

**CITY OF REED CITY  
REGULAR COUNCIL PROCEEDINGS  
March 19, 2018**

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

**Present** Mayor, Karen Lea McKinney. Council Members: Dan Burchett, Trevor Guiles, Roger Meinert, Dave Scharlow and Carol Tillotson arrived at 7:15 P.M. James Anderlohr was absent. City Attorney, Cynthia Wotila and City Manager, Ron Howell, were also present. Department Heads, Chief Chuck Davis, Fire Chief Jeff Stein, Rich Rehkopf, Curt Brackenrich and Barbara Westerburg also attended. The meeting was opened with the pledge to the flag. There were citizens in the audience.

**Public Hearing** The Public Hearing was opened at 7:01 P.M. to receive public comments on safe sidewalk routes to school policy. The following comments were received:

Neil Tetzlaff, of 237 W. Upton Avenue, commented: As a child I walked to school every day for 13 years and walked through snow and I'm no worse for wear from the snow that I walked through. He is concerned for the people who return from vacation and have a \$500 fine for not clearing their sidewalks while they were away or they are assessed a fine on their taxes for the City hiring someone to clean their sidewalks while they were away. He is also concerned for the young families whereby parents leave early for work during a snow event – they cannot afford a heavy fine. Mr. Tetzlaff commented he clears the sidewalk in front of his house to the corner of Park Street as a neighborly thing. It's something he does for the community and we all need to work together as a community. If you make an ordinance make it a good one.

Betty Kichak, of 305 S. State Street, commented: I think it's good to keep the sidewalks clean but I think you have bigger issues. We have more students who drive than walk and these are young drivers and your roads aren't even cleared for these young students. I think you need to concentrate on that also. Like I said we've got a lot of young drivers and your roads aren't cleared to drive not just sidewalks cleared. I just think your roads are a real hazard.

Judy Sutter, of 119 W. Osceola, commented: I watch the school kids go up and down the street. I don't know whose responsibility it is but I would hope the City would take over doing at least Higbee and Church Street from the schools at least until the main street. They struggle all of the time. I don't know the answer for the rest of the town, but I think you have a little tractor. Someone went up and down the sidewalks a little while this winter clearing some spots. But those are the two main street the children walk. You have them coming in other ways but you can just see them moving in groups. If those could be cleared both sides so they could get through, I think. I don't know what you're going to do about the fine, I hope you don't. I hope you find a different way that people don't have to be fined. We have so many elderly people that can hardly afford their taxes let alone have another tax or fine. I'm not only speaking for the school children, but we have a lot of adults on these sidewalks that aren't good to walk on and they are walking on the street. There's ice and snow on the sidewalks. There's ice right on the side of you building here that I had to avoid. Hopefully the city can find a way to at least clean those two through fairs for the children. I hope if you make one person do it, be fair to the whole city.

Council person Carol Tillotson arrived at 7:15 P.M.

There were no written comments received from the public. The public hearing was closed at 7:19 P.M.

**Add/Deletions** Addition under Mayor's Report: No. 3 Re-appointment to Reed City Housing Commission.

**Minutes** Motion by Burchett, seconded by Scharlow, **CARRIED**, to accept the minutes of the February 20, 2018 regular meeting as presented. Affirmed by voice vote.

**Bills** Motion by Guiles, seconded by Burchett, **CARRIED**, to approve paying bills as presented for a grand total approved amount of \$279,116.55. Roll call vote. Voting yes were, Scharlow, Meinert, Guiles, Burchett, Tillotson and McKinney.

- Audience Lyndsey Eccles, District Library Board President, advised council of a request from Hersey Township to have a voting seat on the District Library Board. The Board would like to receive feedback from City Council regarding this request. The consensus of the council is to have the Board remain as it is.
- Reports Chief Stein, Fire Dept., Chief Davis, Police Dept, Rich Rehkopf, DPW, and Curt Brackenrich, WWTP, filed written reports.
- Barb Westerburg handed out a Revenue/Expenditure Report as of 2-28-2018.
- Fire Dept. Motion by Scharlow, seconded by Burchett, **CARRIED**, to designate the money received from the Rodeo for the Fire Department to standby, be designated to the Fire Department Miscellaneous account after expenses are covered. Roll call vote. Voting yes were, Meinert, Scharlow, Burchett, McKinney, Guiles and Tillotson.
- MDOT Motion by Guiles, seconded by Burchett, **CARRIED**, to adopt Resolution No. 2018-02 a Resolution authorizing the Mayor, Karen Lea McKinney and the City Manager, Ron M. Howell, to execute MDOT Contract Number 17-5503 with the Michigan Department of Transportation for parking bay construction on Chestnut Street. Affirmed by voice vote.
- MDOT Motion by Guiles, seconded by Burchett, **CARRIED**, to authorize the Mayor, Karen Lea McKinney, and City Manager, Ron M. Howell, to execute the MDOT Contract Number 17-5503 in the amount of \$13,300.00 with the Michigan Department of Transportation for parking bay construction on Chestnut Street. Roll call vote. Voting yes were, Burchett, Tillotson, Guiles, Meinert, Scharlow and McKinney.
- Resolution Motion by Guiles, seconded by Scharlow, **CARRIED**, to adopt Resolution No. 2018-04 Resolution to Change the Charter of the City of Reed City Regarding Election Filing Deadline. Roll call vote. Voting yes were, Scharlow, McKinney, Burchett, Tillotson, Guiles and Meinert.

