

**CITY OF REED CITY  
REGULAR COUNCIL PROCEEDINGS  
March 21, 2022**

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

- Present** Mayor, Roger Meinert. Council Members: Dan Burchett, Trevor Guiles, Russell Nehmer, Brad Nixon and Nicole Woodside. Nate Bailey was absent. City Attorney, David Porteous and City Manager, Rich Saladin, were also in attendance. Department Heads attending were, Police Chief Chris Lockhart, Rich Rehkopf, Jeffrey Stein, Barbara Westerburg and Curt Brackenrich. The meeting was opened with the pledge to the flag. There were citizens in the audience.
- Agenda** Motion by Burchett, seconded by Woodside, **CARRIED**, to approve the Agenda as amended with additions under Audience Presentations: No. 3 Chris White, Reed City Boy Scout Board, and New Business: No. 14. Herald Building, No. 15. Rambadt Park and No. 16. Beer Festival. Affirmed by voice vote.
- Minutes** Motion by Woodside, seconded by Nehmer, **CARRIED**, to accept the minutes of the February 22, 2022 regular meeting as presented. Affirmed by voice vote.
- Bills** Motion by Nehmer, seconded by Nixon, **CARRIED**, to approve paying bills as presented for payment for a grand total approved amount of \$327,104.54. Roll call vote. Voting yes were, Nixon, Meinert, Guiles, Burchett, Nehmer and Woodside.
- Audience** Deanna Murphy, Reed City Brewing, addressed council to request permission to close down S. Higbee St. for their Fifth Annual Anniversary Party on July 9th and for their Annual Oktoberfest Celebration on September 24<sup>th</sup>. There will be outside music on both dates and they also requested a variance until 11:00 P.M. to the noise ordinance. RC Brewing would also like permission for outdoor patio seating in the front of their building on Upton St. and the west side of their building using the four (4) parking spaces on S. Higbee St.
- 5<sup>th</sup> Anniversary** Motion by Nixon, seconded by Burchett, **CARRIED**, to approve the Reed City Brewing Company to close S. Higbee at 8:00 A.M. on Saturday, July 9, 2022 and reopen it on Sunday, July 10, 2022 at 11:00 A.M. for their Fifth Annual Anniversary Party and to allow a variance to the noise ordinance until 11:00 P.M. on Saturday, July 10, 2022. Affirmed by voice vote.
- Oktoberfest** Motion by Guiles, seconded by Burchett, **CARRIED**, to approve Reed City Brewing Company to close S. Higbee at 8:00 A.M. on Saturday, September 24, 2022 and reopen it on Sunday, September 25, 2022 at 11:00 A.M. for their Annual Oktoberfest Celebration and to allow a variance to the noise ordinance until 11:00 P.M. on Saturday, September 24, 2022. Affirmed by voice vote.
- Outdoor Patio** Motion by Nixon, seconded by Nehmer, **CARRIED**, to approve outdoor patio seating changes from April 15, 2022 through October 31, 2022 as presented in the drawing for the front sidewalk on Upton Avenue and the west side parking area on S. Higbee Street, contingent on the filing of the permit and verification of the dates provided in the ordinance. Affirmed by voice vote.
- Audience** Chris White, appeared representing the Reed City Scout Center Board, and explained they have been approached by someone is interested in purchasing their current scout building. Before they make any decisions regarding selling their building, they would like to know if the City is willing to sell the former Museum building and area around it. Councilman Guiles inquired if the Scout Board would be willing to enter into a lease rather than purchase of the vacant building. Dave Porteous suggested Rich come up with a criteria if the City was going to sell it and bring it back to council for review before putting it out to bid.

- Audience** Michael Tuffelmire and Jonathan Stedman, appeared at the request of Councilman Nehmer to talk about the City considering opting in to possible recreational and medical marihuana. He suggested working with the Planning Commission and checking with other Planning Commissions to see some of the things they ran into and wish they had done differently. Mr. Tuffelmire made a few suggestions to consider while making the guidelines.
- Reports** Chief Jeffrey Stein, Fire Dept., Police Chief Christopher Lockhart, Rich Rehkopf, DPW, and Curt Brackenrich, WWTP, filed written reports. Barb Westerburg provided Financial Reports including a Revenue/Expenditure Report as of February 28, 2022.
- Motion by Guiles, seconded by Woodside, **CARRIED**, to approve the Department Head reports as submitted. Affirmed by voice vote.
- Ordinance** Motion by Guiles, seconded by Nehmer, **CARRIED**, to adopt Ordinance 001-2022, an Ordinance to Amend Chapter 652, Nuisances. Roll call vote. Voting yes were, Burchett, Guiles, Meinert, Nehmer, Nixon and Woodside.

