

**CITY OF REED CITY
REGULAR COUNCIL PROCEEDINGS
July 21, 2014**

Mayor Danzeisen called the meeting to order at 7:00 P.M. in Council Chambers, 227 East Lincoln Avenue, Reed City, Michigan.

- Present** Mayor, Bonnie Danzeisen. Council Members: David Bisbee, Marlene Fatum, Karen McKinney, Roger Meinert and Carol Tillotson. Dave Scharlow was absent. City Manager, Ron Howell and City Attorney, Nathan Piwowarski was also present. Department Heads, Curt Brackenrich, Chuck Davis, Jim Decker and Barbara Westerburg also attended. The meeting was opened with the pledge to the flag. Citizens were in the audience.
- Sp. Minutes** Motion by Fatum, seconded by McKinney, **CARRIED**, to accept the minutes of the June 12, 2014 special meeting as presented. Affirmed by voice vote.
- Minutes** Motion by Bisbee, seconded by Fatum, **CARRIED**, to accept the minutes of the June 16, 2014 regular meeting as presented. Affirmed by voice vote.
- Bills** Motion by McKinney, seconded by Fatum, **CARRIED**, to approve paying bills for \$208,484.91 as presented. Roll call vote. Voting yes were, Bisbee, McKinney, Tillotson, Fatum, Meinert and Danzeisen.
- Audience** Gil Heilman from the Reed City VFW Post #2964, representing the AM Vets, appeared to request council approval for the VFW Post to construct a concrete block grill pit for barbecuing chickens at the annual Crossroads Festival at Westerburg Park near the pavilion. He indicated the grates would not be left at the park, but stored at the VFW Post.
- Motion by McKinney, seconded by Bisbee, **CARRIED**, to approve the Reed City VFW Post #2964 to construct a permanent concrete block grill pit at the Westerburg Park, as shown in drawing presented to Council. Affirmed by voice vote.
- Jeni Decker-Lopez, appeared before Council to appeal a FOIA request which was denied by the Reed City Police Department. Ms. Decker-Lopez provided the Council, City Attorney, City Clerk and City Manager with a folder of background information regarding her request in her FOIA to the Police Department. During her appeal to the City Council, Ms. Decker-Lopez indicated she will be writing a fiction book with the information she has been collecting.
- Motion by Bisbee, seconded by Fatum, **CARRIED**, to enter into closed session at the end of the Council meeting to review advice from legal counsel regarding the FOIA denial appeal. Roll call vote. Voting yes were, Fatum, Tillotson, McKinney, Bisbee, Danzeisen and Meinert.
- Sue Brown, Chamber President, and Suzie Williams, Director, provided copies of a summary of expenses and income for the Depot for 2013. Council members asked questions and directed the City Manager to keep working with the Chamber and Suzie Williams to work out a Lease.
- Reports** Chief Decker, Fire Dept., Chief Davis, Police Department, Tom Plummer, DPW, and Curt Brackenrich, WWTP, filed written reports.
- The Fire Dept. also provided a 2014 Run Activity log.
- Bids** Motion by Fatum, seconded by Tillotson, **CARRIED**, to authorize obtaining bids for sixteen (16) new SCBA tanks for the Fire Department. Affirmed by voice vote.

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- P.D. Funds Motion by Bisbee, seconded by Tillotson, **CARRIED**, directing the City Manager, Treasurer and Chief of Police to find \$2,000.00 to cover the thirteen (13) shift vacancies for the Police Department in the month of August. Roll call vote. Voting yes were, McKinney, Bisbee, Meinert, Tillotson and Fatum. Danzeisen voted no.
- WA line claims Motion by Bisbee, seconded by Fatum, **CARRIED**, to pay the final claim for the frozen water line claims, from Kelsy Halladay, in the amount of \$350.00, as recommended by the City Manager. Roll call vote. Voting yes were, Meinert, Danzeisen, Bisbee, Tillotson, McKinney and Fatum.
- Billboard Motion by Meinert, seconded by Bisbee, **CARRIED**, to approve the offer from Crossroads Outdoor in the amount of \$1,500.00 for five (5) years to lease the site at the W.W.T.P. for a billboard. Roll call vote. Voting yes were, Bisbee, Danzeisen, Fatum, McKinney, Meinert and Tillotson.
- Amended Resol. Motion by Fatum, seconded by McKinney, **CARRIED**, to approve Amended Resolution – 2014-2 Resolution Approving Industrial Facilities Exemption Certificate for Bentek, Inc. Roll call vote. Voting yes were, Tillotson, McKinney, Danzeisen, Bisbee, Meinert and Fatum.