**RESOLUTION TO  
CHANGE THE CHARTER OF THE CITY OF REED CITY  
REGARDING ELECTION FILING DEADLINE**

Resolution No. 2018-04

At a Regular Meeting of the City Council of the City of Reed City, held in the Council Chambers, Reed City Hall, 227 East Lincoln, Reed City, Michigan 49677, on March 19, 2018 at 7:00 P.M.

WHEREAS, the state of Michigan enacted Michigan Election Law, Public Act 116 of 1954, Section 168.644e which states in pertinent part: "Beginning January 1<sup>st</sup>, 2014, if a charter provides for nomination by caucus or by filing a petition or affidavit directly for the general election, the candidate filing deadline or certification deadline shall be 4 p.m. on the 15<sup>th</sup> Tuesday before the odd year election" and;

WHEREAS, the City of Reed City desires to have all elections coincide with each other in compliance with Michigan election law,

THEREFORE, IT IS HEREBY RESOLVED, that the City of Reed City replace the second paragraph of Section 3.7 of the City Charter with the following language:

Nominating petitions shall be filed with the City Clerk by 4 p.m. the 15<sup>th</sup> Tuesday prior to the November general election. The Clerk shall publish notice of the last day so permitted for filing nomination petitions at least one week before, and not more than three weeks before, such last day.

IT IS FURTHER RESOLVED that all resolutions or parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

MOVED BY: Trevor Guiles, SUPPORTED BY: Dave Scharlow

The vote was as follows:

AYES: Dave Scharlow, Karen Lea McKinney, Dan Burchett, Carol Tillotson, Trevor Guiles and Roger Meinert.

NAYS: None.

ABSENT: James Anderlohr

RESOLUTION DECLARED ADOPTED.

- Bids Motion by Scharlow, seconded by Burchett, **CARRIED**, to approve the bid from Terry Buczkowski in the amount of \$4,150.00 for the Woods Groundbreaker Under Mount Backhoe. Roll call vote. Voting yes were, Meinert, Guiles, Tillotson, McKinney, Scharlow and Burchett.
- Dog Park Ron reported on meeting with Mark Brejcha, Big Rapids resident who was instrumental in getting a dog park in Big Rapids. Mr. Brejcha is willing to make a presentation to the City and residents to show how the city would go about establishing a dog park. Tom Burnosky offered the Library to host the meeting. A date and time will be coordinated with Mr. Brejcha.
- Fire Contract Motion by Scharlow, seconded by Burchett, **CARRIED**, to approve the August 1, 2017 thru July 31, 2018 Agreement for Fire/Medical Services with Richmond Township in the amount of \$53,101.00 and authorize the Mayor and Clerk to sign. Roll call vote. Voting yes were, Tillotson, Scharlow, McKinney, Guiles, Meinert and Burchett.
- Pickup Bids Motion by Scharlow, seconded by Burchett, **CARRIED**, to authorize the DPW to seek bids for a new pickup truck and bids for a new plow. Affirmed by voice vote.
- Resolution Motion by Scharlow, seconded by Guiles, **CARRIED**, to approve Resolution No. 2018-03 A Resolution Authorizing the Establishment of a Permit Process to allow Outdoor Cafes in the Central Business District. Roll call vote. Voting yes were, Scharlow, McKinney, Tillotson, Burchett, Meinert and Guiles.

**CITY OF REED CITY**  
**A Resolution Authorizing the Establishment of a Permit Process**  
**to allow Outdoor Cafés in the Central Business District**

**Resolution No. 2018-03**

**WHEREAS**, The Reed City Council supports the downtown business area and has received a request to create an outdoor café on the public sidewalk; and

**WHEREAS**, The Reed City Planning Commission after review and discussion has created a recommendation to establish a permit process through the office of the City Manager; and

**WHEREAS**, the key elements of Permit are as follows:

- Seasonal Permit through Zoning Administrator- April 1st until or thru November 15th with Initial Permit Fee=\$100 and annual renewal \$25
- Purpose- Allow Expansion of Existing Drinking & Eating Business on to Public Sidewalk in the C-1 Zoning District
- Permit requires Drawing of area-width of store front maximum and barrier location(s)
- Keep area clean with Owners discretion to remove chairs, tables and barrier nightly
- Certificate of Liability \$1m per \$2m aggregate
- Revocation by CM for non-compliance with appeal to Council
- If Serving Alcohol owner must provide copy of Permit from MI LCC
- Each Permit must preserve public walkway of at least 82 inches (two wheel chairs passing)
- Barrier around seating area [30 inches to 48 inches high] including menu stand w/notice no food or beverage outside seating area
- Optional Boring of sidewalk for barrier. If wanted, Department of Public Works drills holes and provides winter plug system at the expense of the property owner.
- Outdoor area must close by 10pm so there is no conflict with current Nuisance Ordinance

**NOW THEREFORE BE IT RESOLVED**, that the Reed City Council directs that an Outdoor Café Permit Program be instituted and the City Attorney is directed to draft the necessary legislation that will formalize the outdoor café permit program.

