09/24/2021 11:01 AM	210002158	256 N ELIZABETH ST	MAVANDERMEULENJ	L3501 - Dispatch Error - MA
260	09/24/2021 02:21 PM	210002159	BROADWAY ST&N ELIZABETH ST	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
261	09/24/2021 03:24 PM	210002160	S WATER ST&E SAINT CLAIR ST	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
262	09/24/2021 05:35 PM	210002161	N BELLE RIVER AVE&DEGURSE AVE	MACRAFTW	L3590 - Traffic Stop - MA
263	09/24/2021 06:07 PM	210002162	1295 S PARKER ST	MAVANDERMEULENJ	C3902 - Burglary Alarm
264	09/24/2021 07:50 PM	210002163	S WATER ST&WASHINGTON ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
265	09/24/2021 08:24 PM	210002164	MARINE ST&S MARKET ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
266	09/24/2021 08:48 PM	210002165	BRIDGE ST&S WATER ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
267	09/24/2021 09:12 PM	210002166	S WATER ST&JEFFERSON ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
268	09/24/2021 11:59 PM	210002167	BROADWAY ST&N ELIZABETH ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
269	09/25/2021 12:38 AM	210002168	652 PARADISE BLVD	MAMARTINELLIC	C3330 - Assist Other Law Enforcement Agency
270	09/25/2021 12:47 PM	210002169	KING RD&WEST BLVD	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
271	09/25/2021 03:10 PM	210002170	1327 S BELLE RIVER AVE	MAVANDERMEULENJ	C3330 - Assist Other Law Enforcement Agency
272	09/25/2021 07:19 PM	210002171	ALGER ST&S BELLE RIVER AVE	MARICHTERM	C2899 - Juvenile - All Other
273	09/25/2021 07:54 PM	210002172	375 S PARKER ST	MARICHTERM	C3336 - Assist Citizen
274	09/25/2021 08:03 PM	210002173	460 S WATER ST	MAMARTINELLIC	C4205 - Handicapped Parking Citation
275	09/25/2021 08:15 PM	210002174	S WATER ST&BRIDGE ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
276	09/25/2021 08:25 PM	210002175	BROADWAY ST&N ELIZABETH ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
277	09/25/2021 08:46 PM	210002176	S MARKET ST&JEFFERSON ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
278	09/25/2021 08:49 PM	210002177	620 ALGER ST	MAMARTINELLIC	C3324 - Suspicious Circumstances
279	09/25/2021 09:30 PM	210002178	BROADWAY ST&S WATER ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
280	09/26/2021 12:21 AM	210002179	436 N MARY ST	MAMARTINELLIC	C3324 - Suspicious Circumstances
281	09/26/2021 05:15 AM	210002180	358 S WATER ST	MAMARTINELLIC	C4212 - Parking Restricted Zone Citation
282	09/26/2021 09:52 AM	210002181	1000 SHORTCUT RD	MAVANDERMEULENJ	C3345 - Accidental Property Damage
283	09/26/2021 04:10 PM	210002182	S PARKER ST&CARROLL ST	MAVANDERMEULENJ	L3590 - Traffic Stop - MA



#	DATE/TIME	INCIDENT #	LOCATION	OFFICER	OFFENSE
284	09/26/2021 08:50 PM	210002183	N MAIN ST&WOODWORTH ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
285	09/26/2021 09:23 PM	210002184	BROADWAY ST&S MARKET ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
286	09/27/2021 12:09 PM	210002185	261 N MAIN ST	MABELLJ	L3520 - Pistol Sales Record - MA
287	09/27/2021 12:13 PM	210002186	BROWN ST&S BELLE RIVER RD	MAPALUCKIE	L3590 - Traffic Stop - MA
288	09/27/2021 12:32 PM	210002187	S WATER ST&BRIDGE ST	MAPALUCKIE	L3590 - Traffic Stop - MA
289	09/27/2021 12:37 PM	210002188	S PARKER ST&CHARTIER RD	MABAXENDALED	L3590 - Traffic Stop - MA
290	09/27/2021 01:07 PM	210002189	1038 S PARKER ST	MABAXENDALED	C3907 - Panic Alarm
291	09/27/2021 01:21 PM	210002190	S PARKER ST&ROBERTSON ST	MABAXENDALED	C3804 - Animal Complaint
292	09/27/2021 02:31 PM	210002191	N BELLE RIVER RD&DEGURSE AVE	MAPALUCKIE	L3590 - Traffic Stop - MA
293	09/27/2021 02:51 PM	210002192	N BELLE RIVER RD&FAIRBANKS	MAPALUCKIE	L3590 - Traffic Stop - MA
294	09/27/2021 03:28 PM	210002193	118 MURRAY CT	MABELLJ	L3520 - Pistol Sales Record - MA
295	09/27/2021 03:37 PM	210002194	THIRD ST&BELL ST	MAPALUCKIE	L3590 - Traffic Stop - MA
296	09/27/2021 04:13 PM	210002195	KING RD&CHARTIER RD	MABAXENDALED	C3145 - Property Damage Traffic Crash PDA
297	09/27/2021 08:45 PM	210002196	DEGURSE AVE&KING RD	MAGRZENIAS	L3590 - Traffic Stop - MA
298	09/28/2021 11:18 AM	210002197	640 N MARY ST	MABAXENDALED	C3332 - Assist Fire Department
299	09/28/2021 02:19 PM	210002198	260 S PARKER ST	MABAXENDALED	L3598 - General Assistance - Specify - MA
300	09/28/2021 08:34 PM	210002199	834 BRUCE ST	NA	L3542 Follow Up - MA
301	09/28/2021 09:12 PM	210002200	320 S BELLE RIVER AVE	MAGRZENIAS	C3312 - Neighborhood Trouble
302	09/29/2021 08:52 AM	210002201	1601 CHARTIER RD	NA	L3594 - Public Relations - MA
303	09/29/2021 09:23 AM	210002202	532 CARROLL ST	MAVANDERMEULENJ	C3324 - Suspicious Circumstances
304	09/29/2021 06:54 PM	210002203	375 S PARKER ST	MAMARTINELLIC	C3336 - Assist Citizen
305	09/29/2021 08:16 PM	210002204	WOODWORTH ST&N MARY ST	MAMARTINELLIC	C3804 - Animal Complaint
306	09/29/2021 08:35 PM	210002205	S MAIN ST&BRIDGE ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
307	09/29/2021 08:41 PM	210002206	S WATER ST&WASHINGTON ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
308	09/29/2021 09:20 PM	210002207	BROADWAY ST&S WATER ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
309	09/30/2021 07:41 AM	210002208	375 S PARKER ST	MABELLJ	L3522 - Records Check - MA
310	09/30/2021 09:45 AM	210002209	CHARTIER RD&KING RD	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
311	09/30/2021 11:08 AM	210002210	375 S PARKER ST	MAHEASLIPJ	C3299 - Welfare Check

#	DATE/TIME	INCIDENT #	LOCATION	OFFICER	OFFENSE
312	09/30/2021 11:34 AM	210002211	117 N ELIZABETH ST	MAVANDERMEULENJ	C3704 - Traffic Complaint / Abandoned Auto
313	09/30/2021 12:05 PM	210002212	556 ROBERTSON ST	MAJONESJ	C3324 - Suspicious Circumstances
314	09/30/2021 01:16 PM	210002213	253 S WILLIAM ST	MAVANDERMEULENJ	C3704 - Traffic Complaint / Abandoned Auto
315	09/30/2021 02:31 PM	210002214	6317 KING RD	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
316	09/30/2021 04:38 PM	210002215	100 E SAINT CLAIR ST	MAJONESJ	C3728 - Traffic Complaint / Parking Complaint
317	09/30/2021 04:47 PM	210002216	1085 WARD ST	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
318	09/30/2021 05:11 PM	210002217	KING RD&BRUCE ST	MAVANDERMEULENJ	L3590 - Traffic Stop - MA
319	09/30/2021 07:54 PM	210002218	S WATER ST&E SAINT CLAIR ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
320	09/30/2021 08:32 PM	210002219	S WATER ST&E SAINT CLAIR ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
321	09/30/2021 08:54 PM	210002220	S MARKET ST&E SAINT CLAIR ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
322	09/30/2021 09:11 PM	210002221	S WATER ST&BROADWAY ST	MAMARTINELLIC	L3590 - Traffic Stop - MA
323	09/30/2021 09:23 PM	210002222	N MARY ST&BROADWAY ST	MAMARTINELLIC	L3590 - Traffic Stop - MA



# MARINE CITY AREA FIRE AUTHORITY

200 South Parker Street • Marine City, Michigan 48039  
810-765-8840 • Fax 810-765-5199

October 1, 2021

The following is a list of the Marine City Area Fire Authority runs for the month of September, 2021

Medical Emergency	58	Service Calls	12
Water rescue	1	Structure Fire	1
Fire Alarm	2	Illegal Burn	2
M V Accidents	2		
Power Line Down	4		

**Total Runs** 82

The following is a list of runs by the Township or City they occurred in:

### City Of Marine City

Medical Emergency	31
Power line Down	2
Fire Alarm	2
Water Rescue	1
Illegal Burn	1

### Cottrellville Twp

Medical Emergency	13
Illegal Burn	1
Structure Fire	1
Tree Across road	1
Power Line Down	1

### East China Twp

Medical Emergency	11
M V Accident	1

### China Twp

Medical Emergency	3
M V Accident	1

Service Calls/Mutual Aid 12

Joseph A. Slankster

Fire Chief

MCAFA

**City of Marine City  
Planning Commission Meeting  
September 13, 2021**

A regular meeting of the Marine City Planning Commission was held on Monday, September 13, 2021 at 260 South Parker Street, and was called to order by Chairperson Moran at 7:00 pm.

The Pledge of Allegiance was led by Chairperson Moran.

**Present:** Chairperson Joseph Moran; Commissioners William Beutell, Keith Jenken; City Commissioner William Klaassen; City Manager Holly Tatman; Deputy Clerk Michele Goodrich

**Absent:** Commissioners Madelyn McCarthy, Benjamin Heath, Graham Allan

**Communications**

None.

**Approve Agenda**

Motion by Commissioner Beutell, seconded by Commissioner Jenken, to approve the agenda with the following amendment:

- Add Set Public Hearing for Nautical Mile Zoning Code Amendments to New Business

Ayes: Moran, Beutell, Jenken. Nays: Klaassen. Motion Carried.

**Public Comment**

Chairperson Moran welcomed City Manager Tatman to the City.

**Approve Minutes**

Motion by Commissioner Beutell, seconded by City Commissioner Klaassen, to approve the August 9, 2021 meeting minutes, as amended. All Ayes. Motion Carried.

## Unfinished Business

### Zoning Code Amendments (Chapter 160)

- Off Street Parking in Nautical Mile District Section 160-214(B)

Motion by Commissioner Beutell, seconded by Commissioner Jenken, to approve the Zoning Code Amendments (Chapter 160): Off Street Parking in Nautical Mile District Section 160-214(B). All Ayes. Motion Carried.

## New Business

### Set Public Hearing for Nautical Mile Zoning Code Amendments

Motion by Chairperson Moran, seconded by City Commissioner Klaassen, to set the Public Hearing to hear comments on the Zoning Code Amendments (Chapter 160) at the October 11, 2021 Planning Commission meeting. All Ayes. Motion Carried.

## Adjournment

Motion by Commissioner Beutell, seconded by City Commissioner Klaassen, to adjourn at 7:08pm. All Ayes. Motion Carried.

Respectfully submitted,



Michele E. Goodrich  
Deputy Clerk



Kristen Baxter  
City Clerk





# CITY OF MARINE CITY

260 S PARKER ST.  
MARINE CITY, MI 48039  
PHONE (810) 765-8846 • FAX (810) 765-1040

October 12, 2021

To: City Manager Holly Tatman

**RE: July 15, 2021 Office Hours**

Dear City Manager Tatman, Commissioners and Mayor Vercammen:

At the October 7, 2021 City Commission meeting, Commissioner Klaassen made the statement that he knew "for a fact" that I was not working in Marine City on a day that I was normally scheduled to be in the office.

Please note, my regular office hours in the City of Marine City are Tuesday afternoons and Thursday mornings however, due to the nature of my job, I oftentimes have to perform inspections when it is convenient for all parties, including but not limited to: myself, the homeowner, the contractor and/or any additional inspectors. Although I strive to maintain consistent office hours, my position requires flexibility and, on a rare occasion, I may have to intermingle office hours and inspections. Occasionally, project inspections occur outside of Tuesday afternoons and Thursday mornings and to offset the time spent outside of the office, I have been coming in on Mondays and Fridays to return resident calls and respond to emails. As always, residents are encouraged to make an appointment to ensure availability.

Furthermore, the specific date I believe Commissioner Klaassen was referencing was Thursday, July 15, 2021. On this date, Commissioner Klaassen and I were both subpoenaed to Circuit Court, case number 20-000650-CK to testify. Surely, the Commission can respect that I had a duty and obligation to be at present at Circuit Court even though it meant I would not be in the Marine City offices at that time.

It is my position that Commissioner Klaassen's statements made at the October 7, 2021 were baseless and detrimental to my position as the Marine City Building Official. I perform my job duties with the utmost integrity and the misrepresentation of the truth regarding the events of July 15, 2021 is bad practice for any Commissioner. At this time I would appreciate a public acknowledgment that the claims made by Commissioner Klaassen were unfounded and the assurance that no false accusations will be made again.

Sincerely,

Tracy Kallek  
Building Official

Thank you so much for allowing us to have our Homecoming downtown. Without that, we may not have been able to have a Homecoming at all. We are so very grateful for all of your support and help. Thank you again.

-MCHS Student Government

# Memo

**To:** Holly Tatman, City Manager

**Date:** 10/13/2021

**Re:** Expenditures

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Listed below is the breakdown for total expenditures including payroll:

**List of Disbursements:**

(10/11/2021) \$207,256.36

**Active Employee Payroll:**

(10/14/2021) \$45,675.99

**List of Encumbrances:**

(10/21/2021) \$416,608.20

**Expenditure Total: \$669,540.55**

Thank you



INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF MARINE CITY  
EXP CHECK RUN DATES 10/11/2021 - 10/11/2021  
JOURNALIZED  
PAID  
DISBURSEMENTS 10/11/21  
EFT PAYMENTS 10/11/21

Vendor Code	Vendor Name	Amount
Invoice	Invoice Description	
GL Number	GL Description	
A350	ACCOUNTEmps	
58555299	TEMPORARY ACCOUNTANT WK END DT 10/01/2021	
101-253.000-704.001	WAGES-PART TIME EMPLOYEES	1,559.03
592-543.000-704.001	WAGES-PART TIME EMPLOYEES	779.51
592-547.000-704.001	WAGES-PART TIME EMPLOYEES	779.51
		<u>3,118.05</u>
	VENDOR TOTAL:	<u>3,118.05</u>
B050	BLB ENGRAVING	
2847	VINYL LETTERING AND NAME PLATES	
101-265.000-756.000	FURNISHINGS/HOUSEHOLD	373.50
2854	VINYL LETTERING AND NAME PLATES	
101-265.000-756.000	FURNISHINGS/HOUSEHOLD	180.00
	VENDOR TOTAL:	<u>553.50</u>
C252	COMCAST	
STATEMENT	HIGH SPED INTERNET - PHONE PD 375 S. PARKER 10-20 TO 11-19-21	
101-301.000-850.000	COMMUNICATIONS	415.07
STATEMENT	HIGH-SPEED INTERNET/PHONE-LITTLE LEAGUE 601 WARD 9-14 TO 10-13-21	
101-756.000-850.000	COMMUNICATIONS	109.76
	VENDOR TOTAL:	<u>524.83</u>

PAID  
 DISBURSEMENTS 10/11/21  
 EFT PAYMENTS 10/11/21

Vendor Code	Vendor Name	Amount
Invoice GL Number	Invoice Description GL Description	
C350	COMCAST BUSINESS	
128677155	BUSINESS VOICE EDGE 7/15/2021-8/14/2021	
101-172.000-850.000	COMMUNICATIONS	58.92
101-257.000-850.000	BUSINESS VOICE EDGE	58.92
101-215.000-850.000	BUSINESS VOICE EDGE	58.92
101-253.000-850.000	BUSINESS VOICE EDGE	58.92
101-371.000-850.000	BUSINESS VOICE EDGE	58.92
592-543.000-850.000	BUSINESS VOICE EDGE	29.48
592-547.000-850.000	BUSINESS VOICE EDGE	29.48
101-441.000-850.000	BUSINESS VOICE EDGE 514 S PARKER	(1.15)
101-301.000-850.000	BUSINESS VOICE EDGE 375 S PARKER	(1.74)
592-549.000-850.000	BUSINESS VOICE EDGE 229 S WATER	(0.57)
		<u>350.10</u>
130626596	BUSINESS VOICE EDGE 9/15/2021-10/14/2021	
101-172.000-850.000	BUSINESS VOICE EDGE	47.99
101-257.000-850.000	BUSINESS VOICE EDGE	47.99
101-215.000-850.000	BUSINESS VOICE EDGE	47.99
101-253.000-850.000	BUSINESS VOICE EDGE	47.99
101-371.000-850.000	BUSINESS VOICE EDGE	47.99
592-543.000-850.000	BUSINESS VOICE EDGE	24.00
592-547.000-850.000	BUSINESS VOICE EDGE	24.00
101-441.000-850.000	BUSINESS VOICE EDGE 514 S PARKER	94.04
101-301.000-850.000	BUSINESS VOICE EDGE 375 S PARKER	129.80
592-549.000-850.000	BUSINESS VOICE EDGE 229 S WATER	44.59
		<u>556.38</u>
	VENDOR TOTAL:	<u>906.48</u>
D159	DAVIS LISTMAN PLLC	
9700	PROFESSIONAL SERVICES - SEPTEMBER	
101-266.000-801.000	PROFESSIONAL SERVICES	3,948.20
9701	PROFESSIONAL SERVICES SEPTEMBER PROSECUTION	
101-266.000-801.000	PROFESSIONAL SERVICES	2,261.00
	VENDOR TOTAL:	<u>6,209.20</u>

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF MARINE CITY  
 EXP CHECK RUN DATES 10/11/2021 - 10/11/2021  
 JOURNALIZED  
 PAID  
 DISBURSEMENTS 10/11/21  
 EFT PAYMENTS 10/11/21

Vendor Code	Vendor Name	Amount
Invoice	Invoice Description	
GL Number	GL Description	
E039	EAST CHINA SCHOOL DISTRICT	
STATEMENT	2021 SUMMER TAX - SEPTEMBER 1-30. 2021	
703-000.000-225.001	DUE TO SCHOOLS-OPERATING-REAL	38,392.69
703-000.000-225.001	DUE TO SCHOOLS-OPERATING-REAL	106.14
703-000.000-225.002	DUE TO SCHOOLS-DEBT-REAL	8,041.52
703-000.000-225.002	DUE TO SCHOOLS-DEBT-PERSONAL	734.13
703-000.000-225.002	DUE TO SCHOOLS-DEBT-INTEREST- (REAL)	23.16
703-000.000-225.003	DUE TO SCHOOLS-SINKING FUND-REAL	1,130.14
703-000.000-225.003	DUE TO SCHOOLS-SINKING FUND-PERSONAL	103.19
703-000.000-225.003	DUE TO SCHOOLS-SINKING FUND-INT- (REAL)	3.25
		<u>48,534.22</u>
	VENDOR TOTAL:	<u>48,534.22</u>
FV150	F & V OPERATIONS RESOURCE MGMT	
3938	OPERATIONS OF WATER & WWTP PLANT 7/2021	
592-545.000-802.000	OPERATIONS OF WATER & WWTP PLANT	16,463.43
592-549.000-802.000	OPERATIONS OF WATER & WWTP PLANT	16,463.43
		<u>32,926.86</u>
	VENDOR TOTAL:	<u>32,926.86</u>
H063	HI-TECH SYSTEM SERVICE	
70486	USB 2.0 PRINTER CABLE CORD 10 FEET BLACK	
101-257.000-755.000	OFFICE SUPPLIES	1,370.50
592-549.000-931.003	EQUIPMENT REPAIRS	571.50
		<u>1,942.00</u>
	VENDOR TOTAL:	<u>1,942.00</u>
J011	JASON BELL	
STATEMENT	REIMBURSEMENT	
101-301.000-911.000	CONFERENCES & TRAINING	597.50
	VENDOR TOTAL:	<u>597.50</u>

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF MARINE CITY  
 EXP CHECK RUN DATES 10/11/2021 - 10/11/2021  
 JOURNALIZED

PAID  
 DISBURSEMENTS 10/11/21  
 EFT PAYMENTS 10/11/21

Vendor Code Invoice GL Number	Vendor Name Invoice Description GL Description	Amount
L101	LEAF	
12339289 101-301.000-884.000	COPIER LEASE PAYMENT BALANCE EQUIPMENT LEASE	18.69
		VENDOR TOTAL: 18.69
M017	MARINE CITY GENERAL FUND	
STATEMENT	2021 SUMMER TAX SEPTEMBER 1-30, 2021	
703-000.000-221.000	DUE TO CITY-OPERATING-REAL	45,425.53
703-000.000-221.000	DUE TO CITY-OPERATING-PERSONAL	4,146.98
703-000.000-221.000	DUE TO CITY-OPERATING-INTEREST-(REAL)	130.68
703-000.000-221.005	DUE TO CITY-PENALTY-REAL PROPERTY	5,906.59
703-000.000-221.005	DUE TO CITY-PENALTY-PERSONAL PROPERTY	309.15
703-000.000-221.001	DUE TO CITY-REFUSE	5,274.45
703-000.000-221.001	DUE TO CITY-REFUSE INTEREST	20.89
703-000.000-221.009	DUE TO CITY-SIDEWALK-ZONE 3 S/A	191.62
703-000.000-221.009	DUE TO CITY-SIDEWALK-ZONE 3 S/A	1.92
		61,407.81
		VENDOR TOTAL: 61,407.81
M038	MML WORKERS' COMP FUND	
1389206 101-270.000-937.000	WORKERS' COMPENSATION FUND WORKERS' COMPENSATION FUND	473.00
		VENDOR TOTAL: 473.00

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF MARINE CITY  
 EXP CHECK RUN DATES 10/11/2021 - 10/11/2021  
 JOURNALIZED

PAID  
 DISBURSEMENTS 10/11/21  
 EFT PAYMENTS 10/11/21

Vendor Code	Vendor Name	Amount
Invoice	Invoice Description	
GL Number	GL Description	
S204	ST CLAIR COUNTY TREASURER	
STATEMENT	2021 SUMMER TAX SEPTEMBER 1-30, 2021	
703-000.000-235.000	DUE TO COMMUNITY COLLEGE-REAL	5,331.66
703-000.000-235.000	DUE TO COMMUNITY COLLEGE-PERSONAL	486.75
703-000.000-235.000	DUE TO COMMUNITY COLLEGE-INTEREST-(REAL)	15.33
703-000.000-222.001	DUE TO COUNTY-OPERATING-REAL	15,050.52
703-000.000-222.001	DUE TO COUNTY-OPERATING-PERSONAL	1,374.00
703-000.000-222.001	DUE TO COUNTY-OPERATING-INT-(REAL)	43.32
703-000.000-236.000	DUE TO SPECIAL EDUCATION-REAL	6,523.18
703-000.000-236.000	DUE TO SPECIAL EDUCATION-PERSONAL	595.52
703-000.000-236.000	DUE TO SPECIAL EDUCATION-INT-(REAL)	18.76
703-000.000-234.001	DUE TO ISD-INTERMEDIATE SCHOOL-REAL	546.61
703-000.000-234.001	DUE TO ISD-INTERMEDIATE SCHOOL-PERSONAL	49.91
703-000.000-234.001	DUE TO ISD-INTERMEDIATE SCHOOL-INT-(REAL)	1.56
703-000.000-234.002	DUE TO ISD-VOCATIONAL EDUCATION-REAL	2,609.08
703-000.000-234.002	DUE TO ISD-VOCATIONAL EDUCATION-PERSONAL	238.20
703-000.000-234.002	DUE TO ISD-VOCATIONAL EDUCATION-INT-(R)	7.51
703-000.000-222.008	DUE TO COUNTY-STATE EDUCATION-REAL	16,989.35
703-000.000-222.008	DUE TO COUNTY-STATE EDUCATION-INT-(R)	48.87
		<u>49,930.13</u>
	VENDOR TOTAL:	<u>49,930.13</u>
V006	VERIZON WIRELESS	
9889178461	(4) IN CAR MODEMS - PD	
101-301.000-850.000	(4) IN CAR MODEMS - PD	114.09
	VENDOR TOTAL:	<u>114.09</u>
	TOTAL - ALL VENDORS:	<u>207,256.36</u>

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF MARINE CITY  
 EXP CHECK RUN DATES 10/13/2021 - 10/21/2021  
 JOURNALIZED  
 PAID  
 MEETING ENCUMBRANCES 10/21/21

