

**CITY OF HARBOR BEACH
CITY COUNCIL AGENDA
JANUARY 2, 2023
5:00 p.m.**

1. MEETING CALLED TO ORDER BY MAYOR GUITAR AT CITY HALL
2. PLEDGE OF ALLEGIANCE
3. ROLL
4. CORRECTIONS/ADDITIONS TO AGENDA
5. APPROVAL OF MINUTES
 - a. December 19, 2022 Council Meeting Minutes
 - b. December 19, 2022 Administration Committee Minutes
6. APPROVAL OF BILLS:
 - a. January 2023 Bills \$423,125.55
 - b. Simen, Figura & Parker PLC \$ 192.50
7. CITIZEN COMMENT
8. UNFINISHED BUSINESS
9. NEW BUSINESS:
 - a. Selection of Mayor Pro-Tem
 - b. Resolution # 2023-01 "2023 City Council Meeting Schedule"
 - c. Approval of 2023 Council Committee Appointments
 - d. Approval of 2023 City Attorney Appointment
10. COUNCIL REPORTS
11. NEXT MEETING DATE: January 16, 2023
12. ADJOURNMENT

**CITY OF HARBOR BEACH
CITY COUNCIL AGENDA
JANUARY 16, 2023
7:00 p.m.**

1. MEETING CALLED TO ORDER BY MAYOR GUITAR AT CITY HALL
2. PLEDGE OF ALLEGIANCE
3. ROLL
4. CORRECTIONS/ADDITIONS TO AGENDA
5. APPROVAL OF MINUTES
 - a. January 2, 2023 Council Meeting Minutes
 - b. January 9, 2023 Special Council Meeting Minutes
 - c. January 2, 2023 Administration Committee Meeting Minutes
 - d. January 7, 2023 Administration Committee Meeting Minutes
 - e. January 9, 2023 Police Committee Meeting Minutes
 - f. January 9, 2023 Water Committee Meeting Minutes
 - g. January 9, 2023 Administration Committee Meeting Minutes
6. APPROVAL OF BILLS:
 - a. Townley Engineering LLC \$ 4,435.00
 - b. Application and Certificate for Payment for WTP Filter Project \$35,269.52
 - c. Harbor Beach Area Fire Department \$80,000.00
7. PUBLIC COMMENT
8. UNFINISHED BUSINESS
9. NEW BUSINESS:
 - a. Resolution # 2023-02, "Approving Increase in Tuition Reimbursement"
 - b. Motion to approve the Harbor Beach VFW Post 9344's request to conduct their annual Buddy Poppy Drive on May 4, 5 and 6, 2023
 - c. Motion to approve the Harbor Beach VFW Post 9344's request to conduct the Memorial Day Parade on May 29, 2023 beginning at 10:00 a.m.
10. COUNCIL REPORTS
11. NEXT MEETING DATE: February 6, 2023
12. ADJOURNMENT

**CITY OF HARBOR BEACH
CITY COUNCIL AGENDA
FEBRUARY 6, 2023
7:00 P.M.**

1. MEETING CALLED TO ORDER BY MAYOR GUITAR AT CITY HALL
2. PLEDGE OF ALLEGIANCE
3. ROLL
4. CORRECTIONS/ADDITIONS TO AGENDA
5. APPROVAL OF MINUTES:
 - a. January 16, 2023 Council Minutes
 - b. January 23, 2023 Police Committee Minutes
 - c. January 23, 2023 Administration Committee Minutes
 - d. January 30, 2023 Compensation Board Authority Minutes
 - e. January 30, 2023 DPW Committee Minutes
 - f. January 30, 2023 Water Committee Minutes
6. APPROVAL OF BILLS:
 - a. February 2023 Bills \$453,280.67
 - b. Simen, Figura & Parker PLC \$ 175.00
 - c. Townley Engineering, LLC \$ 4,350.00
 - d. Plante Moran, PLLC \$ 10,385.00
7. CITIZEN COMMENT
8. HARBOR BEACH AREA FIRE DEPARTMENT ANNUAL UPDATE
9. UNFINISHED BUSINESS
10. NEW BUSINESS:
 - a. Resolution # 2023-03, "Approving Committee of the Whole Meeting"
 - b. Resolution # 2023-04, "Appointment of Street Administrator"
 - c. Resolution # 2023-05, "Appointment of FOIA Coordinator"
 - d. Resolution # 2023-06, "Appointment of Nick Roggenbuck to Zoning Administrator and Safety Officer"
 - e. Resolution # 2023-07, "Appointment of Ron Wruble to City Manager"
 - f. Resolution # 2023-08, "Compensation Increase for Mayor and Council"
 - g. Resolution # 2023-09, "Approving Backhoe Loader Purchase for DPW"
 - h. Resolution # 2023-10, "Approving Removal of Quarterly Fee to Certain Nonconsenting Meter Replacement Accounts"
 - i. Resolution # 2023-11, "Approving Lease Agreement with Air Advantage, LLC"
 - j. Resolution # 2023-12, "Hiring Full-Time Police Officer/School Resource Officer"
 - k. Resolution # 2023-13, "Approving Mandatory Direct Deposit"
11. COUNCIL REPORTS
12. NEXT MEETING DATE: Tuesday, February 21, 2023
13. ADJOURNMENT