**CITY OF REED CITY**

**ORDINANCE NO. 001-2022**

**AN ORDINANCE TO AMEND CHAPTER 652, NUISANCES**

**The City of Reed City ordains that:**

Chapter 652 of the City of Reed City Ordinances is hereby amended as follows:

652.04(b) No person shall burn leaves, papers, refuse or construction and demolition waste of any kind. Nor shall any person kindle any open fire in violation of this ordinance. For purposes of this section, "refuse" includes but is not limited to hazardous substances such as batteries, household chemicals, pesticides, paints, varnishes, solvents, furniture, appliances, tires, plastic, or foam. "Construction and demolition waste" means building waste materials, including but not limited to shingles, insulation, lumber, treated wood, painted wood, wiring, plastics, packaging, and rubble that results from construction, remodeling, or demolition operations on a house, commercial or industrial building or other structure.

652.04(c) Enforcing officer. The Zoning Administrator, his or her designee, the Reed City Fire Department and Reed City Police Department are hereby charged with the enforcement of this Chapter.

652.05(e) Above ground fire pits and patio wood burning units are permitted in Reed City in accordance with this ordinance and the following provisions:

- 1) The fire pit or wood burning unit must be located a minimum of 10 feet from any structure.
- 2) The space above the fire is free of overhanging branches.
- 3) The fire is conducted in a container constructed of metal or masonry that has a metal covering device that does not have an opening larger than 3/4".
- 4) All petroleum gas or propane gas units/burners must be UL listed or Canadian Standards Association certified.
- 5) The fire must be attended at all times by an individual 18 years of age or older and shall remain in attendance until the fire is completely extinguished.
- 6) An adequate method of extinguishing the fire must be present, such as a hose or fire extinguisher.

652.99 Penalty. In addition to the penalty provided elsewhere in this Chapter, any violation of this Chapter shall constitute a municipal civil infraction punishable by a fine pursuant to the schedule adopted by the City Council.

**Effective Date:** Thirty days after publication

This ordinance was introduced on February 22, 2022 by Councilperson NIXON. On the 21st day of March, 2022, upon the motion by Councilperson GUILES, and seconded by Councilperson NEHMER this ordinance was adopted.

Voting yeas: Burchett, Guiles, Meinert, Nehmer, Nixon and Woodside.

Voting nays: None.

Act 51 map Motion by Guiles, seconded by Burchett, **CARRIED**, to adopt Resolution 2022-02, a Resolution Decertification/Vacation of 229 feet of E. Osceola Avenue located between S. Mill Street and the White Pine Trail. Affirmed by a unanimous voice vote.

**CITY OF REED CITY  
DECERTIFICATION/VACATION**

**RESOLUTION NO. 2022-02**

**NOW, THEREFORE, BE IT RESOLVED:**

At a regular meeting of the City Council of the City of Reed City, Osceola County, Michigan, held in the Council Chambers, Reed City Hall, 227 E. Lincoln Avenue, Reed City, Michigan 49677, on March 21, 2022, the following resolution was offered by member GUILES and supported by member BURCHETT.

WHEREAS, the City of Reed City does wish to decertify/vacate a portion of E. Osceola Avenue. This decertification/vacation of E. Osceola Avenue is located between S. Mill Street and the White Pine Trail for a total decertification/vacation length of Two Hundred Twenty-nine (229) feet.

RESOLUTION DULY ADOPTED ON MARCH 21, 2022

Act 51 map Motion by Nixon, seconded by Woodside, **CARRIED**, to adopt Resolution 2022-03, a Resolution Decertification/Vacation of 125 feet of W. Franklin Avenue located in the City of Reed City north parking lot. Affirmed by a unanimous voice vote.

**CITY OF REED CITY  
DECERTIFICATION/VACATION**

**RESOLUTION NO. 2022-03**

**NOW, THEREFORE, BE IT RESOLVED:**

At a regular meeting of the City Council of the City of Reed City, Osceola County, Michigan, held in the Council Chambers, Reed City Hall, 227 E. Lincoln Avenue, Reed City, Michigan 49677, on March 21, 2022, the following resolution was offered by member NIXON and supported by member WOODSIDE.

WHEREAS, the City of Reed City does wish to decertify/vacate a portion of W. Franklin Avenue. This decertification/vacation of W. Franklin Avenue is located in the City of Reed City north parking lot for a total decertification/vacation length of One Hundred Twenty-five (125) feet.

RESOLUTION DULY ADOPTED ON MARCH 21, 2022

Documents Motion by Burchett, seconded by Woodside, **CARRIED**, to approve the list of documents for destruction as presented. Affirmed by voice vote.

Water line Sup Motion by Meinert, seconded by Guiles, **CARRIED**, to approve the quote from Municipal Supply Company in the amount of \$16,085.55 with the contingency the new pricing cost increase does not exceed 10% from the quoted price. Roll call vote. Voting yes were, Nixon, Meinert, Guiles, Burchett, Nehmer and Woodside.