Vendor Code Invoice GL Number	Vendor Name Invoice Description GL Description	Amount
A167	ABC HOME AND COMMERCIAL SERVICES	
47548 101-756.000-802.000	CLEAN & RESTOCK UNITS PARKS - 6730 KING 7/21, 7/28, 8/4 & 8/11/21 CONTRACTUAL SERVICES	210.00
47549 101-756.000-802.000	CLEAN & RESTOCK UNITS PARKS EAST END OF ST CLAIR ST 7/21, 7/28, 8/ CONTRACTUAL SERVICES	210.00
47550 209-000.000-802.000	CEMETERY CONTRACTUAL SERVICES 7/21, 7/28, 8/7 & 8/11/21 CONTRACTUAL SERVICES	95.00
48054 101-756.000-802.000	CLEAN & RESTOCK UNITS PARKS EAST END OF ST CLAIR ST 9/15, 9/23, 9/ CONTRACTUAL SERVICES	210.00
48055 101-756.000-802.000	CLEAN & RESTOCK UNITS PARKS - 6730 KING 9/15, 9/23, 9/29 & 10/7/2 CONTRACTUAL SERVICES	210.00
48056 209-000.000-802.000	CEMETERY CONTRACTUAL SERVICES 7/21, 7/28, 8/7 & 8/11/21 CONTRACTUAL SERVICES	95.00
48057 101-756.000-802.001	CLEAN & RESTOCK UNITS PAVILION CONTRACTUAL SERVICES-MARINER PARK	62.50
VENDOR TOTAL:		1,092.50
C072	ADVANCE AUTO PARTS	
5880-389506 592-548.000-934.000	HYDRANT WINTERIZATION/FLUSHING OTHER REPAIRS AND MAINTENANCE	980.46
5880-390406 101-441.000-932.000	VEHICLE REPAIRS & MAINT DPW VEHICLE REPAIRS & MAINTENANCE	50.59
VENDOR TOTAL:		1,031.05

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF MARINE CITY  
 EXP CHECK RUN DATES 10/13/2021 - 10/21/2021  
 JOURNALIZED  
 PAID  
 MEETING ENCUMBRANCES 10/21/21

Vendor Code Invoice GL Number	Vendor Name Invoice Description GL Description	Amount
A168	AMERICAN LEGAL PUBLISHING CORP	
11265 101-215.000-802.000	SEPTEMBER 2021 S-7 FOLIO/INTERNET EDITING CONTRACTUAL SERVICES	17.55
VENDOR TOTAL:		17.55
R011	ASCENSION MICHIGAN AT WORK	
442922 101-441.000-731.000	RANDOM DRUG TEST EMPLOYMENT SCREENING	135.00
VENDOR TOTAL:		135.00
M002	BILL MACDONALD FORD, INC.	
91722 101-301.000-932.000	REPAIRS TO 19 EXPLORER VEHICLE REPAIRS & MAINTENANCE	125.00
VENDOR TOTAL:		125.00
B131	BLUE WATER FUEL MANAGEMENT	
2127301 101-301.000-759.000	MONTHLY FUEL EXPENSES-PD SEPTEMBER 2021 MONTHLY FUEL EXPENSES-PD	1,187.16
VENDOR TOTAL:		1,187.16
C252	COMCAST	
STATEMENT	HIGH SPEED INTERNET/PHONE - 260 S PARKER 10/14/2021-11/13/2021	
101-172.000-850.000	COMMUNICATIONS	27.12
101-257.000-850.000	COMMUNICATIONS	27.12
101-215.000-850.000	COMMUNICATIONS	27.12
101-371.000-850.000	COMMUNICATIONS	27.12
101-253.000-850.000	COMMUNICATIONS	27.12
592-543.000-850.000	COMMUNICATIONS	13.57
592-547.000-850.000	COMMUNICATIONS	13.57
VENDOR TOTAL:		162.74
STATEMENT	HIGH-SPEED INTERNET/PHONE-WW 229 S WATER	
592-549.000-850.000	HIGH-SPEED INTERNET/PHONE-WW	312.02
VENDOR TOTAL:		474.76

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF MARINE CITY  
 EXP CHECK RUN DATES 10/13/2021 - 10/21/2021  
 JOURNALIZED  
 PAID  
 MEETING ENCUMBRANCES 10/21/21

Vendor Code	Vendor Name	Amount
Invoice GL Number	Invoice Description GL Description	
C105	CONTRACTORS CONNECTION INC	
7157409	SYSTEM MAINT. WATER & SEWER	
592-548.000-934.000	OTHER REPAIRS AND MAINTENANCE	55.90
592-544.000-934.000	OTHER REPAIRS AND MAINTENANCE	55.90
		<u>111.80</u>
	VENDOR TOTAL:	<u>111.80</u>
C022	COTTRELLVILLE TOWNSHIP	
STATEMENT	MARINE CITY QUARTERLY INVOICE	
592-543.000-802.000	CONTRACTUAL SERVICES	2,350.00
	VENDOR TOTAL:	<u>2,350.00</u>
D115	DETROIT SALT CO	
S121-08120	ROCK SALT	
202-455.000-761.000	ROCK SALT	3,489.41
203-455.000-761.000	ROCK SALT	2,326.28
		<u>5,815.69</u>
S121-08142	ROCK SALT	
202-455.000-761.000	ROCK SALT	5,572.19
203-455.000-761.000	ROCK SALT	3,714.80
		<u>9,286.99</u>
	VENDOR TOTAL:	<u>15,102.68</u>
D008	DTE ENERGY	
STATEMENT	MONTHLY ELECTRIC FEES	
101-448.000-926.000	STREET LIGHTING	6,596.35
	VENDOR TOTAL:	<u>6,596.35</u>



INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF MARINE CITY  
 EXP CHECK RUN DATES 10/13/2021 - 10/21/2021  
 JOURNALIZED  
 PAID  
 MEETING ENCUMBRANCES 10/21/21

Vendor Code Invoice GL Number	Vendor Name Invoice Description GL Description	Amount
D050	DYCK SECURITY SERVICES	
J8378 101-265.000-802.000	MONITORING 260 S PARKER CONTRACTUAL SERVICES	383.96
J8379 101-265.000-802.000	SERVICE CALL 260 S PARKER CONTRACTUAL SERVICES	240.41
J8380 101-265.000-985.000	INSTALLATION OF SECURITY SYSTEM 260 S PARKER CAPITAL OUTLAY-EQUIPMENT	4,844.62
S19630 101-265.000-802.000	SERVICE CALL 260 S PARKER CONTRACTUAL SERVICES	135.88
VENDOR TOTAL:		5,604.87
E086	EMTERRA ENVIRONMENTAL USA CORP	
431085 101-271.000-802.000 202-522.000-802.000 203-522.000-802.000	SPECIAL PROJECT CONTRACTUAL SERVICES CONTRACTUAL SERVICES CONTRACTUAL SERVICES CONTRACTUAL SERVICES	130.00 65.00 65.00
		260.00
431155 101-528.000-802.000 101-528.000-802.000	TRASH & RECYCLING 9/2021 TRASH & RECYCLING MICHIGAN LANDFILL FEE	24,837.75 212.94
		25,050.69
VENDOR TOTAL:		25,310.69

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF MARINE CITY  
EXP CHECK RUN DATES 10/13/2021 - 10/21/2021  
JOURNALIZED  
PAID  
MEETING ENCUMBRANCES 10/21/21

Vendor Code Invoice GL Number	Vendor Name Invoice Description GL Description	Amount
E007	ETNA SUPPLY COMPANY	
S104219314.001 592-548.000-934.000	READY TO SERVE FEE WATERLINE REPLACEMENT OTHER REPAIRS AND MAINTENANCE	162.00
S104247936.001 592-548.000-934.000	READY TO SERVE FEE WATERLINE REPLACEMENT OTHER REPAIRS AND MAINTENANCE	237.50
S104248231.001 592-548.000-934.000	WATER SYSTEM MAINTENANCE OTHER REPAIRS AND MAINTENANCE	147.20
S104248388.001 592-548.000-934.000	WATER SYSTEM MAINTENANCE OTHER REPAIRS AND MAINTENANCE	508.00
	VENDOR TOTAL:	<u>1,054.70</u>
FV150	F & V OPERATIONS RESOURCE MGMT	
4098 592-545.000-802.000 592-549.000-802.000	OPERATIONS OF WATER & WWTP PLANT 10/2021 OPERATIONS OF WATER & WWTP PLANT OPERATIONS OF WATER & WWTP PLANT	16,463.43 16,463.43
		<u>32,926.86</u>
	VENDOR TOTAL:	<u>32,926.86</u>

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF MARINE CITY  
EXP CHECK RUN DATES 10/13/2021 - 10/21/2021  
JOURNALIZED  
PAID  
MEETING ENCUMBRANCES 10/21/21

Vendor Code	Vendor Name	Amount
Invoice	Invoice Description	
GL Number	GL Description	
V024	FLAGSHIP-VISA	
STATEMENT	VISA *****6507	
101-301.000-755.000	OFFICE SUPPLIES	113.38
STATEMENT	VISA *****2621	
101-215.000-755.000	OFFICE SUPPLIES	35.18
101-215.000-755.000	OFFICE SUPPLIES	78.04
101-172.000-791.000	SUBSCRIPTIONS AND PUBLICATIONS	9.99
101-301.000-755.000	OFFICE SUPPLIES	38.98
		<u>162.19</u>
STATEMENT	VISA *****4254	
101-301.000-915.000	MEMBERSHIPS	115.00
STATEMENT	VISA ****3272	
101-756.000-752.000	SUPPLIES	10.50
101-756.000-930.000	LAND & BUILDING REPAIRS	382.00
		<u>392.50</u>
	VENDOR TOTAL:	<u>783.07</u>
G107	GENERAL PRINTING SERVICE, INC	
2339	ENVELOPES	
592-543.000-900.000	PRINTING	175.00
592-547.000-900.000	PRINTING	175.00
		<u>350.00</u>
	VENDOR TOTAL:	<u>350.00</u>

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF MARINE CITY  
EXP CHECK RUN DATES 10/13/2021 - 10/21/2021  
JOURNALIZED  
PAID  
MEETING ENCUMBRANCES 10/21/21

Vendor Code Invoice GL Number	Vendor Name Invoice Description GL Description	Amount
H101	HAVILAND PRODUCTS COMPANY	
411578 592-549.000-753.001	WATER PLANT PROCESS CHEMICALS PROCESS CHEMICALS	2,532.00
412364 592-545.000-753.001	WATER PLANT PROCESS CHEMICALS PROCESS CHEMICALS	654.00
412497 592-549.000-753.001	WATER PLANT PROCESS CHEMICALS PROCESS CHEMICALS	1,308.00
	VENDOR TOTAL:	<u>4,494.00</u>
H063	HI-TECH SYSTEM SERVICE	
70517 101-265.000-985.000	USB 2.0 PRINTER CABLE CORD 10 FEET BLACK CAPITAL OUTLAY-EQUIPMENT	9.16
	VENDOR TOTAL:	<u>9.16</u>
A118	INTERSTATE BILLING SERVICE INC	
Z52277 101-441.000-931.003	DPW EQUIPMENT REPAIRS EQUIPMENT REPAIRS	2,964.30
	VENDOR TOTAL:	<u>2,964.30</u>
K076	KCA SERVICES	
010 101-271.000-802.000	TREE REMOVAL 432 UNION CONTRACTUAL SERVICES	1,800.00
011 101-271.000-802.000	TREE REMOVAL 434 ST CLAIR ST CONTRACTUAL SERVICES	1,900.00
	VENDOR TOTAL:	<u>3,700.00</u>

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF MARINE CITY  
 EXP CHECK RUN DATES 10/13/2021 - 10/21/2021  
 JOURNALIZED  
 PAID  
 MEETING ENCUMBRANCES 10/21/21

Vendor Code Invoice GL Number	Vendor Name Invoice Description GL Description	Amount
L006	LUMBERJACK BLDG CENTERS INC	
D19757 592-549.000-930.000	WATER PLANT LAND & BUILDING REPAIRS LAND & BUILDING REPAIRS	3.79
D20224 101-441.000-931.003	EQUIPMENT REPAIR EQUIPMENT REPAIRS	24.00
D21170 592-545.000-931.003	EQUIPMENT REPAIR EQUIPMENT REPAIRS	7.58
D22910 101-756.000-752.000	PARKS PAVILION SUPPLIES SUPPLIES	9.48
V11542 101-756.000-752.000	PARK SUPPLIES SUPPLIES	31.36
V11993 592-545.000-931.003	WWTP EQUIPMENT REPAIR EQUIPMENT REPAIRS	28.45
V12266 101-265.000-930.000	260 S PARKER BUILDING & LAND REPAIRS LAND & BUILDING REPAIRS	6.64
V12278 592-545.000-931.003	WWTP EQUIPMENT REPAIR EQUIPMENT REPAIRS	6.89
V12616 592-549.000-931.003	WATER PLANT EQUIPMENT REPAIRS EQUIPMENT REPAIRS	3.40
		VENDOR TOTAL: 121.59
M350	MURRAY UNDERGROUND SYSTEMS, INC.	
STATEMENT 592-000.000-152.000	2121 WATER MAIN & ROAD IMPROVEMENT PROJECT S MAIN & UNION STREET CAPITAL OUTLAY-WATER	235,822.87
		VENDOR TOTAL: 235,822.87

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF MARINE CITY  
 EXP CHECK RUN DATES 10/13/2021 - 10/21/2021  
 JOURNALIZED  
 PAID  
 MEETING ENCUMBRANCES 10/21/21

Vendor Code	Vendor Name	Amount
Invoice GL Number	Invoice Description GL Description	
N044	NORTH CENTRAL LABORATORIES	
460777 592-549.000-762.000	Lab Supplies-WWTP LAB SUPPLY	52.88
		VENDOR TOTAL: 52.88
P157	PARAGON LABORATORIES INC	
2907-223520 592-549.000-802.000	WATER FILTRATION PLANT TESTING SAMPLES 9/16/2021 CONTRACTUAL SERVICES	675.00
		VENDOR TOTAL: 675.00
R071	PONTEM SOFTWARE	
00010322 209-000.000-802.000	ANNUAL SUPPORT/MAINTENANCE SUBSCRIPTION CONTRACTUAL SERVICES	1,190.00
		VENDOR TOTAL: 1,190.00
P222	PVS TECHNOLOGIES, INC	
297468 592-545.000-753.001	WWTP PROCESS CHEMICALS PROCESS CHEMICALS	5,748.44
		VENDOR TOTAL: 5,748.44
S012	SEMCO ENERGY GAS CO	
STATEMENT	GAS 8/26/21 TO 9/27/21	
592-546.000-921.002	NATURAL GAS 304 S BELLE RIVER AVE	33.67
101-265.000-921.002	NATURAL GAS 260 S PARKER ST UNIT A	15.47
101-265.000-921.002	NATURAL GAS 260 S PARKER ST UNIT B	15.47
101-790.000-921.002	NATURAL GAS 300 S PARKER ST	20.82
101-301.000-921.002	NATURAL GAS 375 S PARKER ST	18.69
101-441.000-921.002	NATURAL GAS 514 S PARKER ST	66.88
592-545.000-921.002	NATURAL GAS 1696 S PARKER ST	76.11
101-804.000-921.002	NATURAL GAS 405 S MAIN ST	15.47
592-549.000-921.002	NATURAL GAS 231 S WATER ST	32.61
101-265.000-921.002	NATURAL GAS 303 S WATER ST	15.47
592-549.000-921.002	NATURAL GAS 229 S WATER ST	16.55
		327.21
		VENDOR TOTAL: 327.21

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF MARINE CITY  
 EXP CHECK RUN DATES 10/13/2021 - 10/21/2021  
 JOURNALIZED  
 PAID  
 MEETING ENCUMBRANCES 10/21/21

Vendor Code Invoice GL Number	Vendor Name Invoice Description GL Description	Amount
S021	ST CLAIR CO ROAD COMMISSION	
513264 202-456.000-802.000	TRAFFIC FLASHER @ KING & PLANK CONTRACTUAL SERVICES	3.71
VENDOR TOTAL:		<u>3.71</u>
H040	THE HUNTINGTON NATIONAL BANK	
7316460 202-522.000-884.000 203-522.000-884.000	EQUIPMENT LEASE FOR 2018 ELGIN PELICAN STREET SWEEPER EQUIPMENT LEASE EQUIPMENT LEASE	29,035.00 29,035.00
VENDOR TOTAL:		<u>58,070.00</u>
V013	VICTOR STANLEY INC	
S148973 101-271.000-752.000 101-271.000-752.000	CLASSIC SERIES CONTOURED (2) 6 FOOT BENCHES W/SCROLLED SLATS CLASSIC SERIES CONTOURED BENCH FREIGHT	3,302.00 339.00
VENDOR TOTAL:		<u>3,641.00</u>
S148974 101-271.000-752.000 101-271.000-752.000	CLASSIC SERIES CONTOURED BENCHES W/SCROLLED SLATS CLASSIC SERIES CONTOURED BENCH FREIGHT	5,084.00 450.00
VENDOR TOTAL:		<u>5,534.00</u>
VENDOR TOTAL:		<u>9,175.00</u>
TOTAL - ALL VENDORS:		<u>416,608.20</u>

# **CITY OF MARINE CITY NOTICE OF PUBLIC HEARING**

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Notice is hereby given that the Marine City Commission will conduct a Public Hearing on Thursday, October 21, 2021 at 7:00 PM in the Guy Community Center, 260 South Parker Street, Marine City, Michigan, to receive public comment regarding Zoning Code Amendments – Chapter 160.

Written comments are encouraged, and will be received in the City Offices, 260 South Parker Street, Marine City, Michigan, until the close of business on October 21, 2021.

Kristen Baxter  
City Clerk  
October 14, 2021



## ORDINANCE NO. 2021 - 02

## CITY OF MARINE CITY

## COUNTY OF ST. CLAIR, MICHIGAN

**AN ORDINANCE OF THE CITY OF MARINE CITY, ST. CLAIR COUNTY, MICHIGAN WHICH AMENDS CHAPTER 92: FIRE PREVENTION AND PROTECTION, SECTION 92.03 OPEN BURNING, OF ORDINANCE 1971-62 BY ADDING SECTION ENTITLED "CAMPFIRES".**

**THE CITY OF MARINE CITY ORDAINS:****SECTION 1. AMENDMENTS.**

Chapter 92 "Fire Prevention and Protection" is hereby amended to read as follows:

**§ 92.03 OPEN BURNING.**

(A) *Prohibition generally.* No person shall cause or permit, except as provided in this section, any open burning of garbage, waste, refuse, rubbish or other combustible materials, including by way of specification but not by limitation, paper, leaves, grass, trees and tree trimmings, on any private or public property; provided, however, that charcoal and non-ash producing fuels may be used on private property and in recreation areas for the exclusive preparation of food for human consumption, and that fuels may be used in metal containers situated not less than 15 feet from combustible materials for the purpose of heating building materials and for the warmth of workers.

(B) *Prohibited on paved streets and alleys.* No person shall kindle fire in or upon any paved street or alley.

(C) *Prohibited near buildings and at certain hours.* No person shall kindle fire on any private property within 50 feet of any building, unless the fire be confined in a safe container, and in no case shall any such fire be permitted within 15 feet of any building, nor the same to be such as to constitute a nuisance. The fires shall be kindled between the hours of 4:00 p.m. to 11:00 p.m. only.

(D) *Leaves.* Leaves, under the prescribed conditions under this section and as promulgated by the Chief of the Fire Department, may be burned at certain periods of the year in accordance with published notice only.

(E) *Land clearing.* It shall be unlawful for any person to set fire to any woodlands, grasslands, weedlands, brush or other land for the purpose of cleaning or improving the land or preventing other fires, without first having procured a permit from the Fire Chief. Applications for such permits shall be made to the Fire Chief in such form and detail as he may prescribe, and such permits shall be subject to the conditions the Fire Chief may specify for the protection of life and property. Any person who willfully, negligently or carelessly sets on fire or causes to be set on fire any woodlands, grasslands, weed lands, brush or other land, or other combustible material, whether on his or her own land or not, by means whereof the property of another is injured or endangered, shall be guilty of a misdemeanor.

(F) *Campfires.* Campfire Exemptions (Open Burning);  
Nothing in this article shall be held to prohibit private individuals from setting a campfire for the purpose of the preparation of food or for recreation, subject to the following conditions:

(1) Said campfire is set in an adequate container or in a fire bowl of earth or other noncombustible materials that must be capable of containing all burned material, no larger than 36 inch in diameter and at least 4 inches in depth and no more than 24 inches in depth. For square shaped fire pits, the total burning area shall be no greater than 12 inches by 12 inches and subject to the same depth requirement.

- (2) Said campfire shall be far enough away from weeds, grass, or other combustible materials so as to present no hazard;
- (3) Said campfire shall be at least 15 feet from any structure and 15 feet away from any property line;
- (4) Said campfire shall be prohibited on balconies or covered patios;
- (5) Said campfire shall be made using seasoned firewood;
- (6) Said campfire shall be constantly attended by person initiating it until such time as it is completely extinguished, and the campfire shall never be left unattended;
- (7) Said campfire shall be conducted in a safe, nuisance-free manner, when wind and weather conditions minimize adverse effects and do not create a health hazard for property owners or residents in the vicinity;
- (8) There shall be a portable fire extinguisher with a minimum OSHA rating of 4-A, or other on-site fire extinguishing material such as dirt, sand, water barrel, water truck, or a garden hose attached to a water source, in proximity to said campfire available for immediate use at all times;
- (9) Any member of any Fire or Police Department may order any open burning fire to be extinguished due to hazards, excessive smoke or odor, for violation of the parameters of this ordinance, or for any related ordinance or statute violation including but not limited to noise;
- (10) Said campfire shall not be permitted during such periods that the county is under emergency fire regulations of the State department of natural resources banning outdoor campfires or when necessary, as determined by the Fire Chief;

(11) Any person who sets an open fire which necessitates the Fire Authority or any other Fire Department to respond shall pay and be liable for all costs and charges incurred related to the response;

(12) Sky lanterns (any airborne paper lantern, also known as a Kongming Lantern or Chinese Lantern, sky candle or fire balloon) which are constructed from oiled rice paper on a bamboo frame and contain a small candle or fuel cell composed of waxy flammable material, which when lit the flame heats the air on the inside of the lantern and causes the lantern to rise in to the air or any similar devices are prohibited.

(13) Any existing and permanently installed campfire structure existing at the time of this ordinance that otherwise meets the location requirements under this section shall be and remain permitted provided it is not expanded. If any such campfire structure is removed, it shall only be replaced with a campfire structure that is consistent with the conditions of this ordinance. Any campfire structure governed herein shall be allowed to place outer rings or decorative enhancements to any campfire structure but no such items shall increase the actual burning area allowed herein.

Persons wishing to have a campfire for the purpose of food preparation or creation are not required to obtain a written permit from the Fire Authority. It shall be a violation of this article if such a campfire escapes or spreads and sets fire to grass, weeds, brush, or any other property of any kind.

All fires set in accordance with this article shall be attended at all times by a reasonable number of people in relation to the extent of the area to be burned. No burning shall be carried out if wind conditions are such as to be endanger life or property or on paved street or sidewalk areas.

**SECTION 4. SEVERABILITY.**

This Ordinance and each of the various parts, sections, subsections, sentences, phrases, and clauses hereof are declared to be severable. If any part, section, subsection, sentence, phrase, or clause is determined to be invalid or unenforceable by a court of competent jurisdiction, it is hereby provided that the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect.

**SECTION 5. REPEAL OF ORDINANCES IN CONFLICT HEREWITH.**

Any and all Ordinances of the City of Marine City or any parts or provisions thereof, to the extent that they are contrary to or inconsistent with the provisions of the within Ordinance, are hereby expressly repealed.

**SECTION 6. RATIFICATION.**

All other provisions of the Code of Ordinances of the City of Marine City, Michigan except as herein modified or amended are hereby expressly ratified and affirmed.

**SECTION 7. PUBLICATION.**

This Ordinance shall be published in accordance with the terms, provisions, and requirements of the City Charter of the City of Marine City, Michigan, and in accordance with and to the extent required by the statutes of the State of Michigan.

**SECTION 8. EFFECTIVE DATE.**

This Ordinance shall take effect on the \_\_\_\_\_ day of \_\_\_\_\_, 2021 in accordance with the provisions and requirements of the City of Marine City. The City Clerk is hereby directed to publish this Ordinance within fifteen (15) days after the date of adoption as required by section 7.2 of the City Charter of the City of Marine City.

**ORDINANCE DECLARED ADOPTED.**

\_\_\_\_\_  
Cheryl Vercammen, Mayor  
City of Marine City, Michigan

**CERTIFICATION**

The foregoing is a true and complete copy of an Ordinance adopted by the City Commission of the City of Marine City, County of St. Clair, State of Michigan, at a regular meeting of the City Commission held on the \_\_\_\_\_ day of \_\_\_\_\_, 2021, and public notice of said meeting was given pursuant to and in accordance with the requirements of Act No. 267 of the Public Acts of 1976, as amended, being the Open Meetings Act, and the Minutes of said meeting have been or will be made available as required by said Act.

Members Present:

Members Absent:

It was moved by Board Member \_\_\_\_\_ and supported by Board Member \_\_\_\_\_ to adopt the Ordinance.

Members voting yes:

Members voting no:

The Ordinance was declared adopted by the Mayor and has been recorded in the Ordinance Book of the City of Marine City.