Budget Amend Motion by Guiles, seconded by Scharlow, **CARRIED**, to approve Budget Amendments as presented by the City Treasurer. Roll call vote. Voting yes were, Scharlow, Meinert, Guiles, Burchett, Tillotson and McKinney.

**RESOLUTION FOR BUDGET AMENDMENTS**

DATE: March 19, 2018

Resolution by the City Council to Amend the 2017/18 fund/department budgets as follows:

<u>FUND/ACCOUNT DESCRIPTION</u>	<u>PRESENT BUDGET</u>	<u>ACTUAL TO DATE</u>	<u>ESTIMATED YEAR END</u>	<u>AMENDED BUDGET</u>	<u>INCREASE (DECREASE)</u>
1. <u>Fund #202 Major Street</u>					
<u>Expenditures (by Department)</u>					
<u>State Trunkline Budget</u>				-	-
<u>Dept. 491 Drainage &amp; Backslopes</u>	3,000	3,612	4,000	4,000	1,000
<u>Dept. 502 Leave &amp; Benefits</u>	2,500	2,189	3,500	3,500	1,000
<u>Dept. 503 Overhead</u>	2,500	1,305	3,500	3,500	1,000
<u>Dept. 497 Winter Maintenance</u>	20,000	12,918	17,000	17,000	(3,000)
<u>Total Increase In Expenditures</u>					\$ -

Reason:

Adjust departmental budgets withing our total state trunkline yearly budget.

2. <u>Fund #101 General Fund</u>					
<u>Expenditures (by Department)</u>					
<u>Dept. 301 Police Dept.</u>	445,253	298,463	447,753	447,753	2,500
<u>Total Increase in Expenditures</u>					\$ 2,500

Revenues (by account)

<u>Restricted Fund Reserve - (from</u>			2,500	2,500	2,500
<u>Welghmaster Fines)</u>				-	-

<u>Total Increase In Revenues</u>					\$ 2,500
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Reason:

To increase the Police Department budget for the purchase of new body cameras and a docking station. This will use funds accumulated thru welghmaster fines and restricted for PD equipment purchases. The balance remaining is approx. \$4,800.

Consent Motion by Guiles, seconded by Tillotson, **CARRIED**, to accept the Consent Agenda as presented. Affirmed by voice vote.

Committee No Committee Reports.

City Manager Ron Howell reported on the following:

- Reviewed the water tower work needed and ask permission to seek sealed bids for a 5 year water tower service contract that includes the refurbishing of both towers.
- Ron provided a copy of the Senate Bill 637 which would enact the “Small Wireless Communications Facilities Deployment Act”.
- Provided information from Fleis & VandenBrink which outlines the SAW Grant work plan for the next three years.
- Provided a copy of a letter from Kelli Sobel of the State Tax Commission approving the reappraisal plan.
- Reviewed copy of the letter sent to MDOT asking that the two eastbound “Stop Ahead” signs be improved to become flashing caution solar LED lighted.
- Presented for review, was Ron’s Unfinished Items List and List of Longer Range Projects.

- Water Tower Motion by Guiles, seconded by Scharlow, **CARRIED**, to authorize the City Manager to seek sealed bids for a 5-Year service contract on both water towers that includes the refurbishing of both towers. Affirmed by voice vote.
- Housing Motion by McKinney, seconded by Meinert, **CARRIED**, to appoint Dan Burchett to the Reed City Housing Commission as Ex-Officio. Affirmed by voice vote.
- Housing Motion by Meinert, seconded by Burchett, **CARRIED**, to re-appoint John Lewis to the Reed City Housing Commission, term expiring 3/31/2023. Affirmed by voice vote.
- Bills Mayor McKinney appointed councilperson Dan Burchett to review bills prior to the next meeting.
- City Attorney Attorney Wotila advised local control of fireworks can be regulated within certain parameters. Cindy also advised council the state has provisions regarding outdoor cafés in the state trunkline. Attorney Wotila also reported she is researching and working on language for a Vaping Ordinance.
- Comments Trevor Guiles voiced his thoughts on the recent school tragedy in Florida and in summary, he feels the aggression in the school began and can be traced back to when they took God out of the schools. Dan Burchett attended the Chamber Luncheon Meeting on March 8 at the Depot. Roger Meinert reported the Trinity Church had their annual auction first of March which is held to support the school. Amazing community support of \$62,000.00 was raised.
- Audience Tom Burnosky, Library Director, commented they have been working on “threat assessments”. Caitlyn Nummedor, resident, spoke in support a dog park and commented a dog park gives you a chance to meet your neighbors and gives you a sense of community.
- Adjourn Mayor McKinney adjourned the meeting at 8:35 P.M.

Jacalyn R. Beam  
City Clerk