Hazardous Wast Motion by Woodside, seconded by Nixon, **CARRIED**, to participate in the Osceola-Lake Conservation District 2022 Hazardous Waste Collection and approve payment of Invoice 1-2256 in the amount of \$575.00 for payment and authorize the City Manager to sign the Agreement. Roll call vote. Voting yes were, Burchett, Nehmer, Woodside, Guiles, Nixon and Meinert.

- Par Plan Board There was no interest or nominations for participating in the Michigan Township Participating Plan Board of Directors Election.
- Graves Motion by Guiles, seconded by Nixon, **CARRIED**, to purchase back two (2) graves in Woodland Cemetery from Guy A. Lewis in the amount of \$300.00. Roll call vote. Voting yes were, Meinert, Nixon, Burchett, Woodside, Guiles and Nehmer.
- Proerty Exemp Motion by Guiles, seconded by Nehmer, **CARRIED**, to adopt Resolution No. 2022-04, a Resolution Establishing Poverty Guidelines for Exemption from Property Tax Contributions for 2022. Roll call vote. Voting yes were, Woodside, Nehmer, Meinert, Guiles, Nixon and Burchett.

**RESOLUTION #2022-04  
RESOLUTION ESTABLISHING POVERTY GUIDELINES FOR EXEMPTION  
FROM PROPERTY TAX CONTRIBUTIONS FOR 2022**

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

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

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

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

- 1) Be an owner of and occupy as a principal residence the property for which an exemption is requested.
- 2) File a claim with the assessor or Board of Review using Form 5753 Application for MCL 211.7u. Form needs to be accompanied by federal and state income tax returns for all persons residing in the principal residence or file form 4988 Poverty Exemption Affidavit if you are not required to file a Federal Income Tax Return.
- 3) Produce a valid driver's license or other form of identification if requested.
- 4) Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.
- 5) File a claim reporting that the combined assets of all persons do not exceed the current guidelines.
- 6) Meet the prior year federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services. (2021 federal levels are used for 2022 exemptions).
- 7) The application for an exemption shall be filed after January 1, but one day prior to the last day of the December Board of Review. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.

The following are the 2022 federal poverty income guidelines which are updated annually by the United States Department of Health and Human Services. **The annual allowable income includes income for all persons residing in the principal residence.**

Size of Family Unit	2021 Poverty Guidelines
1	\$12,880
2	\$17,420
3	\$21,960
4	\$26,500
5	\$31,040
6	\$35,580
7	\$40,120
8	\$44,660
For each additional person	\$4,540

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

- Liquid assets to be considered include cash, unrestricted deposits and accounts, securities, bonds, promissory notes, stocks, and other similar type of assets.
- A second home, land, vehicles.
- Recreational vehicles such as campers, motor-homes, boats and ATV's.
- Buildings other than residence.
- Jewelry, antiques, artwork.
- Equipment, other personal property of value.
- Bank Accounts over \$10.00, stocks.
- Money received from the sale of property, such as stocks, bonds, a house or car (unless a person is in the specific business of selling such property).
- Withdrawals of bank deposits and borrowed money.
- Gifts, loans, lump-sum inheritances and one-time insurance payments.
- Food or housing received in lieu of wages.
- Federal non-cash benefit programs such as Medicare, Medicaid, food stamps and school lunches.

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

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

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

The foregoing resolution offered by City Council Member TREVOR GUILLES and supported by City Council Member RUSS NEHMER.

Upon roll call vote, the following voted:

“Aye”: Woodside, Nehmer, Meinert, Guiles, Nixon and Burchett.

“Nay”: None.

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| Grants       | Motion by Guiles, seconded by Nehmer, <b>CARRIED</b> , to authorize the Fire Chief to apply for a TransCanada Grant for new VHF and 800 mhz radios and to apply to Cargill for a grant for a washing machine/extractor. Affirmed by voice vote. |
| F.D. pick up | Motion by Meinert, seconded by Guiles, <b>CARRIED</b> , to authorize the Fire Chief to seek bids for a new or used pick up and to include the MI Deal option to replace the 2006 Ford Explorer. Affirmed by voice vote.                         |
| CIP          | Motion by Guiles, seconded by Woodside, <b>CARRIED</b> , to approve the 2022 – 2023 Capital Improvements Plan as presented. Affirmed by voice vote.   |
| Budget Amend | Motion by Guiles, seconded by Nehmer, <b>CARRIED</b> , to approve the Budget Amendments as presented by the City Treasurer. Roll call vote. Voting yes were, Burchett, Guiles, Meinert, Nehmer, Nixon and Woodside.                             |