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Kristen Baxter, City Clerk  
City of Marine City, Michigan

INTRODUCED: 10-07-2021

ADOPTED:

PUBLISHED:

EFFECTIVE:

**Proposed Marine City Zoning Code Amendments  
Public Hearing Draft**

Prepared by Wade Trim Associates, Inc.  
September 22, 2021 – DRAFT

Key:

~~Text proposed to be deleted~~  
**Text proposed to be added**

**Residential Use Language in B-1 District  
Chapter 160 – Zoning Code (Section 160.081,(M))**

160.081 PRINCIPAL USES PERMITTED (B-1, CENTRAL BUSINESS DISTRICT).

- (M) Residential units ~~on upper floors above permitted uses on the ground floor. ; provided they are an integral part of the structure containing a permitted use, and the residential use is subordinate to the other permitted use.~~

**Off-Street Parking Requirements  
Chapter 160 – Zoning Code (Section 160.214,(B))**

160.214 OFF-STREET PARKING REQUIREMENTS.

- (B) The number of off-street parking spaces, in conjunction with all land or building uses shall be provided, prior to the issuance of a certificate of occupancy as hereinafter prescribed.

*[No proposed changes to items (1) through (11)]*

- (12) The minimum number of off-street parking spaces by type of use shall be determined in accordance with the following schedule. ~~except that said schedule shall not apply to the erection, alteration or extension of any use or building within the developed business district bounded by Broadway Street on the north, the St. Clair River on the east, Bridge Street and the centerline of same projected easterly to the St. Clair River on the south, and the centerline of Market Street on the west; except as required in division (B)(5) above. Further, in any District where off-street parking areas have been provided through special assessments the required number of spaces as required hereinafter may be reduced by the Board of Appeals by that number of spaces which can be prorated to the use which was specially assessed. Lands within the Nautical Mile District shall be~~

subject to the off-street parking requirements of Section 160.180.

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**Nautical Mile District**  
**Chapter 160 – Zoning Code (Sections 160.175 to 160.183)**

**Proposed changes to the Nautical Mile District limits are shown in the enclosed map, dated July 14, 2020.**

160.175 INTENT.

- (A) The nautical mile is of special public interest because of its unique location along the St. Clair River as a focal point of community redevelopment activities. The Nautical Mile District (NMD) is intended to encourage the redevelopment of the Nautical Mile in a compatible mixture of housing, recreation, entertainment, commercial, office, cultural, public and hotel uses through the flexible application of land regulatory standards. Such uses may be located in various combinations of mixed-use and single-use development. It is also the intent of the District to encourage a high quality of private development with reasonable public amenities to improve the overall living, working, shopping and recreational environment of the Nautical Mile. The Nautical Mile encompasses property ~~within the DDA District and as designated by the City's Zoning Map. Special district objectives. The Zoning Enabling Act, Public Act 110 of 2006, as amended, allows for the creation of special land development regulations to address problems and needs in specific areas. Accordingly, the Nautical Mile was established to address the special land management and redevelopment needs of the Nautical Mile. The Nautical Mile District is an overlay district and does not replace or restrict the range of uses allowed in the underlying use district. The overlay district provides additional development options and standards which must be met.~~
- (B) The establishment of special development regulations is designed to achieve the following objectives:
- (1) Ensure that development is guided by provisions of the Marine City Master Plan, ~~the Coastal Zone Management Plan, the Downtown Development Plan~~ and other **policy** documents, **as may be adopted by the City**, supporting the overall redevelopment program of the Nautical Mile;
  - (2) Encourage the development of public parks and recreation facilities which recognize and enhance the unique waterfront location, public needs and amenities of Nautical Mile;
  - (3) Provide commercial activity which will serve as an attraction draw to the regional trade area and meet the needs of local residents for convenient shopping;
  - (4) Ensure that all new construction and renovation is designed and located in a manner which capitalizes upon the unique waterfront environment **and the mid-19<sup>th</sup> to mid-20<sup>th</sup> Century charm of the district;**



- (5) Provide for unification of the area through landscaping, signage, lighting and street furniture; and
- (6) Ensure that the location, design, visual appearance and construction of individual buildings and structures is consistent with overall design objectives and redevelopment efforts.
- (7) **Encourage the preservation of historic structures and resources within the district.**

160.176 PRINCIPAL USES PERMITTED.

- (A) **The following land uses are permitted in the Nautical Mile District—NMD. The principal uses specified in the underlying district as well as the principal uses specified in the B-1 Central Business District shall be permitted.**
- ~~(B) The uses shall conform to standards set forth in this chapter and other applicable portions of the City Zoning Ordinance listed below:~~
  - ~~(1) Residential, R-1A, R-1B, R-M Residential, and~~
  - ~~(2) Commercial, B-1 Central Business District.~~

160.177 USES SUBJECT TO SPECIAL CONDITIONS.

- (A) **The special condition uses specified in R-1A, R-1B, R-M and B-1 Central Business Districts. The special condition uses specified in the underlying district as well as the special condition uses specified in the B-1 Central Business District shall be permitted, subject to the conditions imposed by each use and subject further to the review and approval of the Planning Commission.**
- (B) The following uses shall not be permitted in this zone:
  - (1) Junkyards and other mobile home parks;
  - (2) Storage or parking or use of moving vans and the like;
  - (3) Outdoor storage or parking of wrecked or partially dismantled vehicles;
  - (4) Drive-in theaters;
  - (5) Drive-in restaurants; and
  - (6) Automotive wash establishments.

160.178 DEVELOPMENT REVIEW AND SITE PLANS.

- (A) **Site plan review and approval of all development proposals within the Nautical Mile District is required in accordance with the provisions of Section 160.300. Prior to the issuance of a building permit for any multifamily and commercial building to be built or modified, a site plan shall be approved as provided for hereunder. Site plans shall be**

required for all permitted uses hereunder and all uses subject to special conditions.

~~(B) The site plan submission shall contain the following information:~~

- ~~(1) Existing topography recorded at a minimum contour interval of 2 feet showing all natural features, such as trees, rivers and open areas; all features shall be identified as to which remain and which will be removed or altered. Topography shall extend 50 feet beyond all property lines;~~
- ~~(2) General soils information;~~
- ~~(3) Location and size of buffer areas;~~
- ~~(4) Use and general class of each different type of structure;~~
- ~~(5) The site plan shall be at a scale of not greater than 1 inch equals 20 feet nor less than 1 inch equals 50 feet;~~
- ~~(6) The site plan shall show all signage and provisions for pedestrian circulation, both on the site and to and from it;~~
- ~~(7) Name and address of all property owners, as listed by the City Assessor or the county's Register of Deeds;~~
- ~~(8) Statement of interest in the property, including conditions for sale or purchase of parcel, such as deed restrictions, reservations of land for other uses or other conditions which may have bearing on the total land development;~~
- ~~(9) Vicinity map of all property within 300 feet of the proposed development, showing streets, zonings and land uses at a scale no greater than 1 inch equals 200 feet;~~
- ~~(10) Elevation drawings of typical proposed structures and improvements, including signs, except for single family detached homes;~~
- ~~(11) Proposed agreements, deed restrictions, bylaws or articles of incorporation which relate to the preservation or maintenance of open space and associations created to preserve and maintain the open space;~~
- ~~(12) Proposed grading shall show 1 foot contour intervals;~~
- ~~(13) All existing vegetation 4 inch caliper and over must be located on the plans;~~
- ~~(14) Total amount of open space required by this chapter;~~
- ~~(15) Total amount of landscape area required by this chapter;~~
- ~~(16) A map showing the drainage area of all land which drains onto or across the site and estimated runoff of the entire drainage area. Show existing runoff and estimated runoff after construction;~~

~~(17) Location and dimension of all curb cuts; and~~

~~(18) The Zoning Commission may refer requests for special approval land uses or site plans to professional consultants and other public bodies for review and comment.~~

#### 160.179 ARCHITECTURAL STANDARDS AND NAUTICAL MOTIF.

(A) ~~New or remodeled buildings within the Nautical Mile District shall be designed in harmony with the guidelines set forth in the Marine City Master Plan or a Nautical Mile District Sub-Area Plan, as may be adopted by the City. Wherever possible, new or remodeled buildings shall incorporate building designs consistent with the nautical theme. The styles should be similar to those design recommendations presented within the Nautical Mile Coastal Zone Plan and within the plans developed by the Downtown Development Authority.~~

~~(B) In an NMD Nautical Mile District, no exterior portion of any commercial building or structure (including walls, fences, light fixtures, steps, pavement or other appurtenant features) or aboveground utility structures shall be erected, altered, restored, moved or demolished without the review of the Planning Commission prior to the issuance of a building permit.~~

~~(B) (C) Design review shall occur by the City as part of site plan review in accordance with Section 160.300. The review of the Planning Commission shall be advisory to the Building Inspector in the issuance of a building permit. The purpose of the Planning Commission design review is to advise on actions which may or may not be compatible with the desirable nautical theme, architectural or cultural aspects of the District. The Planning Commission City may consider Standards for Rehabilitation and Guidelines for Rehabilitation of Historic Buildings, prepared by the U.S. Department of Interior, for reviewing actions within the NMD.~~

~~(C) (D)~~ The provisions of this section shall not be construed to prevent the ordinary maintenance or repair of any exterior feature in an NMD district. Further, the provisions of this section shall not prevent the construction, alteration, restoration or demolition of any feature which the Building Inspector certifies is required because of a threat to public safety.

#### 160.180 OFF-STREET PARKING.

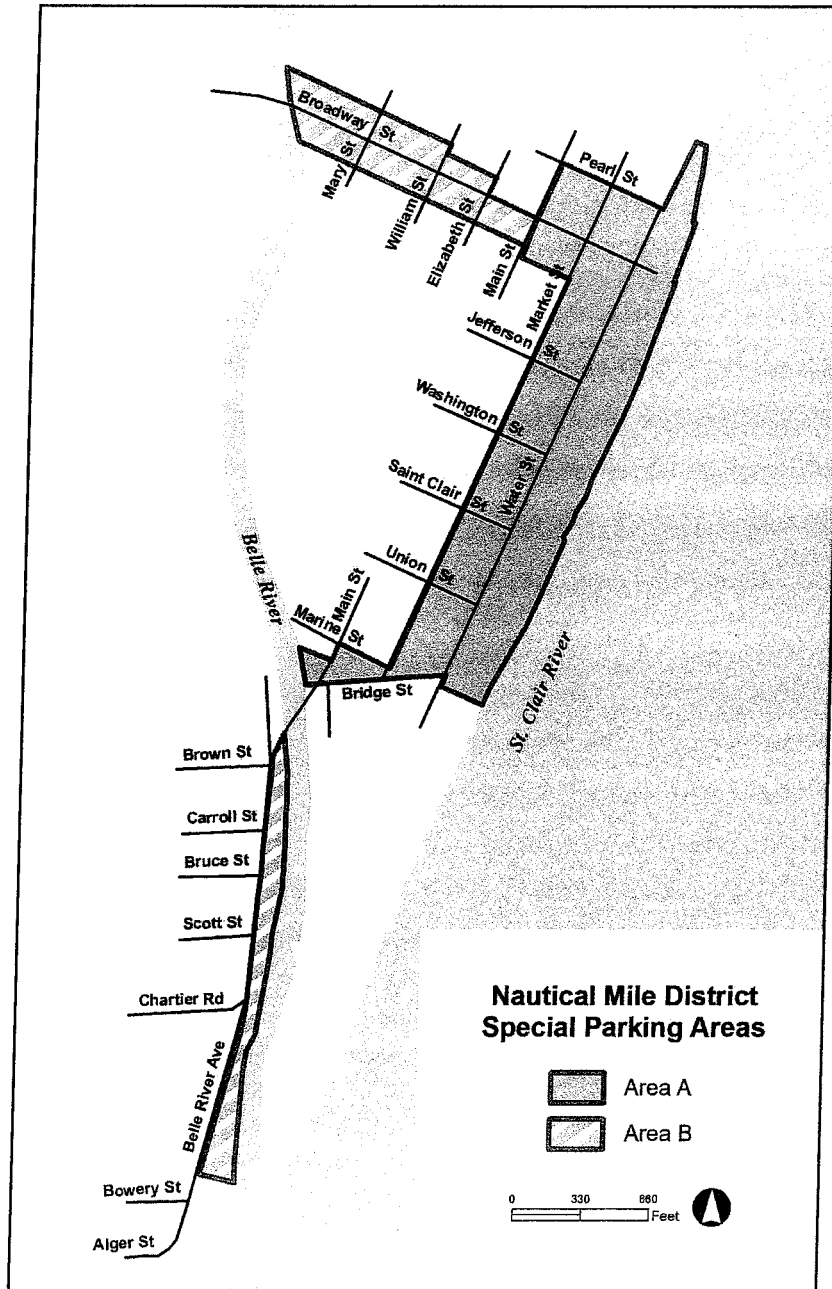
~~Off street parking facilities shall be provided as specified herein. In recognition of its pedestrian-oriented and mixed-use character, as well as the availability of public parking, the following provisions shall apply to lands within the Nautical Mile District.~~

(A) **Special Parking Districts.** Off-street parking shall be provided based on the Nautical Mile District Special Parking Areas map and requirements herein.

(1) **Lands within Special Parking Area A are exempt from the off-street parking space requirements of Section 160.214,(B),(12).**

(2) **Within Special Parking Area B, a reduction of fifty percent (50%) shall be applied against the minimum number of off-street parking spaces by type as required by Section 160.214,(B),(12). The Planning Commission may further**

reduce such requirements based on upon evidence presented by the property owner showing that the reasonable ability to provide any or all of the required parking spaces does not exist.



160.181 EXTERIOR LIGHTING.

- (A) The requirement for exterior lighting is intended to protect the security and safety of pedestrians and motorists using public plazas, pedestrian corridors, off-street parking areas and other spaces open to the public located on private property.
- (B) This section is also intended to regulate the spillover of light and glare on operators of

motorized and nonmotorized vehicles, pedestrians and land uses in the proximity of the light source.

- (1) Whenever plazas, pedestrian corridors, off-street parking areas and other spaces open to the public are provided on private property, the site plan shall incorporate exterior lighting concepts ~~as set forth in the Marine City Coastal Zone Management Plan and provisions adopted by the Downtown Development Authority;~~ **designed in harmony with the guidelines set forth in the Nautical Mile District Design Guidelines document, as may be adopted by the City Commission.**
- (2) The site plan shall illustrate the location and type of lighting fixtures, amount of illumination provided and direction of illumination;
- (3) Exterior lighting shall provide sufficient illumination to ensure public safety and security; and
- (4) Exterior lighting shall be located and directed in a manner which does not produce a glare which is a nuisance to nearby land uses or a safety hazard to motorized and non-motorized vehicles or pedestrians.

#### 160.182 PERMITTED, SPECIAL USE SIGNAGE.

- (A) The requirement for signage is intended to protect public safety, maintain quality in the visual appearance of the Nautical Mile, protect the value and economic stability of adjacent land use and allow for the conduct of competitive commerce. The intent of this section is to regulate the height, area, number, location and style of signs within the Nautical Mile District. It is also the intent to encourage signs erected in the District to be designed in a nautical concept. **All requirements of Section 160.220 shall apply within the Nautical Mile District, in addition to the requirements of this Section.**
- (B) Application of sign requirements:
  - (1) No sign may be erected or altered without the issuance of a zoning compliance permit.
  - (2) When a site plan is required by this chapter, a scaled drawing illustrating sign details, including design, color, area and height shall be submitted. The location of all signs shall be illustrated on the site plan. Sign details and location shall be considered part of site plan review and approval.
  - (3) When a site plan is not required by this chapter, the Building Inspector shall require a zoning compliance permit for signs erected or altered in the Nautical Mile District. The application for the zoning compliance permit shall be accompanied by a scaled drawing illustrating sign details, including design, color, area and height. ~~The Building Inspector shall submit the application and scaled drawing to the Planning Commission for review and approval. The Planning Commission shall follow the same procedure as required for site plan review.~~
- (C) General provisions:

- ~~(1) No sign, except those established and maintained by the city, county, state or federal governments, shall be located in, project into or overhang a public right-of-way or dedicated public easement, except as established in this section.~~
- ~~(2) All directional signs required for the purpose of orientation, when established by the city, county, state or federal government shall be permitted.~~
- ~~(3) Signs used for advertising land or buildings for rent, lease or sale shall be permitted, provided such signs are located on the property intended to be rented, leased or sold. Such signs shall conform to height and area provisions.~~
- ~~(4) The repainting and preventive maintenance of signs shall not be considered an alteration requiring a zoning compliance permit.~~

**(1) All sign types allowed and regulated in Section 160.220,(B),(4),(b) for the B-1, B-2, W-M and P-1 district shall be allowed within the Nautical Mile District.**

**(2) (S)** Projecting signs shall **also** be permitted within the Nautical Mile Overlay District for all structures other than single-family detached dwellings, subject to the following requirements:

- (a) Projecting signs shall not extend more than 4 feet from the wall of the building, and shall not be closer than 3 feet from the back of curb line.
- (b) Minimum height. No portion of any sign which extends over the public right-of-way shall be less than 8 feet from the surface below.
- (c) All projecting signs shall be safely and securely attached to structural members of the building by means of metal anchors, bolts or expansion screws. In no case shall any projecting sign be secured with wire, strips of wood or nails. The method of attachment shall be stated on the permit application. All plans for the erection of signs shall be submitted to the Building Inspector for review and approval and shall be further subject to all codes and ordinances of the city.

~~(D) Sign requirements for all structures except single family detached dwellings:~~

- ~~(1) Each structure shall be permitted 1 accessory or monolith sign and 1 of the following additional accessory sign types: Wall mounted, projecting or graphic (on private property). For multiple uses, such as shopping centers, office complexes and mixed-use developments, the Planning Commission may permit 1 wall mounted, projecting or graphic accessory sign for each individual use within the development.~~
- ~~(2) Structures which abut more than 1 public street shall be permitted 1 additional accessory ground or monolith sign located along such abutting public street.~~

**(D) Temporary and portable signs shall be allowed subject to Section 160.220,(B),(6),(b) and (c).**

- ~~(E) Prohibited signs:~~
- ~~(1) Flashing, animated or moving signs, other than those signs which convey noncommercial information, such as time and temperature requiring periodic change;~~
  - ~~(2) Exterior spinners, streamers or string lights, except those used for holiday decorations;~~
  - ~~(3) Any sign not permanently anchored to the ground or building, except those signs used to temporarily advertise land or buildings for rent, lease or sale; and~~
  - ~~(4) Any sign which is not electrically or structurally safe.~~

#### 160.183 LANDSCAPING REQUIREMENTS.

- (A) The owner of a parking lot or vehicular use area which abuts a public right-of-way shall install and maintain landscaping between such area and such right-of-way, unless the parking lot or vehicular use area is visually screened by a building or structure or existing landscaping which meets the buffering requirements.
- (B) Where an off-street parking lot or vehicular use area in the NMD zoning district abuts a public right-of-way, screening shall be placed at all locations, excluding sidewalks and driveways, which are between any portion of the right-of-way and the parking lot or vehicular use area visible from the right-of-way as follows:
  - (1) A strip of land at least 5 feet in width located between the abutting right-of-way and the parking or vehicular use area exposed to the abutting right-of-way.
  - (2) One tree per 50 feet lineal, or fraction thereof, located between the abutting right-of-way and parking or vehicular use area.
  - (3) A hedge wall, berm, change of grade or any combination of these landscape elements forming a continuous screen at least 3 feet in height. If a wall or fence is used, a minimum average of 1 shrub or vine per 10 lineal feet of wall length shall be provided.
  - (4) Grass or ground cover shall be planted and maintained on all portions of the required landscape strip not occupied by other landscape material or existing vegetation.
  - (5) In cases where the parking areas or vehicular use areas are 50 feet or more from the public right-of-way, and provided that such an area has trees and shrubs which serve to buffer the parking area or vehicular use area, buffering (as required in this section) may be reduced, provided the intent of this section is carried out to the satisfaction of the Building Inspector.

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**Front Yard Parking**  
**Chapter 160 – Zoning Code (Section 160.214,(B))**

160.214 OFF-STREET PARKING REQUIREMENTS.

- (B) The number of off-street parking spaces, in conjunction with all land or building uses shall be provided, prior to the issuance of a certificate of occupancy as hereinafter prescribed.

*[No proposed changes to items (1) and (2)]*

- (3) Residential off-street parking spaces shall consist of a permanent hard surface parking strip, parking bay, driveway, garage, or combination thereof and shall be located on the premises they are intended to serve. **For the purposes of this section, hard surface shall mean concrete, asphalt, brick, cut stone or similar material and shall not include crushed materials, gravel, wood chips or natural surfacing.** Off-street parking for single-family and two-family dwellings shall further be subject to the following:

- (a) Off street parking shall not be permitted within the front yard, except within such parking strip, parking bay, driveway, garage, or combination thereof. This requirement shall not apply to parking for temporary special events normally associated with the residential use of the property, such as graduation and holiday parties, **or during City designated snow emergencies.**
- (b) Within the front yard, the total surface area for any parking strip, parking bay, driveway or combination thereof shall not exceed fifty percent (50%) of the total front yard area.

*[No proposed changes to items (4) through (12)]*

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**Site Plan Phasing**  
**Chapter 160 – Zoning Code (Section 160.300,(B))**

160.300 SITE PLAN REVIEW REQUIRED IN SPECIFIC DISTRICTS.

- (B) Through the application of the following provisions, the attainment of the Master Plan will be assured and the city will develop in an orderly fashion.

*[No proposed changes to items (1) through (6)]*

- (7) *Effect of approval.* When an applicant receives final site approval, he or she must develop the site in complete conformity with the approved site plan. The site plan approval shall be valid for a period of 1 year. If the project is not under



construction with a building permit at the expiration of the approval time, the site plan approval becomes null and void and the developer shall make a new application for approval. ~~Time extension to site plan approval may be granted by the Planning Commission. Prior to the date of expiration, the applicant may request and the Planning Commission may approve an extension for a period no longer than 1 year.~~

~~(8)~~ ***Phasing of development.*** The applicant may, at his discretion, divide the proposed development into two (2) or more phases. In such case, the site plan shall clearly indicate the location, the size, and character of each phase. The approval of the first phase shall be valid for a period of 1 year in accordance with division (7) above. As part of site plan approval, the Planning Commission may designate the time period for which the approval of any subsequent phases shall be valid. ~~Time extensions for site plan phases may be granted by the Planning Commission in accordance with division (7) above.~~

~~(8)~~ **(9)** Amendment of approved site plan. The Zoning Administrator shall have the authority to determine if a proposed change requires an amendment to an approved final site plan. A site plan may be amended upon application and in accordance with the procedure herein for a final site plan. The Zoning Administrator may approve minor changes in an approved final site plan, provided that a revised final site plan drawing (s) be submitted showing such minor changes, for purposes of record.

~~(9)~~ **(10)** Modification of plan during construction. All improvements shall conform to the final site plan. Any changes, which result in a material alteration of the site plan approved by the Planning Commission, shall require resubmittal to the Planning Commission. The Planning Commission, or Zoning Administrator may require the applicant to correct the changes so as to conform to the approved final site plan.

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### **Temporary Signage, including Tear Drop Flags**

#### **Chapter 160 – Zoning Code (Section 160.220,(B),(6))**

#### 160.220 SIGNS.

(B) It is, therefore, within the health, safety and welfare responsibility of the city that this section is promulgated.

(6) *Temporary and portable signs.*

(a) Temporary signs, as defined herein, may be allowed within the R-IA, R-1B, R-M and MHP Districts, provided the following requirements are met. Portable signs, as defined herein, are not allowed within the R-IA, R-1B, R-M and MHP Districts.

1. No more than one (1) temporary sign may be allowed per street frontage. **Up to one (1) additional temporary signs are per street frontage is allowed during any of the below listed certain time periods, as follows:**
    - a. During the time period starting when an election ballot has been certified by the County Clerk and extending 7 days after an election, ~~up to 3 additional signs may be allowed.~~
    - b. During the time period noted on a building permit issued by Marine City allowing for construction activities to occur on the site, ~~1 additional temporary sign per street frontage is allowed.~~
    - c. During the time period where the property is actively listed for sale, ~~1 additional temporary sign per street frontage is allowed.~~
  2. Temporary signs shall not exceed 6 square feet of display area and 4 feet in height.
  3. Temporary signs must be safely affixed, properly maintained and not allowed to become unsightly through disrepair or action of the elements.
  4. The location of any sign permitted by this section shall not interfere with pedestrian traffic, driver safety, or handicap access.
- (b) Temporary signs, as defined herein, may be allowed within the B-1, B-2, W-M, P-1, I-1 and I-2 Districts, provided the following requirements are met:
1. No more than ~~one (1) ground-affixed~~ temporary sign ~~and one (1) building-affixed temporary sign~~ may be allowed per street frontage. **Up to one (1) additional ground-affixed or building-affixed temporary signs are per street frontage is allowed during any of the below listed certain time periods, as follows:**
    - a. During the time period starting when an election ballot has been certified by the County Clerk and extending 7 days after an election, ~~up to 3 additional temporary signs may be allowed.~~
    - b. During the time period noted on a building permit issued by Marine City allowing for construction activities to occur on the site, ~~1 additional temporary sign per street frontage is allowed.~~
    - c. During the time period where the property is actively

listed for sale, ~~1 additional temporary sign per street frontage is allowed.~~

2. Temporary signs **affixed to the ground** shall not exceed ~~9~~ **16** square feet of display area and ~~4~~ **10** feet in height. **Temporary signs affixed to a building shall not exceed 20 square feet of display area nor more than 10 feet in any single dimension.**
  3. Temporary signs must be safely affixed, properly maintained and not allowed to become unsightly through disrepair or action of the elements.
  4. The location of any sign permitted by this section shall not interfere with pedestrian traffic, driver safety, or handicap access.
  5. Additional requirements for specific temporary sign types: The following specific sign types shall require permit approval by the Zoning Administrator for specified time periods which, in total, do not exceed 60 days in any one calendar year:
    - a. Banners, provided they are affixed to a building wall, over a permanent sign, or by other means necessary so long as the banner is stationary and safely supported. ~~In no case shall more than 1 banner sign be allowed per street frontage.~~
    - ~~b. Balloon signs, provided no more than 1 balloon sign shall be allowed per street frontage.~~
    - ~~e. b. Tear drop flags, provided they do not exceed 12 feet in height measured from grade. In no case shall more than 1 tear drop flag be allowed per street frontage.~~
    - ~~d. At any given time, no more than 1 of the above temporary sign types is allowed on a single premises.~~
- (c) Portable signs, as defined herein, may be allowed within the B-1, B-2, W-M, P-1, I-1 and I-2 Districts, provided the following requirements are met:
1. Such signs may be located outside for display only during regular business hours.
  2. No more than 1 portable sign may be allowed per street frontage.
  3. Portable signs shall not exceed 9 square feet of display area and 4 feet in height.
  4. Portable signs must be properly maintained and not allowed to become unsightly through disrepair or action of the elements.