CITY OF REED CITY
RESOLUTION APPROVING INDUSTRIAL FACILITIES
EXEMPTION CERTIFICATE

BENTEK, INC.

As Amended
Resolution – 2014-2

At a regular meeting of the Reed City Council, City of Reed City, Osceola County, Michigan, held at City Hall, 227 E. Lincoln Avenue, Reed City, Michigan, on July 21, 2014 at 7:00 P.M.

PRESENT: Carol Tillotson, Karen McKinney, Bonnie Danzeisen, David Bisbee, Roger Meinert and Marlene Fatum

ABSENT: Dave Scharlow

A motion to adopt the following resolution was made by Fatum and supported by McKinney.

WHEREAS, Act 198 of the Michigan Public Acts of 1974, as amended (“198”), authorizes the City of Reed City (the “City”) to approve application for Industrial Facilities Exemption Certificates; and

WHEREAS, pursuant to Act 198, Bentek, Inc. has filed an application for an Industrial Facilities Exemption Certificate; and

WHEREAS, the equipment described in the application is located within an Industrial Development District established, pursuant to Act 198, on the 20th day of October, 1997, by resolution of the Reed City Council after a duly noticed public hearing held on October 20, 1997; and the City of Reed City shall enter into an IFT Agreement, in the form approved by the City Attorney, with Bentek, Inc.; and

WHEREAS, the Reed City Council set this day and time to afford the City Assessor and representatives of each affected taxing unit an opportunity to be heard regarding said application; and

WHEREAS, written notification of this hearing has been published in the Pioneer Herald Review on April 16, 2014; and

WHEREAS, the Application, the general public, the City Assessor and representatives of all affected taxing units have been given an opportunity to be heard, and the Reed City Council has considered any objections with regard to the approval of an Industrial Facilities Exemption Certificate for Bentek, Inc.

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Reed City, after granting this certificate, will exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Reed City Council finds as follows:
 - (a) That the equipment, for which the Industrial Facilities Exemption Certificate is requested, is "manufacturing equipment" within the meaning of Act 198.
 - (b) That the granting of an Industrial Facilities Exemption Certificate to Bentek, Inc. does not have the effect of substantially impeding the operation of the City of Reed City or impairing the financial soundness of any taxing unit which levies ad valorem taxes in the City.
2. That the Application of Bentek, Inc. for an Industrial Facilities Exemption Certificate be, and is hereby approved.
3. That the Exemption Certificate is approved for a term of twelve (12) years.
4. All resolutions and parts of resolutions insofar, as they conflict with the provisions of this resolution is, and the same are, hereby rescinded.