**RESOLUTION FOR BUDGET AMENDMENTS**

DATE: March 21, 2022

Resolution by the City Council to Amend the 2021/22 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 #101</u>					
<u>Expenditures (by Department)</u>					
<u>Dept. 751 Recreation/Parks</u>	103,006	60,463	109,006	109,006	6,000
<u>Dept. 301 Police</u>	501,560	291,726	512,609	512,609	11,049
Total Increase in Expenditures					\$ 17,049
<u>Revenues (by account)</u>					
<u>#675.300 Contributions - Private</u>		17,049	17,049	17,049	17,049
Total Increase in Revenues					\$ 17,049

Reason:

The City has received local grants as follows:

Cargill grant for purchase of safety speed limit sign - Police Dept #301	\$ 6,370.00
TC Energy grant for purchase of a "LifeLoc" portable breath tester - Police Dept. #301	\$ 1,080.00
TC Energy grant for purchase of a thermal imaging camera - Police Dept. #301	\$ 3,599.00
Cargill grant for restoration of riverbank due to storm damage - Parks #751	\$ 2,000.00
Cargill grant for reforest RC - Parks #751	\$ 4,000.00
	\$ 17,049.00

- May meeting      Motion by Guiles, seconded by Woodside, **CARRIED**, to move the regular May meeting from Monday May 16 to Tuesday, May 10, 2022 beginning at 6:00 P.M. for the Public Hearing on the Budget, Adoption of the Budget and the regular monthly May meeting. Affirmed by voice vote.
- Herald Bldg.      Councilman Burchett inquired of the status of the Herald Review building. City Manager, Rich Saladin, responded he has been in discussion with the new owner and he has indicated it is in his work schedule to have it repaired by July 1<sup>st</sup>.
- Rambadt Park      Councilman Burchett inquired if Rambadt Park is on schedule to open May 1<sup>st</sup> and on the status of camping at Rambadt Park. DPW Superintendent, Rich Rehkopf, responded there is adequate time to get the park ready to open for the camping season to begin on May 1<sup>st</sup>.

- Beer Fest** Mayor Meinert led discussion regarding bringing a Beer Festival to Reed City utilizing the Social District during the car show down town scheduled in July. Mayor Meinert met with others and after discussion, it was decided to host a Beer Festival in July was not enough time to make it successful. This group is now looking at the first Saturday in October and utilizing Westerburg Park and limiting the number of vendors. Mayor Meinert ask council members if this is something they would like to see and do they feel it could be a success in Reed City. Chief Lockhart commented he would be more than welcome to meet with the group but his department is a small agency with limited time and resources so with special events they are somewhat limited. It was the consensus of the majority council members to bring back more information on the plan for the event.
- Consent** Motion by Woodside, seconded by Burchett, **CARRIED**, to accept the Consent Agenda as presented. Affirmed by voice vote.
- City Manager** Rich Saladin submitted a written report. In addition to the written report he highlighted the following:
- Working with Tim Scully for the 2022 concert series. Tim has ten (10) concerts planned. Rich has emphasized to Tim that the City has only dedicated \$3,000 towards the concerts. Rich is helping Tim with additional funding through grants and donations.
  - Rich reported he has spoken with different callers recently interested in purchasing the Reed City Motel. He received another call today and it sounds as though it is being purchased soon.
- Planning** Mayor Meinert, seconded by Nixon, **CARRIED**, appointed Courtney Murphy to the Planning Commission unexpired term ending 1/03/2025. Affirmed by voice vote.
- Mayor Meinert reminded Nicole Woodside that she is appointed to review bills prior to the April meeting.
- Mayor** Refresh Reed City is on Saturday, April 30<sup>th</sup> this year. Roger ask everyone to share the word.
- City Atty.** David Porteous commented on the proposal from the Boy Scout Board to purchase the former Museum building and feels a five (5) year lease opportunity may be a better direction. After the five year period it would give both parties the opportunity to evaluate the situation at that time for renewal of the lease.
- Council** Trevor Guiles announced the Cross-Walk to be held on Good Friday, April 15<sup>th</sup>. The walk will start at noon at the Depot and then will end at the Depot.
- Dan Burchett reported on the following:
- Due to the warmer weather conditions, they will be breaking down the ice rink on this Saturday, March 26<sup>th</sup>. He is looking for volunteers to help with the break down.
  - Dan received a call from the DNR about the proposed dog park next to the trail and will be meeting with them on April 27<sup>th</sup> at the proposed location.
  - Talked with Superintendent Sweet about a disc golf course in the school's wooded area if Rambadt Park is not going to work out.
- Russ Nehmer commented the Boy Scouts Pinewood Derby was very successful and had over 40 sponsors. Russ thanked the Reed City Brewery, Chief Lockhart and Mr. Porteous. He also thank Mayor Meinert for selecting the "best overall car".
- Adjourn** Mayor Meinert adjourned the meeting at 8:24 P.M.