5. The location of portable signs shall not interfere with pedestrian traffic, driver safety, or handicap access.



# M A R I N E C I T Y

**To:** City Commission  
**From:** Holly Tatman, City Manager  
**Date:** October 14, 2021  
**Re:** Audit 2020/2021 and Accounting Update

Each Commission member independently received a letter from the City Auditor, Curtis McBride. In that letter, the Auditor advised that the audit process will likely require an extension and will cost more than the City anticipated.

I have met with the Auditor on his letter and the internal accounting issues that we are currently dealing with. The current known issues include the following:

1. Unpaid property liability insurance for City (balance was due July 2021)
2. Unpaid workman's comp bill to Meadowbrook (issued Feb. 2021 – due March 2021)
3. Unpaid F&V bill for water & wastewater operations (due July 2021)
4. Unpaid Comcast bills – spanning multiple months, double payments made in attempt to catch up
5. Negative account balance in special assessment account – should have been closed in March per the auditor
6. No remittance information sent to County and School District with tax payments – this information is necessary for their audits and standard operating procedure
7. No up to date cash receipt ledger with descriptions of transactions
8. No up to date check register with the check book to explain check writing
9. No bank reconciliations done after June 2021
10. Unpaid dental insurance – spanning multiple months, double payments made in attempt to catch up
11. Unpaid life insurance bill (due Aug. 2021)
12. No required communication with Nyhart to get annual pension rates established which are required for the 2020/2021 audit
13. Unsigned stack of checks from check-run on September 16, 2021 found in City Managers mailbox
14. A July 29, 2021 executed check showing a forged signature of Kristen Baxter
15. Money transfers between accounts with no documentation to explain the transaction
16. Lack of money transfers when necessary – tax account to general fund
17. Accrual of bank fees on accounts that should have been closed – two police department accounts
18. Employees with life insurance and retirement accounts not set up after hire date

19. No address updates on billing accounts and lack of secondary contact person on accounts for emergency access

I will keep you closely updated on our progress to address these issues. I will also keep you advised on any other issues that arise and any issues that might impact the 2020/2021 audit process. If you have any questions please feel free to contact me.

October 13, 2021

City Commission  
City of Marine City  
260 S. Parker Street  
Marine City, MI 48039

RE: 2020/2021 Audit

We are engaged to audit the financial statements of the City of Marine City for the period **July 1, 2020 to June 30, 2021**. We have sent a letter to the City requesting the information we need to begin the primary phase of our audit. Once that information is gathered and ready for us, we will begin our auditing procedures. As a reminder, the primary focus of our audit is to provide an opinion that the financial statements are fairly presented in all material respects. Our responsibilities and the scope of our engagement were outlined in a separate letter dated July 12, 2021.

The primary purpose of this communication is to make you aware that we will be starting the second phase of our audit and to encourage you to reach out to us with any questions or concerns you may have related to the current audit. Additionally, the City's actuary sent an information request to the City on July 13, 2021, requesting information for them to complete the Pension valuation required for our audit. The required information has not been sent to the actuary and this will delay the valuation, as well as the completion of our audit. The audit report is due December 31, 2021, which is six months after the end of the fiscal year for the City. A request for an extension may have to be filed with the State Treasurer due to the anticipated delay caused by these issues.

We have already started the planning phase of our audit and certain information has come to our attention that will likely impact our engagement. For example, many of the City's significant general ledger balances may be unreconciled as of June 30, 2021, the period in which we are engaged to audit. Also, the City attorney consulted with me regarding check signing procedures which may be contrary to the State of Michigan Department of Treasury Accounting Procedures Manual for Local Units of Government in Michigan.

The Engagement Letter for the audit included a fee which was predicated on the City's records being completely reconciled and balanced in accordance with generally accepted accounting principles as of June 30, 2021. As a result of the information that has come to our attention, the audit fee will likely be increased to address the issues as presented.

Audit findings are generally communicated at the end of the engagement, in a letter separate from the audit report. While we will be providing a letter with any audit findings at the completion of our audit, we feel it is necessary to communicate the issues outlined above before we issue our audit report. There are several other events that may provide enhanced risk for our audit, including the Treasurer's absence for several months, a new City Manager, and the movement of financial records to the new location.

The City Manager and current employees have been cooperating with us and are in the process of gathering the information we will need to complete our audit. As mentioned above, I encourage you to reach out to me with any questions or concerns you may have.

Respectfully submitted,



Curtis J. McBride, C.P.A., M.S.T.  
MCBRIDE-MANLEY & COMPANY P.C.

810.765.4095, [curtis@mcbridecpa.com](mailto:curtis@mcbridecpa.com)





CITY OF  
MARINE CITY  
DEPARTMENT OF PUBLIC WORKS

260 S PARKER ST.  
MARINE CITY, MI 48039  
PHONE (810) 765-8846 • FAX (810) 765-1040

TO: Holly Tatman, City Manger  
FROM: Michael Itrich  
DPW Superintendent  
DATE: October 4, 2021  
SUBJECT: WATER TOWER REPAIRS

Holly,

Our water tower on King Road has had a couple of leaks in the stand pipe. We have replaced about 6 feet of pipe and welded 4 holes in the pipe. To repair the most recent leak we put a 16 inch clamp on the pipe. I had the stand pipe inspected by Utility Service Company, with whom we have a contact for maintenance of the water tower. They recommended the stand pipe be replaced. They also informed me that the vent on top of the water tower needs to be replaced to meet EGLE's new standards for venting of water towers. This work would be done in the spring when the tower is down for routine maintenance and painting.

Attached is a quote for both the replacement of the stand pipe and the installation of a new vent from Utility Service Company. The cost is \$119,000 for both items and can be split over a two year period, \$59,500 in 2022 and \$59,500 in 2023. We can utilize Ready to Serve Water Funds for this project.

It is my recommendation to waive competitive bidding and allow Utility Service Company to do the work for \$119,000 split over a two year period. Please contact me with any questions.

Respectfully,

A handwritten signature in black ink that reads "Michael Itrich".

Michael Itrich  
DPW Superintendent





Proposal from  
**UTILITY SERVICE CO., INC.**

535 Gen. Courtney Hodges Blvd · P O Box 1350 · Perry, GA 31069  
Toll-free: 855-526-4413 | Fax: 478-987-2991  
suez-na.com

Date: Oct. 1<sup>st</sup>, 2021

Submitted by: **Dan Kitchen**

Local Phone: **(269) 377-0771**

SFID: 71686

CN:

SO:

Proposal Submitted To: <b>City of Marine City</b>			Phone Number: <b>(810) 765-8087</b>	Fax Number:	
Street Address: <b>303 South Water Street</b>			Description of Work to be Performed: <b>Miscellaneous Repairs</b>		
City: <b>Marine City</b>	State: <b>MI</b>	Zip Code: <b>48039</b>	Tank Name: <b>King Road Water Tower</b>		
Accounts Payable Contact Name:	Email:		Job Site Address: <b>6370 King Road</b>		
Job Contact (Inspection Reports): <b>Mike Itrich</b>	Email: <b>mitrich@cityofmarinecity.org</b>		County / Parish: <b>St. Clair</b>	Tank Size: <b>750KG</b>	Tank Style: <b>Pedisphere</b>

Utility Service Co., Inc. agrees to provide all labor, equipment, and materials needed to complete the following:

1. Install new 24" frost and freeze proof vent on the roof of the tower.
  2. Replace Inlet pipe
    - A. Includes steel pipe, expansion joint, shop blast and prime coating, painting, and insulation.
- Invoice \$59,500 in 2022
  - Invoice \$59,500 in 2023

Please sign and date this proposal and fax one copy to our office.

**One Hundred and Nineteen Thousand and -----00/100 Dollars \$119,000.00**

Payment to be made as follows:

**Payment Due in Full Upon Completion of Work – plus all applicable taxes**

**Remittance Address: Utility Service Co., Inc., P O Box 207362, Dallas, TX 75320-7362**

All material is guaranteed to be as specified. All work to be completed in a substantial workmanlike manner according to specifications submitted, per standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized  
USCI Signature

Note: This proposal may be withdrawn by us if not accepted within Sixty (60) days.

**Acceptance of Proposal -** The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Fiscal Yr Beginning Month \_\_\_\_\_

Signature \_\_\_\_\_

Date of Acceptance \_\_\_\_\_

Printed Name \_\_\_\_\_



Office of City Clerk

City Commissioners --

At both the September 2, 2021 and October 7, 2021 City Commission meetings, there were discussions about the content of the City's meeting minutes, with an emphasis on how public comment was referenced and how much detail regarding Board commentary to include.

For your review, I have included the published minutes from recent meetings of surrounding local municipalities. Please note that for the majority of municipalities, Commission/Board discussion on agenda items is not included in the minutes, just the action taken, which is the proper form of minute taking. I was specifically instructed to reference Clay Township's meeting minutes and, as you will see, Clay Township only includes the action taken by the Board with no accompanying Board discussion on agenda items.

According to the Official Open Meetings Act Handbook of Michigan, minutes must show the date, time, place, members present, members absent, any decisions made at a meeting open to the public, and the purpose or purposes for which a closed session is held. The minutes must include all roll call votes taken. Although the OMA does not prohibit a public body from preparing a more detailed set of minutes, it is strongly recommended that meeting minutes should be concise and summarize the major points of what happened, therefore, they should NOT include detailed discussions by the Board or Public Comment.

At this time, the City will start attaching the video recording of the City Commission minutes to accompany the official written minutes on the City's website, which will allow the public the opportunity to view the Commission's discussion, in full. Michele Goodrich, our Deputy Clerk, has updated our website with Youtube meeting videos from 2018-2021 with the exception of three meetings that CTV did not record.

Kristen Baxter  
City Clerk  
10/12/2021

**ROBERT CHARLES DAVIS**  
**City of Marine City Attorney**

**ATTORNEY CLIENT COMMUNICATION**

TO: City of Marine City Commission/City Manager and  
City Clerk

FROM: Robert Charles Davis, City Attorney

RE: Meeting Minutes

DATE: October 12, 2021

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**I. PURPOSE**

The purpose of this attorney client communication is to provide a legal opinion on the issue of meeting minutes for all meetings, including closed sessions.

**II. MEETING MINUTES**

A copy of the Open Meetings Act (“OMA”) is attached for your immediate reference. Section 9 of the OMA addresses minutes. The following applies to minutes:

1. Minutes are required by a public body. The City is a public body under the OMA;
2. The Minutes must be kept for each meeting;
3. The Minutes must show the date, time, place, members present, members absent, any decisions made and the purpose or purposes for which a closed session is held;
4. The Minutes shall include all roll call votes taken at the meeting;
5. The public body shall make any corrections to the Minutes at the next meeting after the meeting that the Minutes refer to;
6. Corrected Minutes shall be made available at the next meeting and shall show both the original Minutes and the corrections (red lining is acceptable);
7. Proposed Minutes shall be available for inspection within eight (8) business days of the meeting at issue;
8. Approved Minutes shall be available within five (5) business days after the meeting the Minutes are approved; and

9. A separate set of Minutes shall be taken for any closed session.

### **III. RECOMMENDATION**

In order to avoid interpretation disputes and other subjective matters relating to narrative based Minutes, I recommend that the City, as a public body, comply with the basic OMA requirements. At the same time, I recommend that the actual recordings for each meeting be placed to the City website for long term reference.

A handwritten signature in black ink, appearing to read "Robert Charles Davis", written in a cursive style. The signature is positioned above a horizontal line.

**Robert Charles Davis**

**OPEN MEETINGS ACT**  
**Act 267 of 1976**

AN ACT to require certain meetings of certain public bodies to be open to the public; to require notice and the keeping of minutes of meetings; to provide for enforcement; to provide for invalidation of governmental decisions under certain circumstances; to provide penalties; and to repeal certain acts and parts of acts.

*History:* 1976, Act 267, Eff. Mar. 31, 1977.

*The People of the State of Michigan enact:*

**15.261 Short title; effect of act on certain charter provisions, ordinances, or resolutions.**

Sec. 1. (1) This act shall be known and may be cited as the "Open meetings act".

(2) This act shall supersede all local charter provisions, ordinances, or resolutions which relate to requirements for meetings of local public bodies to be open to the public.

(3) After the effective date of this act, nothing in this act shall prohibit a public body from adopting an ordinance, resolution, rule, or charter provision which would require a greater degree of openness relative to meetings of public bodies than the standards provided for in this act.

*History:* 1976, Act 267, Eff. Mar. 31, 1977.

**15.262 Definitions.**

Sec. 2. As used in this act:

(a) "Public body" means any state or local legislative or governing body, including a board, commission, committee, subcommittee, authority, or council, that is empowered by state constitution, statute, charter, ordinance, resolution, or rule to exercise governmental or proprietary authority or perform a governmental or proprietary function; a lessee of such a body performing an essential public purpose and function pursuant to the lease agreement; or the board of a nonprofit corporation formed by a city under section 40 of the home rule city act, 1909 PA 279, MCL 117.4o.

(b) "Meeting" means the convening of a public body at which a quorum is present for the purpose of deliberating toward or rendering a decision on a public policy, or any meeting of the board of a nonprofit corporation formed by a city under section 40 of the home rule city act, 1909 PA 279, MCL 117.4o.

(c) "Closed session" means a meeting or part of a meeting of a public body that is closed to the public.

(d) "Decision" means a determination, action, vote, or disposition upon a motion, proposal, recommendation, resolution, order, ordinance, bill, or measure on which a vote by members of a public body is required and by which a public body effectuates or formulates public policy.

*History:* 1976, Act 267, Eff. Mar. 31, 1977;—Am. 2001, Act 38, Imd. Eff. July 11, 2001.

**15.263 Meetings, decisions, and deliberations of public body; requirements; attending or addressing meeting of public body; COVID-19 safety measures; tape-recording, videotaping, broadcasting, and telecasting proceedings; accommodation of absent members; remote attendance; rules; exclusion from meeting; exemptions.**

Sec. 3. (1) All meetings of a public body must be open to the public and must be held in a place available to the general public. All persons must be permitted to attend any meeting except as otherwise provided in this act. The right of a person to attend a meeting of a public body includes the right to tape-record, to videotape, to broadcast live on radio, and to telecast live on television the proceedings of a public body at a public meeting. The exercise of this right does not depend on the prior approval of the public body. However, a public body may establish reasonable rules and regulations in order to minimize the possibility of disrupting the meeting. For a meeting of a public body held in person before April 1, 2021, the public body shall do both of the following:

(a) To the extent feasible under the circumstances, ensure adherence to social distancing and mitigation measures recommended by the Centers for Disease Control and Prevention for purposes of preventing the spread of COVID-19, including the measure that an individual remain at least 6 feet from anyone from outside the individual's household.

(b) Adopt heightened standards of facility cleaning and disinfection to limit participant exposure to COVID-19, as well as protocols to clean and disinfect in the event of a positive COVID-19 case in the public body's meeting place.

(2) All decisions of a public body must be made at a meeting open to the public. For purposes of any meeting subject to this section, except a meeting of any state legislative body at which a formal vote is taken, the public body shall, subject to section 3a, establish the following procedures to accommodate the absence of

any member of the public body due to military duty, a medical condition, or a statewide or local state of emergency or state of disaster declared pursuant to law or charter or local ordinance by the governor or a local official, governing body, or chief administrative officer that would risk the personal health or safety of members of the public or the public body if the meeting were held in person:

(a) Procedures by which the absent member may participate in, and vote on, business before the public body, including, but not limited to, procedures that provide for both of the following:

(i) Two-way communication.

(ii) For each member of the public body attending the meeting remotely, a public announcement at the outset of the meeting by that member, to be included in the meeting minutes, that the member is in fact attending the meeting remotely. If the member is attending the meeting remotely for a purpose other than for military duty, the member's announcement must further identify specifically the member's physical location by stating the county, city, township, or village and state from which he or she is attending the meeting remotely.

(b) Procedures by which the public is provided notice of the absence of the member and information about how to contact that member sufficiently in advance of a meeting of the public body to provide input on any business that will come before the public body.

(3) All deliberations of a public body constituting a quorum of its members must take place at a meeting open to the public except as provided in this section and sections 7 and 8.

(4) A person must not be required as a condition of attendance at a meeting of a public body to register or otherwise provide his or her name or other information or otherwise to fulfill a condition precedent to attendance.

(5) A person must be permitted to address a meeting of a public body under rules established and recorded by the public body. The legislature or a house of the legislature may provide by rule that the right to address may be limited to prescribed times at hearings and committee meetings only.

(6) A person must not be excluded from a meeting otherwise open to the public except for a breach of the peace actually committed at the meeting.

(7) This act does not apply to the following public bodies, but only when deliberating the merits of a case:

(a) The Michigan compensation appellate commission operating as described in either of the following:

(i) Section 274 of the worker's disability compensation act of 1969, 1969 PA 317, MCL 418.274.

(ii) Section 34 of the Michigan employment security act, 1936 (Ex Sess) PA 1, 421.34.

(b) The state tenure commission created in section 1 of article VII of 1937 (Ex Sess) PA 4, MCL 38.131, when acting as a board of review from the decision of a controlling board.

(c) The employment relations commission or an arbitrator or arbitration panel created or appointed under 1939 PA 176, MCL 423.1 to 423.30.

(d) The Michigan public service commission created under 1939 PA 3, MCL 460.1 to 460.11.

(8) This act does not apply to an association of insurers created under the insurance code of 1956, 1956 PA 218, MCL 500.100 to 500.8302, or other association or facility formed under that act as a nonprofit organization of insurer members.

(9) This act does not apply to a committee of a public body that adopts a nonpolicymaking resolution of tribute or memorial, if the resolution is not adopted at a meeting.

(10) This act does not apply to a meeting that is a social or chance gathering or conference not designed to avoid this act.

(11) This act does not apply to the Michigan veterans' trust fund board of trustees or a county or district committee created under 1946 (1st Ex Sess) PA 9, MCL 35.602 to 35.610, when the board of trustees or county or district committee is deliberating the merits of an emergent need. A decision of the board of trustees or county or district committee made under this subsection must be reconsidered by the board or committee at its next regular or special meeting consistent with the requirements of this act. "Emergent need" means a situation that the board of trustees, by rules promulgated under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, determines requires immediate action.

(12) As used in subsection (2):

(a) "Formal vote" means a vote on a bill, amendment, resolution, motion, proposal, recommendation, or any other measure on which a vote by members of a state legislative body is required and by which the state legislative body effectuates or formulates public policy.

(b) "Medical condition" means an illness, injury, disability, or other health-related condition.

**History:** 1976, Act 267, Eff. Mar. 31, 1977;—Am. 1981, Act 161, Imd. Eff. Nov. 30, 1981;—Am. 1986, Act 269, Imd. Eff. Dec. 19, 1986;—Am. 1988, Act 158, Imd. Eff. June 14, 1988;—Am. 1988, Act 278, Imd. Eff. July 27, 1988;—Am. 2016, Act 504, Eff. Apr. 9, 2017;—Am. 2018, Act 485, Eff. Mar. 29, 2019;—Am. 2020, Act 228, Imd. Eff. Oct. 16, 2020;—Am. 2020, Act 254, Imd. Eff. Dec. 22, 2020.

**15.263a Electronic public meetings; telephonic or video conferencing; "agricultural commodity group" defined; permissibility under certain circumstances; 2-way communication required; advance notice of electronic meetings; availability of agenda; registration requirement prohibited; remote participation limited to military duty or medical condition.**

Sec. 3a. (1) A meeting of a public body held, in whole or in part, electronically by telephonic or video conferencing in compliance with this section and, except as otherwise required in this section, all of the provisions of this act applicable to a nonelectronic meeting, is permitted by this act in the following circumstances:

(a) Before March 31, 2021 and retroactive to March 18, 2020, any circumstances, including, but not limited to, any of the circumstances requiring accommodation of absent members described in section 3(2).

(b) Subject to subdivision (d), on and after March 31, 2021 through December 31, 2021, only those circumstances requiring accommodation of members absent for the reasons described in section 3(2). For the purpose of permitting an electronic meeting due to a local state of emergency or state of disaster, this subdivision applies only as follows:

(i) To permit the electronic attendance of a member of the public body who resides in the affected area.

(ii) To permit the electronic meeting of a public body that usually holds its meetings in the affected area.

(c) Subject to subdivision (d), after December 31, 2021, only in the circumstances requiring accommodation of members absent due to military duty as described in section 3(2).

(d) On and after March 31, 2021, for a public body that is an agricultural commodity group, any circumstances, including, but not limited to, any of the circumstances requiring accommodation of absent members described in section 3(2). As used in this subdivision, "agricultural commodity group" means any of the following:

(i) A committee as that term is defined in section 2 of the agricultural commodities marketing act, 1965 PA 232, MCL 290.652.

(ii) The state beef industry commission created in section 3 of the beef industry commission act, 1972 PA 291, MCL 287.603.

(iii) The potato industry commission created in section 2 of 1970 PA 29, MCL 290.422.

(iv) The Michigan bean commission created in section 3 of 1965 PA 114, MCL 290.553.

(2) A meeting of a public body held electronically under this section must be conducted in a manner that permits 2-way communication so that members of the public body can hear and be heard by other members of the public body, and so that public participants can hear members of the public body and can be heard by members of the public body and other participants during a public comment period. A public body may use technology to facilitate typed public comments during the meeting submitted by members of the public participating in the meeting that may be read to or shared with members of the public body and other participants to satisfy the requirement under this subsection that members of the public be heard by others during the electronic meeting and the requirement under section 3(5) that members of the public be permitted to address the electronic meeting.

(3) Except as otherwise provided in subsection (8), a physical place is not required for an electronic meeting held under this section, and members of a public body and members of the public participating electronically in a meeting held under this section that occurs in a physical place are to be considered present and in attendance at the meeting for all purposes.

(4) If a public body directly or indirectly maintains an official internet presence that includes monthly or more frequent updates of public meeting agendas or minutes, the public body shall, in addition to any other notices that may be required under this act, post advance notice of a meeting held electronically under this section on a portion of the public body's website that is fully accessible to the public. The public notice on the website must be included on either the homepage or on a separate webpage dedicated to public notices for nonregularly scheduled or electronic public meetings that is accessible through a prominent and conspicuous link on the website's homepage that clearly describes its purpose for public notification of nonregularly scheduled or electronic public meetings. Subject to the requirements of this section, any scheduled meeting of a public body may be held as an electronic meeting under this section if a notice consistent with this section is posted at least 18 hours before the meeting begins. Notice of a meeting of a public body held electronically must clearly explain all of the following:

(a) Why the public body is meeting electronically.

(b) How members of the public may participate in the meeting electronically. If a telephone number, internet address, or both are needed to participate, that information must be provided specifically.



(c) How members of the public may contact members of the public body to provide input or ask questions on any business that will come before the public body at the meeting.

(d) How persons with disabilities may participate in the meeting.

(5) Beginning on the effective date of the amendatory act that added this section, if an agenda exists for an electronic meeting held under this section by a public body that directly or indirectly maintains an official internet presence that includes monthly or more frequent updates of public meeting agendas or minutes, the public body shall, on a portion of the website that is fully accessible to the public, make the agenda available to the public at least 2 hours before the electronic meeting begins. This publication of the agenda does not prohibit subsequent amendment of the agenda at the meeting.

(6) A public body shall not, as a condition of participating in an electronic meeting of the public body held under this section, require a person to register or otherwise provide his or her name or other information or otherwise to fulfill a condition precedent to attendance, other than mechanisms established and required by the public body necessary to permit the person to participate in a public comment period of the meeting.

(7) Members of the general public otherwise participating in a meeting of a public body held electronically under this section are to be excluded from participation in a closed session of the public body held electronically during that meeting if the closed session is convened and held in compliance with the requirements of this act applicable to a closed session.

(8) At a meeting held under this section that accommodates members absent due to military duty or a medical condition, only those members absent due to military duty or a medical condition may participate remotely. Any member who is not on military duty or does not have a medical condition must be physically present at the meeting to participate.

**History:** Add. 2020, Act 228, Imd. Eff. Oct. 16, 2020;—Am. 2020, Act 254, Imd. Eff. Dec. 22, 2020;—Am. 2021, Act 54, Imd. Eff. July 13, 2021.

#### **15.264 Public notice of meetings generally; contents; places of posting.**

Sec. 4. The following provisions shall apply with respect to public notice of meetings:

(a) A public notice shall always contain the name of the public body to which the notice applies, its telephone number if one exists, and its address.