AYES: 6 NAYS: 0 ABSENT: 1

RESOLUTION ADOPTED: July 21, 2014

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| Comp Study | Motion by McKinney, seconded by Tillotson, CARRIED , to accept the 2003 Classification and Compensation Study Update 2013 report as presented. Affirmed by voice vote. |
| General Mills | Motion by Fatum, seconded by Bisbee, CARRIED , to approve General Mills paving over the former Osceola Inn under the City Manager direction. Affirmed by voice vote. |
| SCADA | Motion by Meinert, seconded by Fatum, CARRIED , to authorize obtaining a quote from Integrated Controls to upgrade the SCADA system at the WWTP. Affirmed by voice vote. |
| F.D. Insurance | Motion by McKinney, seconded by Bisbee, CARRIED , to approve a renewal of the Hartford Life and Accident Insurance Policy from General Agency Company in the amount of \$1,059.61 for the Fire Department. Roll call vote. Voting yes were, Tillotson, Meinert, Danzeisen, Fatum, McKinney and Bisbee. |
| Fire Contract | Motion by Bisbee, seconded by Fatum, CARRIED , to approve the proposed 2014/2015 Fire Contract and Cost Recovery Agreement for Richmond Township, Chase Township and Pinora Township, and authorize the Mayor and Clerk to sign. Affirmed by voice vote. |
| MML Ballot | Motion by McKinney, seconded by Bisbee, CARRIED , to authorize the Mayor to sign the MML Worker's Comp. Fund Board of Trustees election ballot voting for the three incumbent Trustees seeking re-election. Affirmed by voice vote. |
| City Hall repairs | Motion by Fatum, seconded by McKinney, CARRIED , to approve the quote from Gerber Construction in the amount of \$3,800.00 with no overtime for City Hall repairs. Voting yes were, Bisbee, Fatum, Tillotson, Danzeisen, Meinert and McKinney. |
| Sewer Claim | Motion by Fatum, seconded by Bisbee, CARRIED , to approve payment to Pete's Contracting in the amount of \$4,630.00 for City's 50% portion of a sewer backup/line repair claim at Seven Slot Grill, 113 N. Chestnut. Roll call vote. Voting yes were, Bisbee, McKinney, Fatum, Tillotson, Danzeisen and Meinert. |
| Fireworks | Motion by Bisbee, seconded by Fatum, CARRIED , to approve the application from Wolverine Fireworks Display, Inc. to display fireworks at the Reed City High School Homecoming game on September 26, 2014. Affirmed by voice vote. |

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- Car Show Motion by Meinert, seconded by Bisbee, **CARRIED**, to close W. Upton Avenue between S. Chestnut Street and S. Higbee Street, for the Crossroad Car Show on August 16, 2014, with overflow parking to be coordinated with the Police Chief. Affirmed by voice vote.
- W.W.T.P. Motion by Bisbee, seconded by Meinert, **CARRIED**, to approve the quote from Liberty Process Equipment for sludge pump parts in the amount of \$3,354.00 plus shipping for the W.W.T.P. Roll call vote. Voting yes were, Tillotson, McKinney, Danzeisen, Bisbee, Meinert and Fatum.
- Consent Motion by Fatum, seconded by Tillotson, **CARRIED**, to accept the Consent Agenda as presented. Affirmed by voice vote.
- Committee No Committees have met.
- Auction Items Motion by Bisbee, seconded by Tillotson, **CARRIED**, authorizing the City Manager to work with the Rangerbid.Com group to sell the various equipment and fire truck as presented for no less than the minimum values listed. Roll call vote. Voting yes were, Meinert, Bisbee, Danzeisen, Fatum, Tillotson and McKinney.
- City Manager Ron Howell reported the following:
1. Reported on investigation of single family house converted to multi-family.
 2. Advised Council of two excessive water bills by M. Shook and D. Fuller. Both excessive bills were denied by council.
 3. Recommended Monthly Department Reporting will be brought back to council on the August Agenda.
 4. Uncompleted items list was provided to council to keep them advised on the current ongoing projects and unresolved matters.
- Bills Mayor Danzeisen appointed Carol Tillotson to review bills prior to the next meeting.
- Closed Door Motion by Tillotson, seconded by McKinney, **CARRIED**, to go into closed door session to review advice from legal counsel and how to proceed on the FOIA Appeal by Jeni Decker-Lopez. Affirmed by voice vote.
- Council went into closed session at 9:25 P.M.
- Council returned to open session at 9:47 P.M.
- No decisions were made during the closed session.
- FOIA Appeal Motion by McKinney, seconded by Fatum, **CARRIED**, to grant the FOIA appeal as follows: Authorize the FOIA Officer to disclose City investigatory report and appended supporting documents, but authorize the FOIA Officer, in consultation with legal counsel, to redact mentions of persons of interest, crime scene and forensic details, evidence related logs and memoranda, and other material prohibited from disclosure under the crime victim rights act or exempt from disclosure under the FOIA law enforcement investigation exemption. The officer shall not redact mention of which law enforcement personnel were present at or otherwise involved with the initial investigation and crime scene. Roll call vote. Voting yes were, Bisbee, McKinney, Fatum, Tillotson, Danzeisen and Meinert.
- Adjourn Motion by McKinney, seconded by Fatum, **CARRIED**, to adjourn at 9:52 P.M.