(b) A public notice for a public body shall always be posted at its principal office and any other locations considered appropriate by the public body. Cable television may also be utilized for purposes of posting public notice.

(c) If a public body is a part of a state department, part of the legislative or judicial branch of state government, part of an institution of higher education, or part of a political subdivision or school district, a public notice shall also be posted in the respective principal office of the state department, the institution of higher education, clerk of the house of representatives, secretary of the state senate, clerk of the supreme court, or political subdivision or school district.

(d) If a public body does not have a principal office, the required public notice for a local public body shall be posted in the office of the county clerk in which the public body serves and the required public notice for a state public body shall be posted in the office of the secretary of state.

**History:** 1976, Act 267, Eff. Mar. 31, 1977;—Am. 1984, Act 87, Imd. Eff. Apr. 19, 1984.

#### **15.265 Public notice of regular meetings, change in schedule of regular meetings, rescheduled regular meetings, or special meetings; posting; statement of date, time, and place; website; recess or adjournment; emergency sessions; emergency public meeting; meeting in residential dwelling; limitation; notice; duration requirement.**

Sec. 5. (1) A meeting of a public body shall not be held unless public notice is given as provided in this section by a person designated by the public body.

(2) For regular meetings of a public body, there shall be posted within 10 days after the first meeting of the public body in each calendar or fiscal year a public notice stating the dates, times, and places of its regular meetings.

(3) If there is a change in the schedule of regular meetings of a public body, there shall be posted within 3 days after the meeting at which the change is made, a public notice stating the new dates, times, and places of its regular meetings.

(4) Except as provided in this subsection or in subsection (6), for a rescheduled regular or a special meeting of a public body, a public notice stating the date, time, and place of the meeting shall be posted at least 18 hours before the meeting in a prominent and conspicuous place at both the public body's principal office and, if the public body directly or indirectly maintains an official internet presence that includes monthly or more frequent updates of public meeting agendas or minutes, on a portion of the website that is

fully accessible to the public. The public notice on the website shall be included on either the homepage or on a separate webpage dedicated to public notices for nonregularly scheduled public meetings and accessible via a prominent and conspicuous link on the website's homepage that clearly describes its purpose for public notification of those nonregularly scheduled public meetings. The requirement of 18-hour notice does not apply to special meetings of subcommittees of a public body or conference committees of the state legislature. A conference committee shall give a 6-hour notice. A second conference committee shall give a 1-hour notice. Notice of a conference committee meeting shall include written notice to each member of the conference committee and the majority and minority leader of each house indicating time and place of the meeting.

(5) A meeting of a public body that is recessed for more than 36 hours shall be reconvened only after public notice that is equivalent to that required under subsection (4) has been posted. If either house of the state legislature is adjourned or recessed for less than 18 hours, the notice provisions of subsection (4) are not applicable. Nothing in this section bars a public body from meeting in emergency session in the event of a severe and imminent threat to the health, safety, or welfare of the public when 2/3 of the members serving on the body decide that delay would be detrimental to efforts to lessen or respond to the threat. However, if a public body holds an emergency public meeting that does not comply with the 18-hour posted notice requirement, it shall make paper copies of the public notice for the emergency meeting available to the public at that meeting. The notice shall include an explanation of the reasons that the public body cannot comply with the 18-hour posted notice requirement. The explanation shall be specific to the circumstances that necessitated the emergency public meeting, and the use of generalized explanations such as "an imminent threat to the health of the public" or "a danger to public welfare and safety" does not meet the explanation requirements of this subsection. If the public body directly or indirectly maintains an official internet presence that includes monthly or more frequent updates of public meeting agendas or minutes, it shall post the public notice of the emergency meeting and its explanation on its website in the manner described for an internet posting in subsection (4). Within 48 hours after the emergency public meeting, the public body shall send official correspondence to the board of county commissioners of the county in which the public body is principally located, informing the commission that an emergency public meeting with less than 18 hours' public notice has taken place. The correspondence shall also include the public notice of the meeting with explanation and shall be sent by either the United States postal service or electronic mail. Compliance with the notice requirements for emergency meetings in this subsection does not create, and shall not be construed to create, a legal basis or defense for failure to comply with other provisions of this act and does not relieve the public body from the duty to comply with any provision of this act.

(6) A meeting of a public body may only take place in a residential dwelling if a nonresidential building within the boundary of the local governmental unit or school system is not available without cost to the public body. For a meeting of a public body that is held in a residential dwelling, notice of the meeting shall be published as a display advertisement in a newspaper of general circulation in the city or township in which the meeting is to be held. The notice shall be published not less than 2 days before the day on which the meeting is held, and shall state the date, time, and place of the meeting. The notice shall be at the bottom of the display advertisement, set off in a conspicuous manner, and include the following language: "This meeting is open to all members of the public under Michigan's open meetings act".

(7) A duration requirement for posting a public notice of a meeting under this act is the time that the notice is required to be accessible to the public.

**History:** 1976, Act 267, Eff. Mar. 31, 1977;—Am. 1978, Act 256, Imd. Eff. June 21, 1978;—Am. 1982, Act 134, Imd. Eff. Apr. 22, 1982;—Am. 1984, Act 167, Imd. Eff. June 29, 1984;—Am. 2012, Act 528, Imd. Eff. Dec. 28, 2012.

#### **15.266 Providing copies of public notice on written request; fee.**

Sec. 6. (1) Upon the written request of an individual, organization, firm, or corporation, and upon the requesting party's payment of a yearly fee of not more than the reasonable estimated cost for printing and postage of such notices, a public body shall send to the requesting party by first class mail a copy of any notice required to be posted pursuant to section 5(2) to (5).

(2) Upon written request, a public body, at the same time a public notice of a meeting is posted pursuant to section 5, shall provide a copy of the public notice of that meeting to any newspaper published in the state and to any radio and television station located in the state, free of charge.

**History:** 1976, Act 267, Eff. Mar. 31, 1977.

#### **15.267 Closed sessions; roll call vote; separate set of minutes.**

Sec. 7. (1) A 2/3 roll call vote of members elected or appointed and serving is required to call a closed session, except for the closed sessions permitted under section 8(a), (b), (c), (g), (i), and (j). The roll call vote

and the purpose or purposes for calling the closed session shall be entered into the minutes of the meeting at which the vote is taken.

(2) A separate set of minutes shall be taken by the clerk or the designated secretary of the public body at the closed session. These minutes shall be retained by the clerk of the public body, are not available to the public, and shall only be disclosed if required by a civil action filed under section 10, 11, or 13. These minutes may be destroyed 1 year and 1 day after approval of the minutes of the regular meeting at which the closed session was approved.

**History:** 1976, Act 267, Eff. Mar. 31, 1977;—Am. 1993, Act 81, Eff. Apr. 1, 1994;—Am. 1996, Act 464, Imd. Eff. Dec. 26, 1996.

### **15.268 Closed sessions; permissible purposes.**

Sec. 8. A public body may meet in a closed session only for the following purposes:

(a) To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named individual requests a closed hearing. An individual requesting a closed hearing may rescind the request at any time, in which case the matter at issue must be considered after the rescission only in open sessions.

(b) To consider the dismissal, suspension, or disciplining of a student if the public body is part of the school district, intermediate school district, or institution of higher education that the student is attending, and if the student or the student's parent or guardian requests a closed hearing.

(c) For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either negotiating party requests a closed hearing.

(d) To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.

(e) To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body.

(f) To review and consider the contents of an application for employment or appointment to a public office if the candidate requests that the application remain confidential. However, except as otherwise provided in this subdivision, all interviews by a public body for employment or appointment to a public office must be held in an open meeting pursuant to this act. This subdivision does not apply to a public office described in subdivision (j).

(g) Partisan caucuses of members of the state legislature.

(h) To consider material exempt from discussion or disclosure by state or federal statute.

(i) For a compliance conference conducted under section 16231 of the public health code, 1978 PA 368, MCL 333.16231, before a complaint is issued.

(j) In the process of searching for and selecting a president of an institution of higher education established under section 4, 5, or 6 of article VIII of the state constitution of 1963, to review the specific contents of an application, to conduct an interview with a candidate, or to discuss the specific qualifications of a candidate if the particular process of searching for and selecting a president of an institution of higher education meets all of the following requirements:

(i) The search committee in the process, appointed by the governing board, consists of at least 1 student of the institution, 1 faculty member of the institution, 1 administrator of the institution, 1 alumnus of the institution, and 1 representative of the general public. The search committee also may include 1 or more members of the governing board of the institution, but the number does not constitute a quorum of the governing board. However, the search committee must not be constituted in such a way that any 1 of the groups described in this subparagraph constitutes a majority of the search committee.

(ii) After the search committee recommends the 5 final candidates, the governing board does not take a vote on a final selection for the president until at least 30 days after the 5 final candidates have been publicly identified by the search committee.

(iii) The deliberations and vote of the governing board of the institution on selecting the president take place in an open session of the governing board.

(k) For a school board to consider security planning to address existing threats or prevent potential threats to the safety of the students and staff. As used in this subdivision, "school board" means any of the following:

(i) That term as defined in section 3 of the revised school code, 1976 PA 451, MCL 380.3.

(ii) An intermediate school board as that term is defined in section 4 of the revised school code, 1976 PA 451, MCL 380.4.

(iii) A board of directors of a public school academy as described in section 502 of the revised school code, 1976 PA 451, MCL 380.502.

(iv) The local governing board of a public community or junior college as described in section 7 of article VIII of the state constitution of 1963.

(I) For a county veteran services committee to interview a veteran or a veteran's spouse or dependent regarding that individual's application for benefits or financial assistance and discuss that individual's application for benefits or financial assistance, if the applicant requests a closed hearing. This subdivision does not apply to a county veteran services committee voting on whether to grant or deny an individual's application for benefits or financial assistance. As used in this subdivision, "county veteran services committee" means a committee created by a county board of commissioners under section 1 of 1953 PA 192, MCL 35.621, or a soldiers' relief commission created under section 2 of 1899 PA 214, MCL 35.22.

**History:** 1976, Act 267, Eff. Mar. 31, 1977;—Am. 1984, Act 202, Imd. Eff. July 3, 1984;—Am. 1993, Act 81, Eff. Apr. 1, 1994;—Am. 1996, Act 464, Imd. Eff. Dec. 26, 1996;—Am. 2018, Act 467, Eff. Mar. 27, 2019;—Am. 2021, Act 31, Imd. Eff. June 24, 2021.

### **15.269 Minutes.**

Sec. 9. (1) Each public body shall keep minutes of each meeting showing the date, time, place, members present, members absent, any decisions made at a meeting open to the public, and the purpose or purposes for which a closed session is held. The minutes shall include all roll call votes taken at the meeting. The public body shall make any corrections in the minutes at the next meeting after the meeting to which the minutes refer. The public body shall make corrected minutes available at or before the next subsequent meeting after correction. The corrected minutes shall show both the original entry and the correction.

(2) Minutes are public records open to public inspection, and a public body shall make the minutes available at the address designated on posted public notices pursuant to section 4. The public body shall make copies of the minutes available to the public at the reasonable estimated cost for printing and copying.

(3) A public body shall make proposed minutes available for public inspection within 8 business days after the meeting to which the minutes refer. The public body shall make approved minutes available for public inspection within 5 business days after the meeting at which the minutes are approved by the public body.

(4) A public body shall not include in or with its minutes any personally identifiable information that, if released, would prevent the public body from complying with section 444 of subpart 4 of part C of the general education provisions act, 20 USC 1232g, commonly referred to as the family educational rights and privacy act of 1974.

**History:** 1976, Act 267, Eff. Mar. 31, 1977;—Am. 1982, Act 130, Imd. Eff. Apr. 20, 1982;—Am. 2004, Act 305, Imd. Eff. Aug. 11, 2004.

### **15.270 Decisions of public body; presumption; civil action to invalidate; jurisdiction; venue; reenactment of disputed decision.**

Sec. 10. (1) Decisions of a public body shall be presumed to have been adopted in compliance with the requirements of this act. The attorney general, the prosecuting attorney of the county in which the public body serves, or any person may commence a civil action in the circuit court to challenge the validity of a decision of a public body made in violation of this act.

(2) A decision made by a public body may be invalidated if the public body has not complied with the requirements of section 3(1), (2), and (3) in making the decision or if failure to give notice in accordance with section 5 has interfered with substantial compliance with section 3(1), (2), and (3) and the court finds that the noncompliance or failure has impaired the rights of the public under this act.

(3) The circuit court shall not have jurisdiction to invalidate a decision of a public body for a violation of this act unless an action is commenced pursuant to this section within the following specified period of time:

(a) Within 60 days after the approved minutes are made available to the public by the public body except as otherwise provided in subdivision (b).

(b) If the decision involves the approval of contracts, the receipt or acceptance of bids, the making of assessments, the procedures pertaining to the issuance of bonds or other evidences of indebtedness, or the submission of a borrowing proposal to the electors, within 30 days after the approved minutes are made available to the public pursuant to that decision.

(4) Venue for an action under this section shall be any county in which a local public body serves or, if the decision of a state public body is at issue, in Ingham county.

(5) In any case where an action has been initiated to invalidate a decision of a public body on the ground that it was not taken in conformity with the requirements of this act, the public body may, without being deemed to make any admission contrary to its interest, reenact the disputed decision in conformity with this act. A decision reenacted in this manner shall be effective from the date of reenactment and shall not be declared invalid by reason of a deficiency in the procedure used for its initial enactment.

**History:** 1976, Act 267, Eff. Mar. 31, 1977.

**15.271 Civil action to compel compliance or enjoin noncompliance; commencement; venue; security not required; commencement of action for mandamus; court costs and attorney fees.**

Sec. 11. (1) If a public body is not complying with this act, the attorney general, prosecuting attorney of the county in which the public body serves, or a person may commence a civil action to compel compliance or to enjoin further noncompliance with this act.

(2) An action for injunctive relief against a local public body shall be commenced in the circuit court, and venue is proper in any county in which the public body serves. An action for an injunction against a state public body shall be commenced in the circuit court and venue is proper in any county in which the public body has its principal office, or in Ingham county. If a person commences an action for injunctive relief, that person shall not be required to post security as a condition for obtaining a preliminary injunction or a temporary restraining order.

(3) An action for mandamus against a public body under this act shall be commenced in the court of appeals.

(4) If a public body is not complying with this act, and a person commences a civil action against the public body for injunctive relief to compel compliance or to enjoin further noncompliance with the act and succeeds in obtaining relief in the action, the person shall recover court costs and actual attorney fees for the action.

**History:** 1976, Act 267, Eff. Mar. 31, 1977.

**15.272 Violation as misdemeanor; penalty.**

Sec. 12. (1) A public official who intentionally violates this act is guilty of a misdemeanor punishable by a fine of not more than \$1,000.00.

(2) A public official who is convicted of intentionally violating a provision of this act for a second time within the same term shall be guilty of a misdemeanor and shall be fined not more than \$2,000.00, or imprisoned for not more than 1 year, or both.

**History:** 1976, Act 267, Eff. Mar. 31, 1977.

**15.273 Violation; liability.**

Sec. 13. (1) A public official who intentionally violates this act shall be personally liable in a civil action for actual and exemplary damages of not more than \$500.00 total, plus court costs and actual attorney fees to a person or group of persons bringing the action.

(2) Not more than 1 action under this section shall be brought against a public official for a single meeting. An action under this section shall be commenced within 180 days after the date of the violation which gives rise to the cause of action.

(3) An action for damages under this section may be joined with an action for injunctive or exemplary relief under section 11.

**History:** 1976, Act 267, Eff. Mar. 31, 1977.

**15.273a Selection of president by governing board of higher education institution; violation; civil fine.**

Sec. 13a. If the governing board of an institution of higher education established under section 4, 5, or 6 of article VIII of the state constitution of 1963 violates this act with respect to the process of selecting a president of the institution at any time after the recommendation of final candidates to the governing board, as described in section 8(j), the institution is responsible for the payment of a civil fine of not more than \$500,000.00. This civil fine is in addition to any other remedy or penalty under this act. To the extent possible, any payment of fines imposed under this section shall be paid from funds allocated by the institution of higher education to pay for the travel and expenses of the members of the governing board.

**History:** Add. 1996, Act 464, Imd. Eff. Dec. 26, 1996.

**15.274 Repeal of MCL 15.251 to 15.253.**

Sec. 14. Act No. 261 of the Public Acts of 1968, being sections 15.251 to 15.253 of the Compiled Laws of 1970, is repealed.

**History:** 1976, Act 267, Eff. Mar. 31, 1977.

**15.275 Effective date.**

Sec. 15. This act shall take effect January 1, 1977.

**History:** 1976, Act 267, Eff. Mar. 31, 1977.



Minutes of the Clay Township Board of Trustees held on Monday, August 16, 2021 at Clay Township Meeting Hall, Clay Township, Michigan. Meeting called at 6:00 PM.

## ROLL CALL

**PRESENT:** Artie Bryson, Cindy Valentine, Mark Borchardt, Maureen Boury

**ABSENT:** Kristi Hiltunen, Chris O'Regan, Joanne Shirkey

## Pledge of Allegiance

### **Bills Payable \$211,077.70**

**Motion** by Cindy Valentine; supported by Maureen Boury to Approve.

**Ayes:** Artie Bryson, Cindy Valentine, Mark Borchardt, Maureen Boury

**Nays:** None

### **Motion Carried**

Roll Call, 4-0

Report of Checks to Approve

[Bills Payable for 8.16.21](#)

### **PUBLIC HEARING: Postpone Police Fire Garbage & General Millage Operating -**

Resolution 2021-25, Setting Public Hearing September 7, 2021 for Operating Millage Proposal for General, Police, Fire & Garbage & Refuse Fee's

[Resolution 2021-25 Setting Public Hearing](#)

**Motion** by Cindy Valentine; seconded by Maureen Boury to Approve.

Roll Call, 4- 0

**Ayes:** Artie Bryson, Cindy Valentine, Mark Borchardt, Maureen Boury

**Nays:** None

### **Motion Carried**

## Supervisor Report

Meeting Report

[FYI as of 8-11-21](#)

## Public Comments

None

## Consent Agenda

**Motion** by Cindy Valentine; supported by Mark Borchardt to Approve .

**Ayes:** Artie Bryson, Cindy Valentine, Mark Borchardt, Maureen Boury

**Nays:** None

### **Motion Carried**

4-0

Minutes

[Draft Minutes 8.2.2021](#)

Check Reports

[Board Approved & Paid In between Meetings](#)



Communication

[Road Watch Week of August 16, 2021](#)

## Unfinished Business

### 1. New Business

1.a Resolution 2021-26, Local Road Funding Culvert Match Funds 2022-2023,  
Bayview Shores

[Correspondence from SCCRC: Culvert Replacement](#)

[Resolution 2021-26 Request for Local Road Culvert Match Funds\\_Bayview Shores](#)

**Motion** by Maureen Boury; seconded by Mark Borchardt to Approve.

Roll Call, 4- 0

**Ayes:** Artie Bryson, Cindy Valentine, Mark Borchardt, Maureen Boury

**Nayes:** None

**Motion Carried**

1.b Resolution 2021-27, Local Road Funding Culvert Match Funds 2023-2024,  
Riverside Dr

[Resolution 2021-27 Request for Local Road Culvert Match Funds\\_Riverside](#)

**Motion** by Mark Borchardt; seconded by Maureen Boury to Approve.

Roll Call, 4- 0

**Ayes:** Artie Bryson, Cindy Valentine, Mark Borchardt, Maureen Boury

**Nayes:** None

**Motion Carried**

1.c UHY, LLP: OPEB Liability Engagement Letter \$2000.00 Line 101-265-805

[UHY LLP OPEB Engagement Letter](#)

**Motion** by Cindy Valentine; seconded by Mark Borchardt to Approve.

4- 0

**Ayes:** Artie Bryson, Cindy Valentine, Mark Borchardt, Maureen Boury

**Nayes:** None

**Motion Carried**

1.d UHY, LLP: Annual Audit Engagement Letter \$31,800.00 Line 101-265-805

[UHY LLP Annual Audit Engagement Letter](#)

**Motion** by Cindy Valentine; seconded by Mark Borchardt to Approve.

Roll Call, 4- 0

**Ayes:** Artie Bryson, Cindy Valentine, Mark Borchardt, Maureen Boury

**Nayes:** None

**Motion Carried**



Minutes of the Clay Township Board of Trustees held on Monday, August 16, 2021 at Clay Township Meeting Hall, Clay Township, Michigan. Meeting called at 6:00 PM.

- 1.e Resolution 2021-28 Proceed with Colony Isles Petition Resolution  
2021-29 Set Public Hearing for September 20, 2021 [Intro Letter](#)  
[Colony Isle Canals](#)  
[Colony Isle Canals - Resolution 1](#)  
[Colony Isle Canals - Resolution 2](#)  
**Motion** by Cindy Valentine; seconded by Maureen Boury to Approve Resolution 1.  
Roll Call, 4- 0  
**Ayes:** Artie Bryson, Cindy Valentine, Mark Borchardt, Maureen Boury  
**Nayes:** None  
**Motion Carried**  
**Motion** by Cindy Valentine; seconded by Maureen Boury to Approve Resolution 2.  
Roll Call, 4- 0  
**Ayes:** Artie Bryson, Cindy Valentine, Mark Borchardt, Maureen Boury  
**Nayes:** None  
**Motion Carried**
- 1.f Resolution 2021-30, Proceed with North Channel Drive West - Bridge Repairs  
Petition  
[Intro Letter North Channel Bridge Repairs](#)  
[North Channel West Bridge Repairs Resolution 1](#)  
**Motion** by Cindy Valentine; seconded by Maureen Boury to Approve.  
Roll Call, 4- 0  
**Ayes:** Artie Bryson, Cindy Valentine, Mark Borchardt, Maureen Boury  
**Nayes:** None  
**Motion Carried**
- 1.g Resolution 2021-31 Proceed with North Channel West Paving Petition  
[Intro Letter North Channel Paving](#)  
[North Channel West Paving Resolution 1](#)  
**Motion** by Maureen Boury; seconded by Mark Borchardt to Approve.  
Roll Call, 4- 0  
**Ayes:** Artie Bryson, Cindy Valentine, Mark Borchardt, Maureen Boury  
**Nayes:** None  
**Motion Carried**
- 1.h ZBA: Alternate Samantha Bynum 8/16/2021 - 11/15/2024  
ZBA: Reappoint Bonnie McInerney-Slater 8/16/2021 - 11/15/2023  
[ZBA Appoint Samantha Bynum, Alternate](#)  
[ZBA Reappoint Bonnie McInerney-Slater](#)  
**Motion** by Cindy Valentine; seconded by Mark Borchardt to Approve both.  
4- 0



Minutes of the Clay Township Board of Trustees held on Monday, August 16, 2021 at Clay Township Meeting Hall, Clay Township, Michigan. Meeting called at 6:00 PM.

**Ayes:** Artie Bryson, Cindy Valentine, Mark Borchardt, Maureen Boury

**Nayes:** None

**Motion Carried**

1.i Planning Commission Appointment: Chris Daggy

[PC Appoint Chris Daggy](#)

**Motion** by Mark Borchardt; seconded by Cindy Valentine to Approve.

4- 0

**Ayes:** Artie Bryson, Cindy Valentine, Mark Borchardt, Maureen Boury

**Nayes:** None

**Motion Carried**

1.j Assistant Assessor Contract - Bonny Campbell

[Campbell Contract 2021-2024](#)

[Bonny Campbell MCAO](#)

**Motion** by Cindy Valentine; seconded by Mark Borchardt to Approve.

Roll Call, 4- 0

**Ayes:** Artie Bryson, Cindy Valentine, Mark Borchardt, Maureen Boury

**Nayes:** None

**Motion Carried**

1.k Fire Dept: New Hire, Part Time, Benjamin Lee

[New Hire Part Time Benjamin Lee](#)

**Motion** by Mark Borchardt; seconded by Maureen Boury to Approve.

4- 0

**Ayes:** Artie Bryson, Cindy Valentine, Mark Borchardt, Maureen Boury

**Nayes:** None

**Motion Carried**

1.l Fire Dept: Ladder & Hose Testing \$5024.39 Line 206-932

[Fire: Annual Hose & Ladder Testing](#)

**Motion** by Mark Borchardt; seconded by Maureen Boury to Approve.

4- 0

**Ayes:** Artie Bryson, Cindy Valentine, Mark Borchardt, Maureen Boury

**Nayes:** None

**Motion Carried**



Minutes of the Clay Township Board of Trustees held on Monday, August 16, 2021 at Clay Township Meeting Hall, Clay Township, Michigan. Meeting called at 6:00 PM.

1.m DPW: Sanitary Pump Station Top & Hatch \$6771.32 Line 590-930

[Anchor Bay Drive Sanitary Top & Hatch](#)

**Motion** by Mark Borchardt; seconded by Maureen Boury to Approve.

4- 0

**Ayes:** Artie Bryson, Cindy Valentine, Mark Borchardt, Maureen Boury

**Nayes:** None

**Motion Carried**

### **Board Member Comments**

**Valentine** – Welcome to Sam & Ben! Thank you to all our first responders, we had a very busy weekend in the Township. Your service is greatly appreciated.

**Borchardt** – Congratulations Ben, thank you Samantha for joining the ZBA.

**Boury** – Ditto, and welcome Chris on Planning Commission.

**Bryson** – Congrats to our first responders, very busy weekend – everyone handled everything very professional.

**Next Meeting: Tuesday September 7, 2021 6:00PM**

**Adjournment, 6:54 p.m.**



Minutes of the Clay Township Board of Trustees held on Tuesday, September 7, 2021 @ Clay Township Meeting Hall, Clay Township, Michigan Meeting called at 6:00 pm.

**ROLL CALL**

**PRESENT:** Cindy Valentine, Kristi Hiltunen, Chris O'Regan, Mark Borchardt, Maureen Boury, Artie Bryson

**ABSENT:** Joanne Shirkey

**AMEND AGENDA: ADD NEW BUSINESS 1m: 9093 Stone, Blight Yard Clean Up - Court Order, Fund \$5100.00**

**PUBLIC HEARING: POLICE, FIRE, & GENERAL OPERATING, GARBAGE & REFUSE FEES -**

**Motion** by Chris O'Regan; supported by Kristi Hiltunen to Open Public Hearing @ 6:03 pm.

**Ayes:** Artie Bryson, Cindy Valentine, Kristi Hiltunen, Chris O'Regan, Mark Borchardt, Maureen Boury

**Nayes:** None

**Motion Carried**

Public Comments - None

**Motion** by Cindy Valentine; supported by Kristi Hiltunen to Close Public Hearing @ 6:06 pm.

**Ayes:** Artie Bryson, Cindy Valentine, Kristi Hiltunen, Chris O'Regan, Mark Borchardt, Maureen Boury

**Nayes:** None

**Motion Carried**

Millage Comparisons

[SCC Operating Millage 2021](#)

[SCC Millages with Fire and Specials 2021](#)

[Millages Local 2021](#)

**Bills Payable -**

**Motion** by Chris O'Regan; supported by Mark Borchardt to Approve.

**Ayes:** Artie Bryson, Cindy Valentine, Kristi Hiltunen, Chris O'Regan, Mark Borchardt, Maureen

Boury

**Nayes:** None

**Motion Carried**

Register for Bills Payable \$83,354.81

[Bills Payable 9.7.2021](#)

**Supervisor Report -**

Update from 8/17/2021-9/7/2021

[FYI as of 9-1-21](#)

[DOC090221-09022021133436.pdf](#)



Minutes of the Clay Township Board of Trustees held on Tuesday, September 7, 2021 @ Clay Township Meeting Hall, Clay Township, Michigan Meeting called at 6:00 pm.

**Public Comments -**

Dianne Miller - 7311 Bea Lane, inquired as to the status of culvert at Stier Rd.

**Consent Agenda -**

**Motion** by Cindy Valentine; supported by Kristi Hiltunen to Approve.

**Ayes:** Artie Bryson, Cindy Valentine, Kristi Hiltunen, Chris O'Regan, Mark Borchardt, Maureen Boury

**Nays:** None

**Motion Carried**

Minutes

[Draft Minutes August 16, 2021](#)

Check Reports

[Payables & Payroll](#)

**Fire Chief Report -**

Monthly Report

[August 2021](#)

**Unfinished Business -**

**1. New Business -**

1.a Resolution 2021-32, Zoning Text Amendments 126-42, Open Water Fences

[Zoning Text Amendment 126-42, Open Water Fences](#)

[RESOLUTION\\_2021-32\\_\\_Zoning\\_Text\\_Amendments\\_126-42\\_Open\\_Water\\_Fences.docx](#)

**Motion** by Mark Borchardt; seconded by Chris O'Regan to Approve.

2- 4

**Ayes:** Chris O'Regan, Mark Borchardt

**Nays:** Artie Bryson, Cindy Valentine, Kristi Hiltunen, Maureen Boury

**Motion Failed**

1.b Resolution 2021-37, Zoning Ordinance Amendment 126-44, Map Amendment

[ReZoning Review](#)

[County Approval](#)

[RESOLUTION 2021-37 Updated Zoning Map Amendments 126-44](#)

**Motion** by Mark Borchardt; seconded by Artie Bryson to Approve .

6- 0

**Ayes:** Artie Bryson, Cindy Valentine, Kristi Hiltunen, Chris O'Regan, Mark Borchardt, Maureen Boury

**Nays:** None

**Motion Carried**



1.c Appoint: Assistant FOIA Co-Ordinator, Lieutenant Stockwell

[Replacement Assistant FOIA Coordinator](#)

**Motion** by Cindy Valentine; seconded by Kristi Hiltunen to Authorize.

6- 0

**Ayes:** Artie Bryson, Cindy Valentine, Kristi Hiltunen, Chris O'Regan, Mark Borchardt, Maureen Boury

**Nayes:** None

**Motion Carried**

1.d Blue Cross Blue Shield - Renewal

[2022 BCBS Renewal - Clay Twp](#)

**Motion** by Chris O'Regan; seconded by Maureen Boury to Award.

6- 0

**Ayes:** Artie Bryson, Cindy Valentine, Kristi Hiltunen, Chris O'Regan, Mark Borchardt, Maureen Boury

**Nayes:** None

**Motion Carried**

1.e Assessing: Attend Fall MAA Conference, Chari Lawton \$520.00 (plus taxes) Line 101-257-960.

[Assessing Fall Education](#)

**Motion** by Cindy Valentine; seconded by Maureen Boury to Authorize.

6- 0

**Ayes:** Artie Bryson, Cindy Valentine, Kristi Hiltunen, Chris O'Regan, Mark Borchardt, Maureen Boury

**Nayes:** None

**Motion Carried**

1.f Cemetery: Two sided 80 Niche Columbarium \$32,000.00 Line 209-970

[Jones Monument Co - Columbarium](#)

**Motion** by Chris O'Regan; seconded by Cindy Valentine to Approve.

6- 0

**Ayes:** Artie Bryson, Cindy Valentine, Kristi Hiltunen, Chris O'Regan, Mark Borchardt, Maureen Boury

**Nayes:** None

**Motion Carried**



**Minutes of the Clay Township Board of Trustees held on Tuesday, September 7, 2021 @ Clay Township Meeting Hall, Clay Township, Michigan Meeting called at 6:00 pm.**

- 1.g 2014 Refunding Bond Payment (\$455,000 Line 591-300.01) (\$10,931.25 Line 591-990-995) Total \$465,931.25

**US Bank Refunding Bonds**

**Motion** by Artie Bryson; seconded by Kristi Hiltunen to Approve.

6- 0

**Ayes:** Artie Bryson, Cindy Valentine, Kristi Hiltunen, Chris O'Regan, Mark Borchardt, Maureen Boury

**Nayes:** None

**Motion Carried**

- 1.h Resolution 2021-33, Special Assessment - Clay Township Police, 4.85 Mills

**2021-33 Resolution To Set Police Mills**

**Motion** by Cindy Valentine; seconded by Kristi Hiltunen to Approve.

6- 0

**Ayes:** Artie Bryson, Cindy Valentine, Kristi Hiltunen, Chris O'Regan, Mark Borchardt, Maureen Boury

**Nayes:** None

**Motion Carried**

- 1.i Resolution 2021-34, Special Assessment for Clay Township Fire, 2.125 Mills

**2021-34 Resolution To Set Fire Mills**

**Motion** by Chris O'Regan; seconded by Mark Borchardt to Approve.

6- 0

**Ayes:** Artie Bryson, Cindy Valentine, Kristi Hiltunen, Chris O'Regan, Mark Borchardt, Maureen Boury

**Nayes:** None

**Motion Carried**

- 1.j Resolution 2021-35, Setting General Operating Millage, .5192 Mills

**2021-35 Resolution To Set General Operating Mills**

**Motion** by Mark Borchardt; seconded by Kristi Hiltunen to Approve.

6- 0

**Ayes:** Artie Bryson, Cindy Valentine, Kristi Hiltunen, Chris O'Regan, Mark Borchardt, Maureen Boury

**Nayes:** None

**Motion Carried**

- 1.k Resolution 2021-36, Curbside Garbage, Refuse Recycling Collection Fees \$175/\$137

**2021-36 Resolution To Set Garbage Mills**

**Motion** by Chris O'Regan; seconded by Maureen Boury to Approve.

6- 0



**Minutes of the Clay Township Board of Trustees held on Tuesday, September 7, 2021 @ Clay Township Meeting Hall, Clay Township, Michigan Meeting called at 6:00 pm.**

**Ayes:** Artie Bryson, Cindy Valentine, Kristi Hiltunen, Chris O'Regan, Mark Borchardt, Maureen Boury

**Nayes:** None

**Motion Carried**

1.l DPW: Annual Meter Purchase Year 2 of 4 \$294,840.00 Line 591-971

[Hydro Corp 2021 Meter Purchase](#)

**Motion** by Mark Borchardt; seconded by Maureen Boury to Approve.

6- 0

**Ayes:** Artie Bryson, Cindy Valentine, Kristi Hiltunen, Chris O'Regan, Mark Borchardt, Maureen Boury

**Nayes:** None

**Motion Carried**

1.m Fund Court Order, Blight Removal 9093 Stone \$5100.00

[Court Order 9093 Stone Road](#)

Court Order: Blight Clean Up 9093 Stone Road \$5100.00

**Board Member Comments -**

Valentine - Hope everyone had a great Labor Day!

Borchardt - Congratulations to Chief Rose and Chief Koach for hard work this holiday season, Congratulations to Lt. Stockwell.

Boury - Congratulations to Lt. Stockwell, thanks for stepping up.

Hiltunen - Taxes are due September 14, 2021. Also, you can pay them on Friday at NorthStar Bank as we are closed on Friday.

O'Regan - Fire Trucks look Fantastic, Chief Rose has the best of the best on these trucks for our citizens safety. Congratulations Chief and the Clay Township Fire Department!

Artie - Lots of good things going on.

**Next Meeting: September 20, 2021 - Harsens Island Lions Hall**

**Adjournment – 7:23 pm**

**MAYOR**  
**Terry Stoneburner**

**COUNCIL MEMBERS**

**Michael Bembas, Mayor Pro Tem**  
**Corey Blair**  
**Rocky Gillis**

**Cathy Harris**  
**Raymond Martin**  
**Jake Skarbek**

**CITY OF ALGONAC**  
**REGULAR CITY COUNCIL MEETING**  
**Tuesday, August 3, 2021**  
**7:00 p.m.**

**City Council Chambers, 805 St. Clair River Drive**  
**Algonac, MI 48001**  
**Minutes as approved 8.17.21**

**Meeting called to Order**

Mayor Stoneburner called the meeting to order at 7:00 p.m.

**Roll Call**

Present: Councilmembers Bembas, Blair, Gillis, Harris, Martin, Skarbek (remotely from Florida) and Mayor Stoneburner.

Others Present: City Manager Denice Gerstenberg, City Clerk Lisa Borgacz, Fire Chief Joe Doan, Pennie Baggett and Cindy Higby.

**Moment of Silent Prayer**

Mayor Stoneburner called for a moment of silent prayer.

**Pledge of Allegiance**

Mayor Stoneburner led the Pledge of Allegiance.

**Approve Agenda**

Motion by Blair, supported by Gillis to approve the agenda as presented. Motion carried.

**Presentations**

Councilman Martin presented Nice Neighbor Awards to Pennie Baggett and Cindy Higby for taking care of the flower bed at the Riverfront Park flagpole garden.

**Public Comment**



There was no public comment.

### **City Manager's Report**

City Manager Gerstenberg gave a presentation on Special Event Permits.

### **Consent Agenda**

Motion by Blair, supported by Bembas to approve the consent agenda as presented:

- a. City Council Meeting Minutes Regular Meeting 7.20.2021

Motion carried.

### **Unfinished Business**

None

### **New Business**

#### **To award contract for Water Filtration building and roof improvements.**

Motion by Blair, supported by Bembas to award the contract for Water Filtration Building Improvements to Brown-Schroeder and Company, whose address is 6827 E. 9 Mile Rd., Warren, MI 48091 in the amount of \$111,319 and the contract for construction engineering to Hubbell, Roth and Clark, whose address is PO Box 824, Bloomfield Hills, MI 48303 in the not-to-exceed amount of \$9,782.10 and to budget an additional \$15,000 contingency for a total project cost not-to-exceed \$136,101.10.

#### **Roll Call**

Ayes: Bembas, Blair, Gillis, Harris, Martin, Skarbek, Stoneburner

Nays: None

Motion carried.

#### **To approve renewal of US Government License for real property NOAA Agreement #18EKWC0004L at 1530 St. Clair River Drive.**

Motion by Gillis, supported by Bembas to approve renewal of US Government License for real property NOAA Agreement #18EKWC0004L at 1530 St. Clair River Drive at no cost for a term of three (3) years beginning August 1, 2021 to July 31, 2024, and direct the City Manager to sign new agreement #21EKC00075L on behalf of the city.

#### **Roll Call**

Ayes: Blair, Gillis, Harris, Martin, Skarbek, Stoneburner, Bembas

Nays: None

Motion carried.

**To approve purchase order for Water Plant: not to exceed \$6,000.**

Motion by Blair, supported by Bembas to approve issuance of a purchase order to purchase chemicals from PVS Nolwood Chemicals, whose address is 8970 Hubbell Avenue, Detroit, MI 48228, in an amount not-to-exceed maximum of \$6,000.

**Roll Call**

Ayes: Gillis, Harris, Martin, Skarbek, Stoneburner, Bembas, Blair

Nays: None

Motion carried.

**To approve purchase order for Water Plant and ~~Pool~~ sodium hypochlorite: not-to-exceed ~~\$13,500~~ 12,000.**

Motion by Bembas, supported by Blair to approve a purchase order for Water Plant to purchase sodium hypochlorite for the water treatment plant in an amount not-to-exceed \$12,000, from Cul-Mac Industries, whose address is 3720 Venoy Road, Wayne, MI 48184, in a total amount not-to-exceed \$12,000.

**Roll Call**

Ayes: Harris, Martin, Skarbek, Stoneburner, Bembas, Blair, Gillis

Nays: None

Motion carried.

**To approve purchase of Water Plant chlorine analyzers and turbidimeter: \$18,537.**

Motion by Gillis, supported by Blair to approve the purchase of three (3) chlorine analyzers and one (1) bench top turbidimeter from HACH, whose address is 5600 Lindbergh Drive, Loveland, CO 80539, in a total amount of \$18,537.

**Roll Call**

Ayes: Martin, Skarbek, Stoneburner, Bembas, Blair, Gillis, Harris

Nays: None

Motion carried.

**To approve Water Plant equipment installation for water tower telemetry: \$11,004.50.**

Motion by Blair, supported by Martin to approve payment for the equipment and installation needed to restore water tower to water plant telemetry to SCADA, whose address is 2290 Bishop Circle East, Dexter, MI 48130, in a total amount of \$11,004.50.

**Roll Call**

Ayes: Skarbek, Stoneburner, Bembas, Blair, Gillis, Harris, Martin

Nays: None

Motion carried.

### **Accounts Payable**

Motion by Skarbek supported by Harris to approve accounts payable and payroll in the amount of \$742,455.75.

### **Roll Call**

Ayes: Stoneburner, Bembas, Blair, Gillis, Harris, Martin, Skarbek

Nays: None

Motion carried.

### **Items for Next Agenda**

- Coast Guard Mooring Lease
- Approve salt order for winter
- Tie Michigan Teal project
- Presentation to Little League softball teams

### **Council Comment**

#### **Blair**

I want to thank everybody for coming and I also want to thank Pennie and Cindy, just a few of the people in our wonderful community that step up and do anonymous things. I think there's even a few of here this evening. Still, thank you very much for that. I want to give a shout out to the Water Department. We have some of the best tasting drinking water in the county, from what I understand, and it's because of our employees who make that happen, and keep us all safe, as one of the councilman said. That's all I've got to say this evening. Thank you and have a great night.

#### **Gillis**

I would like to say thank you to Cindy and Pennie as well. I think the greatest part about their volunteerism is that it wasn't a group or organization, it's just the citizens that noticed something that needed to be done and they just took it over and did it, and that's the greatest type of ownership that you could ask for from your citizens. When groups do things it's one thing, but when individual people say you know what, this is a little part of the world that I can change, that's a great thing. Other than that, have a great evening everyone.

#### **Bembas**

Hi everyone, and of course, thank you Pennie and Cindy. I want to just piggyback on Councilman Gillis, the nice thing about them is that they do it on the quiet. There was no big hoopla that they do, they just do it. They're not worried about

getting the glory or anything, they just handle business. This week, and I know Mayor will talk about it a little bit more, but we have the golf cart rally—I call it the golf cart rally but she'll call it something else. On the 14<sup>th</sup>, I call it the liquor fest, I'm sure that's got a different name too, but that's on the boardwalk. And in Clay Township on the 14<sup>th</sup>, the Historical Society is having a Craft Show and Car Show, so next couple weeks will be busy in Algonac. We are getting really close to Halloween, so we've got Halloween in the 'Nac. We're looking for any small businesses or individuals who want to support it by doing a game. And I'm looking at also civic groups who may want to participate. Shout out to Jan Evans, who is going to take on the parade this year with Women's Life, and things are going good with selling the ducks. Gale has done a tremendous job this year selling the ducks. We've already sold more this year than last year. And, just to toot our own horn, imitation is the best form of flattery—St. Clair is now doing small little turtle races in their community. That's kind of cool. We started doing something 3 years ago and now they're picking up on it, and we should all take pride in that. Very good presentation from our City Manager on groups, we want every civic organization to succeed, and we will help them in every way we can, but we do have to follow the rules here for our future.

#### **Martin**

It was a good feeling to be the one to be able to present the Good Neighbor Award to Pennie and Cindy, and I thank them again for their volunteerism.

#### **Harris**

Thank you everyone for coming and also Pennie and Cindy for doing so well at the park. Can I address Mrs. Gerstenberg? Can you tell me, Denice, what we're doing about the school, the elementary school?

#### **City Manager Gerstenberg**

Councilwoman Harris, as you know the school has been vacant for over 4 years. It has been for sale by a licensed broker. It is owned by a company down in Georgia, not a local company. We have, a couple years ago, approached the EDA to see if they could help us find a tenant or buyer for the building. There has been very little interest in purchase of the building. Lately, we have had a lot of vandalism at that building. The Sheriff has been over there many times. We have been keeping track of the vandalism with the assistance of the Sheriff, obviously. So now, I think that we do have enough evidence of vandalism that we can take it to our Dangerous Building Board. So, right now we are working with the Sheriff to compile all of the Sheriff reports of all the vandalism that has taken place. We are going to send that to the Dangerous Buildings Committee, and hopefully we will be able to move forward. Usually, our Dangerous Buildings Commission would ask for them to do something. It could be demolition of the building, or they may decide that they don't want demolition of the building so maybe they'll lower the price. So, either way we can encourage the sale or movement of that building in some way. It has taken us 4 years to get enough evidence together because for the first couple years there has been very little vandalism, it's just been in the last 2 years that it's really stepped

up for some reason. So that is what we are able to do. Obviously, it's owned by a private property owner and we can't compel them to sell, but we can use the tools that we have in our toolbox and one of those is Dangerous Buildings.

### **Skarbek**

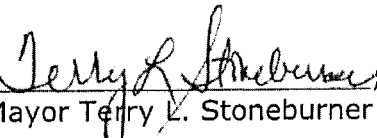

I just want to thank Pennie and Cindy for helping in the community, and I just want to thank you guys for all coming out tonight.

### **Stoneburner**

Pennie and Cindy thank you. For those of you here and at home, consider the Nice Neighbor Award or Algonac Asset Award and submit names. It doesn't always come from Council, it comes from our residents. You see what's going on in our neighborhoods, you see what's happening in our community, nominate someone for the Nice Neighbor Award or the Algonac Asset Award. In fact, on Friday we have our Girl Scout picture at the Skate Park at 4:00 p.m. We've had just terrible weather when we've planned to have this picture taken, so just bring your umbrella. We're going to get this picture done this Friday. So, Friday at 4:00 p.m. over at the Skate Park, we're going to get this picture done, so join us so that we can thank them once again and get a proper picture with all the kids. Saturday we have our Charity Photo Quest. Tom and I are working with Bob Morrow to put on that. All of the entry fees go back to charity. If you come in 1<sup>st</sup>, 2<sup>nd</sup> or 3<sup>rd</sup> place, your winnings will go to the charity of your choice. So, it could be the PTA at your child's elementary school, it could be little league, it could be St. Jude's, it could be the humane society, whatever you want. If you have a golf cart, ATVs, bicycles, motorcycles and cars you can do it. If it rains, we're still going to do it. So come on out and have some fun on Saturday afternoon. I'm on facebook and on the city website you can get a hold of me and I'll run a registration form to you. I will be at music in the park on Thursday night, so if someone wants to register just find me down there. It's \$20. I know on the registration form we were going to up the fee in the last week, but we just want more and more people, so we're going to keep it at \$20. Come on out and have a good time with us. And if anyone here wants, I brought some registration forms with me. I would like to thank our employees in all our groups, our administration and everything for keeping everything on board. Nobody knew that was happening in the water tower, and not being able to communicate right. But we had the right people in place to take care of the issue, and we all slept soundly. That says a whole lot about who we have working for us, and it happens in every single department in this city. I really admire that.

### **Adjournment**

Motion by Blair, supported by Bembas to adjourn the meeting at 7:45 p.m. Motion carried.

Signed  respectfully submitted 

Mayor Terry L. Stoneburner

City Clerk Lisa Borgacz

**CITY OF ST CLAIR, MICHIGAN  
REGULAR COUNCIL MEETING MINUTES  
MONDAY, AUGUST 2, 2021- 7:00 P.M.**

**Meeting Called to Order** at 7:00pm by Mayor Cedar in the Council Chambers of the Municipal Building, 547 N. Carney Drive, St. Clair, Michigan, 48079.

**PLEDGE OF ALLEGIANCE** was recited.

**PRESENT:** Mayor Cedar, Members Kindsvater, Klieman, Kuffa, LaPorte, Paul

**ABSENT:** Member Volz (excused)

**ADMINISTRATION:** James T. Downey, Kane, Clemons, Joachim & Downey; Timothy Raker, Police Chief; Warren Rothe, City Superintendent; Annette Sturdy, City Clerk.

**AUDIENCE:** There were 10 people in attendance.

**CONSENT AGENDA** – Kuffa moved, LaPorte seconded, CARRIED, to approve Consent Agenda items A. and B. as presented.

- A. City Council Minutes of July 19, 2021 Special, Regular & Closed Meetings: Approved
- B. Zoning Board of Appeals Minutes from April 21, 2021 Meeting: Received

**REPORTS FROM ADMINISTRATION**

**City Superintendent** – Safety Town will be held 4pm-7:30pm Wednesday, August 4, 2021.

**City Attorney-** None

**City Departments-** Chief Raker reported minimal safety issues during Boat Races.

**Authority, Board, Commission, Committee Chairman or Council Representative** – None

**UNFINISHED BUSINESS** - None

**NEW BUSINESS**

Approve designation of MML representative and delegate- Kindsvater moved, Paul seconded, to designate Warren Rothe as representative & Mike LaPorte as delegate as recommended.

Discussion on M29 (South of Clinton)- Options discussed to address resident concerns of the current road diet configurations, including the noise from the uneven manhole cover and distance of traffic to the curb, while continuing to meet MDOT requirements.

**CLAIMS AND ACCOUNTS** – July 22 & July 29, 2021

Check registers listing the bills & ACH payments for the period ending July 22, 2021 (52760-52808) in the amount of \$146,827.68 and for the period ending July 29 2021 (52809-52847) in the amount of \$50,777.52 were presented for Council review. LaPorte moved, Kindsvater seconded, CARRIED, to approve payments of July 22 & July 29, 2021 Claims and Accounts as presented.

**PUBLIC QUESTIONS AND COMMENTS** – None

**MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS** – Special events: 8/4/21 Community Night Out Block party, 8/21/21 Jazz Concert, 8/28-8/29 St. Clair Art Fair & 8/29/21 Rotary Pine River Turtle Race. Councilmember Kindsvater thanked all sponsors for support the St. Clair River Classic & congratulated Mayor Cedar on the Unsung Hero award from BWORA.

**ADJOURNMENT** at 7:38pm

Annette Sturdy, City Clerk

Bill Cedar, Jr., Mayor



**CITY OF ST CLAIR, MICHIGAN  
REGULAR COUNCIL MEETING MINUTES  
MONDAY, JULY 19, 2021- 7:00 P.M.**

**Meeting Called to Order** at 7:00pm by Mayor Cedar in the Council Chambers of the Municipal Building, 547 N. Carney Drive, St. Clair, Michigan, 48079.

**PLEDGE OF ALLEGIANCE** was recited.

**PRESENT:** Mayor Cedar, Members Kindsvater, Klieman, Kuffa, LaPorte, Paul, Volz

**ABSENT:** None

**ADMINISTRATION:** James T. Downey, Kane, Clemons, Joachim & Downey; Timothy Raker, Police Chief; Warren Rothe, City Superintendent; Annette Sturdy, City Clerk.

**AUDIENCE:** There were 3 people in the audience.

**CONSENT AGENDA-** Kuffa moved, Kindsvater seconded, CARRIED, to approve Consent Agenda items A., B., C., D. and E. as presented.

- A. City Council Minutes of July 6, 2021 Special, Regular & Closed Meetings: Approved
- B. City Council Minutes of July 8, 2021 Special Meeting: Approved
- C. Historical Commission Minutes of November 12, 2020 to June 10, 2021 Meetings: Received
- D. Cemetery Board of Trustees Minutes of June 1, 2021 Meeting: Received
- E. Planning Commission Minutes of June 9, 2021 Meeting: Received

**ORDINANCES AND RESOLUTIONS**

Resolution (21-25) Sewer Rate Adjustment-A RESOLUTION TO AMEND THE 5/8 METER READINESS-TO-SERVE RATE. A RESOLUTION of the City Council of the City of St. Clair adopted at a regular meeting of said Council held at City Hall located at 547 N. Carney Drive, St. Clair, Michigan, on the 19th day of July, 2021 at 7:00 PM. **WHEREAS**, City Code Section 62-69(b)(2) provides that the City Council shall by resolution establish from time-to-time a readiness-to-serve charge for sewer services; **NOW, THEREFORE, BE IT RESOLVED**, that effective for the July 2021 billing through the remainder of the 2021 Fiscal Year, the readiness-to-serve charge for sewer customers with a 5/8-inch meter shall be as follows:

<u>FY 2021 Months in Billing Period</u>	<u>Billing Section and Billing Month</u>	<u>Readiness-to-Serve Rate</u>
April, May, June	Section 3: July 2021	\$30.76
May, June, July	Section 1: August 2021	\$17.50
June, July, August	Section 2: September 2021	\$14.16
July, August, September	Section 3: October 2021	\$30.76
August, September	Section 1: November 2021	\$40.76
September	Section 2: December 2021	\$40.76

Kindsvater moved, LaPorte seconded, CARRIED, to adopt Resolution (21-25) as presented.

Ayes: Paul, Volz, Kindsvater, Klieman, Kuffa, LaPorte, Cedar

Nays: None

**RESOLUTION DECLARED ADOPTED**



## **REPORTS FROM ADMINISTRATION**

**City Superintendent** – Per recommendation of the Golf Commission, a new mower for Pine Shores Golf Course will be purchased.

**City Attorney**- None

**City Departments**- Chief Raker shared Officer Schroll's outstanding achievements and his nomination from MADD as Rookie of the Year.

**Authority, Board, Commission, Committee Chairman or Council Representative** – None

**UNFINISHED BUSINESS** - None

## **NEW BUSINESS**

Approve Special Land Use-1390 Oakland Avenue-  
LaPorte moved, Kuffa seconded, CARRIED, to approve special land use for a group daycare at 1390 Oakland Street as requested.

Approve AFSCME letter of agreement for Life Insurance policy -  
Volz moved, Kindsvater seconded, CARRIED, to approve letter of agreement for Life Insurance policy and to authorize City Administration to sign.

Ayes: Volz, Kindsvater, Klieman, Kuffa, LaPorte, Paul, Cedar  
Nays: None

Approve Employee Life insurance proposal-  
Volz moved, Kindsvater seconded, CARRIED, to approve Employee Life Insurance proposal.  
Ayes: Kindsvater, Klieman, Kuffa, LaPorte, Paul, Volz, Cedar  
Nays: None

## **CLAIMS AND ACCOUNTS** – July 8 & July 15, 2021

Check registers listing the bills for the period ending July 8, 2021 (check numbers 52659-52706) in the amount of \$181,153.01 and for the period ending July 15, 2021 (check numbers 52707-52759) in the amount of \$200,992.82 and were presented for Council review.

LaPorte moved, Kuffa seconded, CARRIED, to approve payments of July 8 and July 15, 2021 Claims and Accounts as presented.

## **PUBLIC QUESTIONS AND COMMENTS** – Comments heard on St. Clair Art Fair.

**MAYOR AND COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS** – Special events: St. Clair Art Fair 8/28-8/29, Outdoor Movie 7/22/21 & St. Clair River Classic 7/30-8/1. Thank you to Councilmember Kuffa, Chief Raker, SCPD, Neiman's & Murphy's for spreading goodwill throughout the community.

**CLOSED SESSION** –Kindsvater moved, Kuffa seconded, CARRIED, to grant request for Closed Session To Confer with Legal Counsel for the purpose of Discussing Pending Litigation.

Ayes: Klieman, Kuffa, LaPorte, Paul, Volz, Kindsvater, Cedar  
Nays: None

At 7:19pm, Council recessed into closed session and resumed regular session at 7:25pm.

**ADJOURNMENT** at 7:26pm



MINUTES OF THE MARYSVILLE CITY COUNCIL REGULAR MEETING HELD ON  
MONDAY, JULY 26, 2021 AT 7:30 P.M. IN THE JOSEPH S. JOHNS COUNCIL CHAMBERS,  
AT 1255 DELAWARE AVENUE, MARYSVILLE, MICHIGAN 48040

Pledge of Allegiance led by Mayor Pyden

ROLL CALL:

PRESENT: Mayor Pyden, Mayor Pro-Tem Hayman, Council Members Badley, Barber, Shirkey and Wessel  
ABSENT: Council Member Winston (Excused)  
VISITORS: T. Beers, J. Vokes and T. Osentoski  
ADMIN: A. Francis, R. Fernandez, M. Booth, T. Konik, B. Kreiner, B. Lents and R. Stoia

AGENDA AMENDMENTS: None

COMMUNICATIONS/PRESENTATIONS:

- A. Resolution of Congratulations and Mayoral Gavel presented to Reese Powers for winning a state title in the MHSAA Division 2 Girls Track & Field Finals.
- B. Resolution of Congratulations and Mayoral Gavel presented to Evan Woodard for winning a state title in the MHSAA Division 2 Boys Track & Field Finals.
- C. Certificate of Commendation and Mayoral Gavel presented to Noah James Roosa for attaining the Boy Scouts of America highest rank of Eagle Scout Award.

CITIZENS TO BE HEARD: None

PUBLIC HEARING:

7:39 p.m., adjourned to Public Hearing for the purpose of receiving public comments, either written or oral, regarding Ordinance No. 477 to amend the Marysville City Code Title IX – Police Regulations, Chapter 106 – Animals, Article I – In General, Section 9.64 – Domestic Animals and Fowl  
7:43 p.m., reconvened in Regular Session.

CONSENT AGENDA:

Moved by Council Member Badley, supported by Council Member Wessel to approve the Consent Agenda.

- A. Approved City Council Minutes of July 12, 2021.  
Motion passed unanimously.

ACTION AGENDA:

- A. Moved by Council Member Wessel, supported by Mayor Pro-Tem Hayman to approve bills in the amount of \$485,519.95, payroll for August 6, 2021 and electronic payments in the amount of \$171,240.96. Motion passed unanimously.
- B. Moved by Council Member Badley, supported by Mayor Pro-Tem Hayman to approve payments to Shirkey Electric in the amount of \$3,358.46 for work at the DPW, City Hall, Chrysler Beach, Water Plant and Wastewater Plant. Yes: Mayor Pyden, Mayor Pro-Tem Hayman, Council Members Badley, Barber and Wessel. Abstained: Council Member Shirkey. Motion passed.

- C. Moved by Mayor Pro-Tem Hayman, supported by Council Member Wessel to approve recommendation to accept the lowest cost responsive bid from AIS of Lenox, MI using the state bidding system and pricing in the amount of \$24,264.24 to purchase a new 2025R John Deere Compact Utility Tractor for the golf course. Motion passed unanimously.
- D. Moved by Council Member Shirkey, supported by Mayor Pro-Tem Hayman to approve recommendation from BMJ Engineers & Surveyors, Inc. of Port Huron, MI to accept the lowest cost responsive bid in the amount of \$253,175.18 from Raymond Excavating Company of Marysville, MI for the St. Lawrence Water Main Replacement Project. Motion passed unanimously.
- E. Moved by Council Member Wessel, supported by Council Member Badley to approve Ordinance No. 477 to amend the Marysville City Code Title IX – Police Regulations, Chapter 106 – Animal, Article I – In General, Section 9.64 – Domestic Animals and Fowl. Yes: Mayor Pyden, Mayor Pro-Tem Hayman, Council Members Badley and Wessel. No: Council Members Barber and Shirkey. Motion passed.

FOLLOW UP BUSINESS:

- A. City Manager Randy Fernandez provided follow up business regarding museum artifacts, trees and pickle ball courts. City hall will display some museum artifacts and others will be decommissioned. There have been multiple storms and many trees down, cleanup is in process. The pickle ball courts are on hold; the bid was much higher than budgeted and we are seeking other alternatives.

MAYOR & COUNCIL/MANAGER COMMENTS:

Council Member Shirkey is proud to be a part of the Shirkey Electric Golf Outing being held at Marysville Golf Course this weekend and there are spots available for participation.

Council Member Barber expressed to Reese, Evan and Noah that it is great to be part of a team and Marysville had teams excel, however, it is really impressive when someone excels as an individual. It is also great to see families out supporting their kids.

Council Member Badley extended his personal thank you to City Manager Randy Fernandez, Mayor Pyden, Barry Kreiner and Sean Quain for taking care of the storm damaged tree at the beach, he was part of that tree planting twenty-two years ago.

Mayor Pro-Tem Hayman commented on the amazing students, athletes and scouts in our community; city council is proud of your accomplishments; continue to work hard and also sneak in some fun. Congratulations!

City Manager Randy Fernandez thanked the three award recipients and their parents for attending the meeting. He also stated boat cleaning will take place at the boat launch on July 28 from 10:00 a.m. to 3:00 p.m. sponsored by Michigan State Extension and Friends of the St. Clair River.

Mayor Pyden commented on the lost kayak launch, administration responded. He also thanked everyone who attended the city council meeting.

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Rene' Stoia, City Clerk

8:43 p.m. on motion, City Council adjourned.





# REGULAR MEETING OF THE PORT HURON CITY COUNCIL

Municipal Office Center  
100 McMorran Blvd.  
Port Huron, MI 48060  
810-984-9725  
[www.porthuron.org](http://www.porthuron.org)

Monday, August 9, 2021

7:00 PM

Public Meeting Room

## Minutes

### A. CALL TO ORDER –

Mayor Pauline M. Repp called the meeting to order at 7:00 PM

### B. ROLL CALL –

PRESENT: Repp, Archibald, Ashford, Lamb, Mosurak, Pemberton, Ruiz

### C. MINUTES –

1. City Council - Regular Meeting - Jul 12, 2021 7:00 PM

<b>RESULT:</b>	<b>ACCEPTED AS SUBMITTED [UNANIMOUS]</b>
<b>MOVER:</b>	Anita R. Ashford, Councilmember
<b>SECONDER:</b>	Sherry L. Archibald, Mayor Pro-Tem
<b>YES:</b>	Repp, Archibald, Ashford, Lamb, Mosurak, Pemberton, Ruiz

### D. PUBLIC COMMENT –

1. Kati Gardner, Port Huron Recreation Department Supervisor, read a letter received from a teacher at the PHASD to recognize Ryan Mayer, Lifeguard and Swim Instructor, for his assistance with a student who is deaf and communicates through sign language.
2. Brent Gillette, Port Huron, thanked City Council on behalf of the residents of Port Huron for their support of the Tuskegee Airmen Memorial.
3. Tyler Moldovan, Port Huron, sought support from City Council for Safe Street Initiatives, more specifically to include Prospect Place north of Pine Grove Park.
4. Brandon Huntoon, Port Huron, also commented on high speed on Prospect Place and inquired on creating the north side of Pine Grove Park more accessible.
5. Irene Dennert, Port Huron, commented on smell and noise issues with a neighbor who raises foxes in their backyard.

Minutes Acceptance: Minutes of Aug 9, 2021 7:00 PM (MINUTES)



**E. CONSENT AGENDA –**

- 1. Agenda items marked with an asterisk (\*) were adopted by one motion with no separate discussion.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sherry L. Archibald, Mayor Pro-Tem
<b>SECONDER:</b>	Jeffrey R. Pemberton, Councilmember
<b>YES:</b>	Repp, Archibald, Ashford, Lamb, Mosurak, Pemberton, Ruiz

**F. COMMUNICATIONS & PETITIONS –**

- \* 1. Receive and file notification from the Michigan Municipal League that the Annual Convention will be held on September 22-24, 2021, in Grand Rapids and designating Pauline M. Repp as the voting delegate and Councilmember Pemberton as the alternate.

<b>RESULT:</b>	<b>RECEIVED AND FILED BY CONSENT [UNANIMOUS]</b>
<b>MOVER:</b>	Sherry L. Archibald, Mayor Pro-Tem
<b>SECONDER:</b>	Jeffrey R. Pemberton, Councilmember
<b>YES:</b>	Repp, Archibald, Ashford, Lamb, Mosurak, Pemberton, Ruiz

**G. FROM THE CITY MANAGER –**

- 1. FCM #21-049: Accepting the quote from Dell EMC in the amount of \$41,112.00 for the purchase of 18 new Dell computers and required equipment to outfit police patrol cars. (General Fund)

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Anita R. Ashford, Councilmember
<b>SECONDER:</b>	Robert L. Mosurak, Councilmember
<b>YES:</b>	Repp, Archibald, Ashford, Lamb, Mosurak, Pemberton, Ruiz

- 2. FCM #21-050: Accepting the bid from Ace-Saginaw Paving Company in the amount of \$142,811.90 for the 10th Avenue street resurfacing project from Holland Avenue to Sanborn Street. (Street Funds Major Streets)

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jeffrey R. Pemberton, Councilmember
<b>SECONDER:</b>	Teri Lamb, Councilmember
<b>YES:</b>	Repp, Archibald, Ashford, Lamb, Mosurak, Pemberton, Ruiz

- 3. FCM #21-051: Accepting the quote from Choice CRM in the amount of \$0.90 per ticket and a quarterly fee of \$1,055.00 for ticket sales at McMorrان Place. (McMorrان Fund)

Minutes Acceptance: Minutes of Aug 9, 2021 7:00 PM (MINUTES)



<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sherry L. Archibald, Mayor Pro-Tem
<b>SECONDER:</b>	Robert L. Mosurak, Councilmember
<b>YES:</b>	Repp, Archibald, Ashford, Lamb, Mosurak, Pemberton, Ruiz

- 4. FCM #21-052: Accepting the proposal from Penchura L.L.C., in the amount of \$116,683.78 for the purchase and installation of a new play structure at Mansfield Park. (Donations & American Rescue Plan Funding)

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jeffrey R. Pemberton, Councilmember
<b>SECONDER:</b>	Teri Lamb, Councilmember
<b>YES:</b>	Repp, Archibald, Ashford, Lamb, Mosurak, Pemberton, Ruiz

- 5. FCM #21-053: Accepting the proposal from Penchura L.L.C., in the amount of \$322,707.00 for the purchase and installation of new playground equipment at Gratiot Park with assistance from the Ralph C. Wilson Foundation, the Community Foundation of St. Clair County, and funding from the American Rescue Plan Act. (Grant Funding, Donations & American Rescue Plan Funding)

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sherry L. Archibald, Mayor Pro-Tem
<b>SECONDER:</b>	Anita R. Ashford, Councilmember
<b>YES:</b>	Repp, Archibald, Ashford, Lamb, Mosurak, Pemberton, Ruiz

- 6. FCM #21-054: Accepting the quote from KnowBe4 in the amount of \$13,801.50 for Employee Internet Email Phishing Training. (Data Processing Fund)

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jeffrey R. Pemberton, Councilmember
<b>SECONDER:</b>	Robert L. Mosurak, Councilmember
<b>YES:</b>	Repp, Archibald, Ashford, Lamb, Mosurak, Pemberton, Ruiz

**H. FROM THE DIRECTOR OF FINANCE –**

- \* 1. R #21-001: Receive and file notification that the annual conflict of interest statements have been reviewed and no discrepancies have been noted.

<b>RESULT:</b>	<b>RECEIVED AND FILED BY CONSENT [UNANIMOUS]</b>
<b>MOVER:</b>	Sherry L. Archibald, Mayor Pro-Tem
<b>SECONDER:</b>	Jeffrey R. Pemberton, Councilmember
<b>YES:</b>	Repp, Archibald, Ashford, Lamb, Mosurak, Pemberton, Ruiz

**I. RESOLUTIONS –**

- 1. RES #21-086: Authorizing eighteen (18) payments.

Minutes Acceptance: Minutes of Aug 9, 2021 7:00 PM (MINUTES)



<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sherry L. Archibald, Mayor Pro-Tem
<b>SECONDER:</b>	Robert L. Mosurak, Councilmember
<b>YES:</b>	Repp, Archibald, Ashford, Lamb, Mosurak, Pemberton, Ruiz

2. RES #21-087: Approving the joint work agreement and access agreement with DTE Electric Company to perform environmental response activities within the Quay Street parking lot and to facilitate the seawall replacement on City property along with the Quay Street Lot Replacement work.

<b>RESULT:</b>	<b>ADOPTED [6 TO 0]</b>
<b>MOVER:</b>	Jeffrey R. Pemberton, Councilmember
<b>SECONDER:</b>	Teri Lamb, Councilmember
<b>YES:</b>	Repp, Archibald, Lamb, Mosurak, Pemberton, Ruiz
<b>ABSTAIN:</b>	Ashford

3. RES #21-088: Approving the agreement with Johnson Controls, Inc., for performance contracting project development of four City facilities identified as the Municipal Office Center, Palmer Park Recreation Center, McMorran Arena & Theater and the Department of Public Works facility located at 1812 Bancroft Street.

<b>RESULT:</b>	<b>ADOPTED [6 TO 1]</b>
<b>MOVER:</b>	Sherry L. Archibald, Mayor Pro-Tem
<b>SECONDER:</b>	Teri Lamb, Councilmember
<b>YES:</b>	Repp, Archibald, Lamb, Mosurak, Pemberton, Ruiz
<b>NO:</b>	Ashford

4. RES #21-089: Approving the sale of the vacant lot at 2500 Cleveland Avenue for \$500.00.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jeffrey R. Pemberton, Councilmember
<b>SECONDER:</b>	Teri Lamb, Councilmember
<b>YES:</b>	Repp, Archibald, Ashford, Lamb, Mosurak, Pemberton, Ruiz

5. RES #21-090: Accepting grant funds and approving the Development Project Agreement, as received from the Michigan Department of Natural Resources under the 2020 Trust Fund program, to receive funding in the amount of \$287,000 combined with a local match of \$462,000 for the purpose of constructing an 8 foot non-motorized pathway and connectors along the Black River Canal, Holland Woods Intermediate School and Port Huron Northern High School easements as part of the Bridge to Bay Regional Trail system.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Anita R. Ashford, Councilmember
<b>SECONDER:</b>	Jeffrey R. Pemberton, Councilmember
<b>YES:</b>	Repp, Archibald, Ashford, Lamb, Mosurak, Pemberton, Ruiz



- 6. RES #21-091: Accepting grant funds and approving the Development Project Agreement, as received from the Michigan Department of Natural Resources under the 2019 Land and Water Conservation Trust Fund program, to receive funding in the amount of \$300,000, combined with a local match of \$300,000 for the purpose of constructing a new concrete, poured in place skatepark facility at Optimist Park.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Anita R. Ashford, Councilmember
<b>SECONDER:</b>	Sherry L. Archibald, Mayor Pro-Tem
<b>YES:</b>	Repp, Archibald, Ashford, Lamb, Mosurak, Pemberton, Ruiz

- \* 7. RES #21-092: Reauthorizing participation in the Michigan Economic Development Corporation’s Redevelopment Ready Community Program and appointing the Planning Director as the project coordinator and authorized representative for the program.

<b>RESULT:</b>	<b>ADOPTED BY CONSENT [UNANIMOUS]</b>
<b>MOVER:</b>	Sherry L. Archibald, Mayor Pro-Tem
<b>SECONDER:</b>	Jeffrey R. Pemberton, Councilmember
<b>YES:</b>	Repp, Archibald, Ashford, Lamb, Mosurak, Pemberton, Ruiz

- \* 8. RES #21-093: Approving the scheduling of a public hearing for September 13, 2021 to hear comments on the CAPER for program year 2020.

<b>RESULT:</b>	<b>ADOPTED BY CONSENT [UNANIMOUS]</b>
<b>MOVER:</b>	Sherry L. Archibald, Mayor Pro-Tem
<b>SECONDER:</b>	Jeffrey R. Pemberton, Councilmember
<b>YES:</b>	Repp, Archibald, Ashford, Lamb, Mosurak, Pemberton, Ruiz

- \* 9. RES #21-094: Confirming the Mayor's reappointment of Jazmyn Thomas to the Planning Commission for a term to expire August 11, 2024.

<b>RESULT:</b>	<b>ADOPTED BY CONSENT [UNANIMOUS]</b>
<b>MOVER:</b>	Sherry L. Archibald, Mayor Pro-Tem
<b>SECONDER:</b>	Jeffrey R. Pemberton, Councilmember
<b>YES:</b>	Repp, Archibald, Ashford, Lamb, Mosurak, Pemberton, Ruiz

**J. ORDINANCES –**

- 1. ORD #21-005: SECOND READING AND ENACTMENT. An ordinance to amend Chapter 2, Administration, Article VI, Finances, Division 2, Purchases, Sales and Leases, of the Port Huron Code of Ordinances for the purpose of increasing the threshold amount for the purchase of goods and services and/or contracts.

<b>RESULT:</b>	<b>2ND READING/ENACTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sherry L. Archibald, Mayor Pro-Tem
<b>SECONDER:</b>	Jeffrey R. Pemberton, Councilmember
<b>YES:</b>	Repp, Archibald, Ashford, Lamb, Mosurak, Pemberton, Ruiz

Minutes Acceptance: Minutes of Aug 9, 2021 7:00 PM (MINUTES)



**K. ADJOURNMENT –**

On Motion, the meeting was adjourned at 7:52 PM

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Cyndee M. Jonseck, MiPMC  
City Clerk

Minutes Acceptance: Minutes of Aug 9, 2021 7:00 PM (MINUTES)



**ROBERT CHARLES DAVIS**  
City of Marine City Attorney

**TO:** City of Marine City Commission and Boards  
City of Marine City Manager And Clerk

**FROM:** Robert Charles Davis

**RE:** Pension Eligibility And Retiree Health Care Eligibility

**DATE:** October 13, 2021

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**PRIVELEDGED AND CONFIDENTIAL ATTORNEY WORK PRODUCT**

**I. INTRODUCTION**

The purpose of this memorandum is to provide guidance on pension eligibility under Chapter 32 and retiree healthcare eligibility under Chapter 33.

This memorandum starts with the rules governing ordinance interpretation as used by the Michigan Courts when there is a challenge to the existing language.

This memorandum, as requested, also addresses whether an agreement that is contrary to an ordinance is enforceable under controlling Michigan law.

This memorandum is intended to provide a guide going forward to be used when there is an eligibility question or dispute. Thus, it is important that we reach agreement on the contents of this memorandum before we apply it to any specific fact pattern going forward.

**II. THE RULES OF ORDINANCE LANGUAGE CONSTRUCTION**

**A. The Interpretation Of An Ordinance.**

- The Rules Governing The Construction Of State Statutes Applies With Equal Force To The Interpretation Of Municipal Ordinances.**

The Michigan Supreme Court has ruled that the rules governing the construction of state statutes apply with equal force to the interpretation of municipal ordinances. This applies here.

**“The rules governing the construction of statutes apply with equal force to the interpretation of municipal ordinances. *Macenas v Michiana*, 433 Mich. 380, 396; 446 N.W.2d 102 (1989).” (*Gora v. City of Ferndale*, 456 Mich. 704, 711-712; 576 NW2d 141, 145 (1998).) (Emphasis Added)**

The Michigan Court of Appeals agrees.

**“Ordinances are treated as statutes for the purposes of interpretation and review. *Soupal v Shady View, Inc*, 469 Mich 458, 462; 672 NW2d 171 (2003).” (*Great Lakes Soc’y v. Georgetown Charter Twp.*, 281 Mich. App. 396, 407-408; 761 NW2d 371, 180 (2008).) (Emphasis Added)**

2. **The Goal Related To The Interpretation Of An Ordinance Is to Give Effect To The Intent Of The Legislative Body.**

The Michigan Court of Appeals has ruled that the goal of the construction and interpretation of an ordinance is to discern and give effect to the intent of the legislative body. The intent of the legislative body is generally consistent with the plain language of the ordinance at issue. Here, the legislative body is the City Commission.

**“The [\*\*\*16] goal of [\*408] statutory construction, and thus of construction and interpretation of an ordinance, is to discern and give effect to the intent of the legislative body. *Neal v Wilkes*, 470 Mich 661, 665; 685 NW2d 648 (2004). *Soupal, supra. HN6*” (*Great Lakes Soc’y v. Georgetown Charter Twp.*, 281 Mich. App. 396, 407-408; 761 NW2d 371, 180 (2008).) (Emphasis Added)**

3. **The Terms Used In An Ordinance Must Be Given Their Plain And Ordinary Meaning.**

The Michigan Court of Appeals has ruled that the “terms” used in an ordinance **must be given their plain and ordinary meaning**. According to the Michigan Court of Appeals, it is appropriate to consult a dictionary for definitions when a term at issue is not specifically defined in the ordinance.

**“Terms used in an ordinance must be given their plain and ordinary meanings, and it is appropriate to consult a dictionary for definitions. *Halloran v Bhan*, 470 Mich 572, 578; 683 NW2d 129 (2004) *Soupal, supra.*” (*Great Lakes Soc’y v. Georgetown Charter Twp.*, 281 Mich. App. 396, 407-408; 761 NW2d 371, 180 (2008).) (Emphasis Added)**

According to the Michigan Court of Appeals, if the language used by the legislative body is clear and unambiguous, the ordinance must be enforced as written. In other words, the plain language is applied and enforced when examining the application of an ordinance to the facts presented or the facts contested.

**“An ordinance must be construed as a whole, *Winchester v WA Foote Mem Hosp, Inc*, 153 Mich App 489, 501; 396 NW2d 456 (1986), affording words their plain and ordinary meanings, *Great Lakes Society*, 281 Mich App at 408. “If the language used by the legislative body is clear and unambiguous, the ordinance must be enforced as written.” *Morse*, 317 Mich App at 548.” (*McMillan v. Douglas*, 322 Mich. App. 354, 357; 913 NW2d 336, 338 (2017).) (Emphasis Added)**

4. **Because Ordinances Are Presumed Constitutional, A Party Challenging The Validity Of An Ordinance Has the Burden Of Proving A Violation.**

According to the Michigan Supreme Court, statutes and ordinances must be construed in a constitutional manner if possible. Thus, we give deference to the language in the ordinance and we presume that the language is valid and intended to be interpreted according to its plain meaning.

**“Statutes and ordinances must be construed in a constitutional manner if possible. *Detroit v Qualls*, 434 Mich. 340, 364; 454 N.W.2d 374 (1990).” (*Gora v. City of Ferndale*, 456 Mich. 704, 711-712; 576 NW2d 141, 145 (1998).) (Emphasis Added)**

The Michigan Supreme Court has further ruled that, because ordinances are presumed constitutional, the party challenging the validity of an ordinance has the burden of “proving a violation”.

**“Because ordinances are presumed constitutional, the party challenging the validity of an ordinance has the burden of proving**

**a [\*712] violation.** Rental Property Owners Ass'n, supra at 253.” (**Gora v. City of Ferndale**, 456 Mich. 704, 711-712; 576 NW2d 141, 145 (1998).) (Emphasis Added)

In sum, each word in an ordinance is important and must be given its plain meaning. Ordinances cannot be applied to facts in any manner desired. To the contrary, the language in the ordinance must be applied as written -- with no word or term left behind. If the ordinance language is not the desired language, the solution is to use the lawful process to amend the ordinance language through the legislative body. The solution is not to ignore or distort the plain language and adopt a reading desired that is not consistent with the plain language presented in the ordinance at issue.

### **III. PENSION ELIGIBILITY UNDER ORDINANCE CHAPTER 32**

#### **A. Chapter 32 -- Short Answer On Pension Eligibility Requirements.**

1. **Membership In The Retirement System:** Pursuant to Section 32.03, for individuals employed on or after October 1, 2008, a total of 2,080 hours or more of work in a calendar year is required to have “membership” in the retirement system. For employees hired prior to October 1, 2008, a total of 1,000 hours or more of work in a calendar year shall be required to have “membership” in the retirement system. Contractual employment and employment compensated on a fee basis is excluded. The position of City Manager, Director of Public Works, and Police Chief are also excluded unless within 30 days after the date such person has qualified for membership they file with the Board and the City Commission a written request to be included as a member of the retirement system.

2. **Voluntary Retirement:** Pursuant to Section 32.10, in order to be eligible for voluntary retirement, an individual must be 60 years or older with 10 or more years of “credited



service” or the individual must be 55 years or older with 25 or more years of “credited service”.

This language is clear and unambiguous.

The individual must have terminated all city employment prior to retiring. In addition, the individual must file a written application for retirement with the Board of Trustees not less than 180 days nor more than 270 days before the effective retirement date.

3. **Credited Service**: Pursuant to Section 32.04, for employees hired on or after October 1, 2008, a total of 2,080 hours or more shall be considered 1 year of service. For employees hired prior to October 1, 2008, a total of 1,000 hours or more shall be considered 1 year of service. Prorations are allowed under the ordinance provisions.

4. **Spouse / Beneficiary**: Pursuant to Section 32.14, a retirant “may” elect a reduced retirement allowance which is payable during the joint lifetime of the retirant and his/her designated beneficiary. Depending on the option selected, upon the death of the retirant, the beneficiary will receive a retirement allowance for life equal to a designated percentage. In other words, a retirant may elect to have his spouse (by way of example) be his beneficiary, and in doing so, the retirant receives a reduced retirement allowance during the retirant’s lifetime but that payment continues for the lifetime of the named beneficiary. Section 32.14 sets forth the specific manner in which these options can be selected. The options set forth at Section 32.14 are interpreted and applied pursuant to their plain meaning.

5. **Pension Payment**: Pursuant to Section 32.10, an eligible retirant shall be paid a pension computed according to the provisions set forth at Section 32.13. Section 32.13 contains language which sets forth a formula for calculating pension payments. Section 32.13 and its formula will be interpreted and applied pursuant to its plain meaning.

**B. Chapter 32 -- Long Answer On Pension Eligibility Requirements.**

1. **Section 32.01 Establishment**

Section 32.01 states that the City of Marine City Retirement System is established for the purpose of providing “retirement income” to certain employees of the City and “survivor benefits” as allowed to their beneficiaries.

**“(A) The City of Marine City Retirement System is hereby established for the purpose of providing retirement income** to certain employees of the city and survivor benefits to their beneficiaries, and to replace the benefits provided by the city’s participation in the Michigan Municipal Employees Retirement System. This chapter may be cited as the retirement system ordinance for city employees. The effective date of this chapter is July 1, 1980.” (Section 32.01) (Emphasis Added)

2. **Section 32.03 Membership Of Retirement System**

Section 32.03 states that a person who is in the employ of the City in a “membership position” shall be a member of the retirement system. Section 32.03 further states that a “membership position” is a City position which normally requires the individual to work more than 1,000 hours in a calendar year. However, for employees hired on or after October 1, 2008, the individual at issue needs to work 2,080 or more hours per year in order to be considered in a “membership position”. The status of a “membership position” is defined and binding.

**“(A) A person who is in the employ of the city in a membership position shall be a member of the retirement system. A membership position is a city position normally requiring 1,000 or more hours of work in a calendar year, except as provided in division (B). For employees hired on or after October 1, 2008, a membership position is a city position normally requiring 2,080 or more hours of work in a calendar year, except as provided in division (B).”** (Section 32.03) (Emphasis Added)

Section 32.03 also identifies, in clear terms, what types of employment do not create a “membership position” under Chapter 32.

**“(B) The following types of city employment are not membership positions:**

- (1) **Contractual employment;**

(2) **Employment compensated on a fee basis; or**

(3) **The position of City Manager, Director of Public Works, and Police Chief, unless within 30 days after the date such person has qualified for membership he or she files with the Board and City Commission a written request to be included as a member of the retirement system; or**

(4) **Part-time employment to the extent said employment is excluded under the employee's collective bargaining agreement.” (Section 32.03) (Emphasis Added)**

Section 32.03 (C) also states that a person who ceases to be employed by the City in a “membership position” shall then cease to be a member.

**“(C) A member who ceases to be employed by the city in a membership position shall thereupon cease to be a member.” (Section 32.03) (Emphasis Added)**

Section 32.03 (D) states that the Board of Trustees “shall” decide all questions concerning the “membership status” of any person. The term “all” shall be given its plain meaning.

**“(D) The Board of Trustees shall decide all questions concerning the membership status of any person.” (Section 32.03) (Emphasis Added)**

Section 32.03 (E) states that persons who elect to become members of the ICMA pension program in accordance with the terms of their employment and/or their respective employment contracts shall not be included in the “coverage of this chapter”. **This “Chapter” means Chapter 32 -- not Chapter 33 or any other chapter in the Ordinances.**

**“(E) Persons who elect to become members of the ICMA pension program in accordance with the terms of their employment and/or their respective employment contracts shall not be included in the coverage of this chapter.” (Section 32.03(E).) (Emphasis Added)**

The word “coverage” has, in the past, raised concern. As stated above, the Michigan Court of Appeals has ruled that the terms used in an ordinance **must be given their plain and ordinary**

**meaning.** In addition, the Michigan Court of Appeals has ruled that it is appropriate to consult a dictionary for definitions.

**“Terms used in an ordinance must be given their plain and ordinary meanings, and it is appropriate to consult a dictionary for definitions. *Halloran v Bhan*, 470 Mich 572, 578; 683 NW2d 129 (2004) *Soupal, supra.*” (Great Lakes Soc’y v. Georgetown Charter Twp., 281 Mich. App. 396, 407-408; 761 NW2d 371, 180 (2008).) (Emphasis Added)**

The Merriam Webster’s Dictionary defines the term “coverage” as something that “covers”.

**“Definition of coverage**

**1:** something that **covers**: such as

**a:** inclusion within the scope of an insurance policy or protective plan : INSURANCE” (Merriam Webster Dictionary)

The Merriam Websters Dictionary defines the term “cover” as including “compensation”.

**“Definition of cover**

(Entry 1 of 2) . . .

(2): to afford protection against or **compensation** (see COMPENSATION sense 2) for” (Merriam Webster Dictionary)

Here, the plain and ordinary meaning of the term coverage is actual compensation. As a result, if an individual elects ICMA they are not going to receive retirement income from the City Retirement System. This makes sense that a person not be entitled to 2 forms of coverage/compensation under Chapter 32.

**3. Section 32.04 Credited Service**

Section 32.04 states that service rendered by a member shall be credited to the member’s individual “credited service account” in accordance with the rules that the Board of Trustees prescribes from time to time.

**“Service rendered by a member shall be credited to the member’s individual credited service account in accordance with rules the Board of Trustees shall from time to time prescribe.” (Section 32.04) (Emphasis Added)**



Section 32.04 further states that, in no case, shall more than one year of “credited service” be credited on the account of all service rendered by a member in any “1” calendar year.

**“In no case shall more than 1 year of credited service be credited on the account of all service rendered by a member in any 1 calendar year.”**  
(Section 32.04) (Emphasis Added)

Section 32.04 states that a total of 1,000 hours or more shall be considered one year of service. However, for any member who works less than 1,000 hours, the partial year will be the total hours worked divided by 1,000. This will form a fraction of a “year of service”.

**“A total of 1,000 hours or more shall be considered 1 year of service. For any member who may work less than 1,000 hours, the partial year will be the total hours worked divided by 1,000.”** (Section 32.04)  
(Emphasis Added)

Section 32.04 also states that for persons hired on or after October 1, 2008, a total of 2,080 hours or more shall be required for one year of service. If the member works less than 2,080 hours, the partial year will be the total hours worked divided by 2,080. This will create, by math, a fraction of a “year of service”.

**“For employees hired on or after October 1, 2008, a total of 2,080 hours or more shall be considered 1 year of service. For any member who may work less than 2,080 hours, the partial year will be the total hours worked divided by 2,080.”** (Section 32.04) (Emphasis Added)

#### 4. **Section 32.10 Voluntary Retirement Conditions**

Section 32.10 is titled Voluntary Retirement Conditions. That Section states that a person may retire upon satisfaction of certain listed requirements.

**First**, the person must file a written application for retirement (“Application For Retirement”) with the Board of Trustees which notes the date that the retirement is to become effective. This Application for Retirement must be filed not less than 180 days nor more than 270 days before the retirement is to be effective.

**Second**, the person must terminate all city employment prior to the date that the retirement is to be effective.

Third, the person must meet the applicable age and service conditions for retirement. Each of the 3 conditions must be met because the conditions are joined with the word “and”.

**“(A) A person may retire upon satisfaction of each of the following requirements:**

(1) The person has **filed written application for retirement with the Board of Trustees** setting forth the date retirement is to be effective; said application shall be **filed not less than 180 days nor more than 270 days** before the retirement is to be effective;

(2) The person **terminates all city employment** prior to the date retirement is to be effective; and

(3) The person has met an **applicable age and service condition** for retirement.” (Section 32.10) (Emphasis Added)

Section 32.10 clearly sets forth the age and service conditions for voluntary retirement. The person shall be age 60 years or older with 10 or more years of credited service or shall be age 55 or older with 25 or more years of credited service. This language is clear and controlling.

**“(B) The age and service conditions for voluntary retirement are as follows. Benefit group general:**

(1) **Age 60 years or older with 10 or more years of credited service** in force; or

(2) **Age 55 years or older with 25 or more years of credited service** in force.” (Section 32.13) (Emphasis Added)

Section 32.13 specifically states that, upon retirement, a person shall be paid a pension computed according to Section 32.13.

**“(C) Upon retirement as provided in this section, a person shall be paid a pension computed according to § 32.13.”** (Section 32.13) (Emphasis Added)

As stated below, Section 32.13 sets forth a defined payment structure to calculate the payment at issue.

5. **Section 32.13 Payment -- Amount Of Level Straight Life Pension**

Section 32.13 states that, for retiring persons other than employees of the police department or members of the International Union of Operating Engineers bargaining unit, the amount of "level straight life pension" shall be equal to the retiring person's **credited service multiplied by** 2.0% of the retiring person's final average compensation.<sup>1</sup>

"(A) Benefit group general. The amount of **level straight life pension** shall be equal to the retiring person's benefit group general **credited service multiplied by**:

(1) **For retiring persons other than persons who are employees of the City Police Department or members of the International Union of Operating Engineers bargaining unit, 2.0% of the retiring person's final average compensation; and"** (Section 32.13) (Emphasis Added)

For retiring persons who are employees of the City Police Department or members of the International Union Of Operating Engineers bargaining unit that retire before December 11, 2002, the amount of "level straight life pension" shall be equal to the retiring person's **credited service multiplied by** 2.0% of the retiring person's final average compensation. However, if they retire on or after December 11, 2002 it is 2.25 % of the retiring person's final average compensation.

"(2) For retiring persons who are **employees of the City Police Department** or members of the **International Union of Operating Engineers** bargaining unit:

(a) For any such **person who retires before December 11, 2002, 2.0%** of the retiring person's **final average compensation**; and

(b) For any such **person who retires on or after December 11, 2002, 2.25% of the retiring person's final average compensation."** (Section 32.13) (Emphasis Added)

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<sup>1</sup> The term "Final Average Compensation" is defined at section 32.02 and includes a defined formula.

In addition, if the retiring person has less than 25 years credited service, the pension shall be reduced by one-half percent .005 for each month or fraction thereof, by which the date of benefit commencement precedes the person's attainment of age 60.

**“(B) If the retiring person has less than 25 years credited service, the pension shall be reduced by one-half percent (.005) for each month or fraction thereof, by which the date of benefit commencement precedes the person's attainment of age 60.”** (Section 32.13) (Emphasis Added)

Chapter 32 contains a total of 40 sections on 30 pages of detailed text. Given the breadth and the detail of Chapter 32, it is not possible to analyze every Section within the scope of this memorandum. If any person wants additional analysis of other Sections, I will provide it as directed.

**IV. RETIREE HEALTH CARE ELIGIBILITY UNDER ORDINANCE AT**  
**CHAPTER 33**

Chapter 32 relates to pension. Chapter 33 relates to healthcare.

While Chapter 33 relates to healthcare, Chapter 33 does link eligibility to healthcare to “membership” in the retirement system as set forth in Chapter 32.

“Membership” in the retirement system is defined and is expressly linked to hours worked. Furthermore, membership in the retirement system for purposes of receiving healthcare is not excluded if an individual selects ICMA under the Retirement. Any conclusion to the contrary is not supported by the language in the ordinances.

**A. Chapter 33 -- Short Answer On Eligibility Requirements.**

In order to be eligible for retiree health insurance coverage during any plan year, an individual must: be a retiree of the City who upon retirement elects to participate in the health insurance plan and be a “participant” of the plan as defined in the Chapter 33, or be a spouse or eligible dependent of an individual who meets these requirements.

The Plan and Trust defines a “participant” at Section 33.05. This definition is controlling and cannot be expanded. No term can be ignored.

- A full-time employee of the City of Marine City on or before December 31, 2007; and
- Who was a member of both the medical plan for active employees and the retirement system of the City of Marine City immediately prior to retirement; and
- Who receives benefits from the retirement system of the City of Marine City; and
- Who retired with a service retirement.

At Section 32.03, under the pension chapter (32), there is a title in all caps that says “MEMBERSHIP OF RETIREMENT SYSTEM”. That section states that a person who is in the



employ of the City in a “**membership position**” shall be a **member** of the retirement system. That section specifically defines a “membership position”. Thus, the term “membership position” is defined at Section 32.03.

**B. Long Answer On Retiree Healthcare Eligibility.**

In accordance with Section 33.20, in order to be **eligible for health insurance coverage** during any plan year, an individual must: be a **retiree of the City** who upon **retirement elects to participate** in the health insurance plan **and** be a “**participant**” of the plan as defined in Chapter 33, or be a spouse or eligible dependent of an individual who meets these requirements. The Ordinance states, in relevant part, the following language:

**“§ 33.20 ELIGIBILITY.**

**In order to be eligible for health insurance coverage during any plan year, an individual must:**

- (A) Be a retiree of the city who upon retirement from the city elects to participate in the plan; and**
- (B) Be a participant of the plan, as defined in this chapter; or**
- (C) Be a spouse or eligible dependent (as defined in § 33.05) of an individual who meets the above requirements, subject to any relevant provisions in the contract(s).” (Plan and Trust Section 33.01) (Emphasis Added)**

These basic eligibility conditions require reference to established definitions.

**1. Definition of Participant at Section 33.05.**

Ordinance 33 defines a “participant” at Section 33.05. This definition is controlling as written and cannot be expanded. A “participant” is defined as follows:

- A full-time employee of the City of Marine City on or before December 31, 2007; and

- Who was a member of both the medical plan for active employees and the retirement system of the City of Marine City immediately prior to retirement; and
- Who receives benefits from the retirement system of the City of Marine City; and
- Who retired with a service retirement.

Section 33.05 states, in relevant part, the following as a definition of “Participant”:

**“PARTICIPANT. Any person meeting the following requirements:**

**(1) Who was a full-time employee of the City of Marine City on or before December 31, 2007, and who was a member of both the medical plan for active employees and the retirement system of the City of Marine City immediately prior to retirement and who receives benefits from the retirement system of the City of Marine City, and who retired with a service retirement.**” (Plan and Trust Section 33.05) (Emphasis Added)

**2. “Membership” In Retirement System Is Defined.**

Section 32.03 provides the definition of what it means to have a membership in the Retirement System. This section states that a person who is in the employ of the City in a **membership position** shall be a **member** of the retirement system. This section further states that a “membership position” is a City position normally requiring 1,000 or more hours of work in a calendar year, except as provided in division (B). For employees hired on or after October 1, 2008, a “membership position” is a City position normally requiring 2,080 or more hours of work in a calendar year, except as provided in division (B). (Section 32.03)

The language here states that persons who elect to become members of the ICMA pension program in accordance with the terms of their employment and/or their respective employment contracts, **shall not be included in the “coverage of this chapter”**. (Section 32.03(E).) The plain and ordinary meaning of the term coverage is actual compensation. In other words, if you elect ICMA you are not going to get cash under ICMA and cash under the Retirement System. The

drafters of this section of the Ordinance chose to use the word “coverage”. The drafters of this section did not choose to state that, if an individual selects ICMA, they cease to be a “member” of the Retirement System in total. The language, as set forth in this section must be afforded its plain meaning under the rules of construction in order to carry out the drafters intent.

V. **CONTRACT/AGREEMENT ENFORCEABILITY UNDER MICHIGAN LAW**

The Michigan Court of Appeals has ruled that a public body cannot bind itself to a contract that violates its own governing ordinances.

**“However, a public body cannot bind itself to a contract that violates its own governing ordinances.** We conclude that the just-cause provision of Melki's **contract** is void because it conflicts with Clayton Ordinance No. 406. The just cause provision therefore **violates** Clayton Township's own governing **ordinance**, which states that, "The Chief shall serve at the pleasure of the Board." (**Melki v. Clayton Charter Twp.**, Unpublished Opinion Per Curiam of the Court of Appeals, decided [August 22, 20213] (Docket No. 306135).) (Emphasis Added)

According to the Michigan Court of Appeals, at common law all contracts which are in violation of the law are void.

**"At common law all contracts in violation of law are void." ."** (**Melki v. Clayton Charter Twp.**, Unpublished Opinion Per Curiam of the Court of Appeals, decided [August 22, 20213] (Docket No. 306135).) (Emphasis Added)

The Michigan Court of Appeals has ruled that, if a contractual clause is prohibited by a statute, that contractual clause is void and unenforceable. Similarly, to the extent that a contractual clause is prohibited by an ordinance, the clause is similarly void and unenforceable.

**"A contractual clause that is prohibited by a statute is void and unenforceable.11 An ordinance has the same force as a statute. It logically follows that a contractual clause that violates an ordinance is also void and unenforceable."** (**Melki v. Clayton Charter Twp.**, Unpublished Opinion Per Curiam of the Court of Appeals, decided [August 22, 20213] (Docket No. 306135).) (Emphasis Added)

These concepts have been raised and this research was specifically requested.

## VI. CONCLUSIONS

The purpose of this Memorandum is to provide guidance on the City pension eligibility questions and to provide guidance with respect to Retiree Health Care Eligibility.

I think it would be wise for each member of the Respective Boards to analyze this memorandum and present questions and concerns accordingly. I think I would be wise if we all were operating with the same understanding of the system and the eligibility issues. Thereafter, as a group, questions that arise about eligibility can be reviewed and addressed consistent with the controlling terms and provisions of both Chapter 32 and Chapter 33.

Thus, I will wait 30 days for questions and comments about the Ordinances. Thereafter, I will initiate a formal review of the eligibility questions pending, including a strict review of whether there are, in fact, agreements in place that violate the terms of the Ordinances and whether those agreements should be declared to be null and void.

For each question about eligibility, we will all need to receive and review the following:

## PENSION

- **Who is the covered Retiree?**
- **Is the individual employed by the City of Marine City?**
- **When was the individual hired?**
- **Was the individual hired prior to October 1, 2008?**
  - **If the individual was hired prior to October 1, 2008 does their position normally require them to work more than 1,000 hours in a calendar year.**
- **Was the individual hired on or after October 1, 2008?**
  - **If the individual was hired on or after October 1, 2008 does their position normally require them to work 2,080 or more hours per year.**
- **Does the individual hold the position of Police Chief, Director of Public Works and/or City Manager?**
  - **If the individual holds the position of Police Chief, Director of Public Works and/or City Manager did they within 30 days after they qualified for membership file with the Board and the City Commission a written request to be included as member of the retirement system.**
- **Did the individual elect to become a member of the ICMA pension program?**
- **How many years of credited service does the individual have in their credited service account?**
- **Did the individual file a written application for retirement with the Board of Trustees.**
  - **Does the individual's application for retirement note the date that the individual's retirement is to become effective?**
  - **Was the individual's application for retirement filed not less than 180 days before the retirement is to be effective?**
  - **Was the individual's application for retirement filed not more than 270 days before the retirement is to be effective?**



- **Has the individual terminated all city employment prior to the date that the retirement is to become effective?**
- **Has the individual met the applicable age and service condition requirement?**
  - **How old is the individual?**
  - **Is the individual 60 years or older?**
    - **If the individual is 60 years or older does the individual have 10 or more years of credited service.**
  - **Is the individual 55 years or older?**
    - **If the individual is 55 years or older does the individual have 25 or more years of credited service.**
- **Has the individual elected an optional form of pension payment with a reduced retirement allowance during the joint lifetime of the retirant and his/her beneficiary and if so who is the beneficiary.**

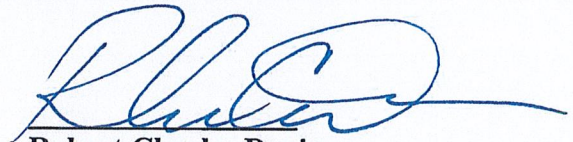
## HEALTHCARE

- **Who is the covered Retiree?**
- **Is the individual a retiree of the City of Marine City?**
- **Did the individual upon retirement from the city elect to participate in the healthcare plan?**
- **Is the Individual a participant?**
  - **Was the individual a full-time employee of the City of Marine City on or before December 31, 2007?**
  - **Was the individual a member of the medial plan for active employees of the City of Marine City immediately prior to retirement?**
  - **Was the individual a member of the retirement system immediately prior to retirement?**
    - **Was the individual hired prior to October 1, 2008?**
      - **If the individual was hired prior to October 1, 2008 does their position normally require them to work more than 1,000 hours in a calendar year.**
    - **Was the individual hired on or after October 1, 2008?**
      - **If the individual was hired on or after October 1, 2008 does their position normally require them to work 2,080 or more hours per year.**
    - **Does the individual hold the position of Police Chief, Director of Public Works and/or City Manager?**
      - **If the individual holds the position of Police Chief, Director of Public Works and/or City Manager did they within 30 days after they qualified for membership file with the Board and the City Commission a written request to be included as member of the retirement system.**

- **Did the individual provide personal service to the City of Marine City.**
- **Is the individual a spouse or eligible dependent of a retiree who otherwise meets all of the above listed requirements.**
- **Does the retiree have a spouse who has met all requirements of a valid marriage contract, in the state of marriage, and is the opposite sex of the person to whom he or she is married and their marriage status existed on the retiree's initial retirement date and at the time the expense for which coverage is claimed was incurred.**
- **Does the retiree have an unmarried child who meets the requirements of 151(c)(3) and is not the age of 19 years unless: the child is permanently disabled, either mentally or physically, the disability arose prior to their age of 19; the child is incapable of self-sustaining employment, the child is unmarried and dependent on the retiree for their support, and the disability is certified by a physician.**

### **AGREEMENTS**

- We need to see and review any written agreements between the individual and the City of Marine City.

  
**Robert Charles Davis**