**CITY OF HARBOR BEACH
CITY COUNCIL AGENDA
FEBRUARY 21, 2023
5:00 P.M.**

1. MEETING CALLED TO ORDER BY MAYOR GUITAR AT CITY HALL
2. PLEDGE OF ALLEGIANCE
3. ROLL
4. CORRECTIONS/ADDITIONS TO AGENDA
5. APPROVAL OF MINUTES:
 - a. February 6, 2023 Council Minutes
 - b. February 10, 2023 Compensation Board Authority Minutes
 - c. February 14, 2023 Committee of the Whole Minutes

6. APPROVAL OF BILLS:
 - a. Simen, Figura & Parker P.L.C. \$ 385.00
 - b. Ferris, Schwedler & O'Mara P.C. \$ 317.50
 - c. Application and Certificate for Payment \$ 35,269.52

7. PUBLIC COMMENT

8. UNFINISHED BUSINESS
 - a. Resolution # 2023-13, "Approving Mandatory Direct Deposit"

10. NEW BUSINESS:
 - a. Resolution # 2023-15, "Compensation Increase for Mayor and Council"
 - b. Resolution # 2023-16, "Approving Payment at Time-of-Service Policy for Water Testing at Water Treatment Plant"
 - c. Approving Committee Appointments

11. COUNCIL REPORTS
12. NEXT MEETING DATE: Monday, March 6, 2023
13. ADJOURNMENT

**CITY OF HARBOR BEACH
CITY COUNCIL AGENDA
MARCH 6, 2023
7:00 P.M.**

1. MEETING CALLED TO ORDER BY MAYOR GUITAR AT CITY HALL
2. PLEDGE OF ALLEGIANCE
3. ROLL
4. CORRECTIONS/ADDITIONS TO AGENDA
5. APPROVAL OF MINUTES:
 - a. February 21, 2023 Council Minutes
 - b. February 27, 2023 Committee of the Whole Minutes
6. APPROVAL OF BILLS:

a.	March 2023 Bills	\$ 444,634.99
b.	Townley Engineering, LLC	\$ 1,485.00
c.	Booms Construction, Inc.	\$ 1,822.00
d.	Bond Payment for Retention Basin	\$ 241,614.79
7. PUBLIC COMMENT
8. PUBLIC HEARING – 2023-2024 BUDGET AND TRUTH IN TAXATION
9. UNFINISHED BUSINESS
10. NEW BUSINESS:
 - a. Motion to Approve 2023 Committee Appointments
 - b. Motion to Approve Harbor Beach Lions Club Holding their White Cane Collection Days on May 19, and May 20, 2023
 - c. Motion to Waive Registration and Permit Fees for Garage Sales for 2023.
 - d. Resolution # 2023-18, “Approving Retiree Health Insurance for Leslie Woycehoski”
 - e. Resolution # 2023-19, “Approving Purchase of Murphy Museum Porch Columns”
 - f. Resolution # 2023-20, “Frankenmuth Credit Union Annexation”
 - g. Resolution # 2023-21, “Memorial Day Weekend Citywide Garage Sales”
 - h. Resolution # 2023-22, “4/1/2023-3/31/2024 Budget Adoption”
11. COUNCIL REPORTS
12. NEXT MEETING DATE: Monday, March 20, 2023
13. ADJOURNMENT

**CITY OF HARBOR BEACH
CITY COUNCIL AGENDA
MARCH 20, 2023
7:00 P.M.**

1. MEETING CALLED TO ORDER BY MAYOR GUITAR AT CITY HALL
2. PLEDGE OF ALLEGIANCE
3. ROLL
4. CORRECTIONS/ADDITIONS TO AGENDA
5. APPROVAL OF MINUTES:
 - a. March 6, 2023 Council Minutes
6. APPROVAL OF BILLS:
 - a. March 2023 Bills \$284,993.38
 - b. Simen, Figura & Parker PLC \$ 210.00
 - c. Booms Construction, Inc. Application and Certificate for Payment #7 \$144,887.34
 - d. Booms Construction, Inc. Application and Certificate for Payment #8 \$ 33,924.50
7. PUBLIC COMMENT
8. UNFINISHED BUSINESS
9. NEW BUSINESS:
 - a. First Reading of Ordinance # 233, “An Ordinance to Amend City of Harbor Beach Zoning Ordinance #169, Article XVIII, General Provisions, Section 1803, Accessory Buildings and Structures”
 - b. Resolution # 2023-23, “2022-2023 Budget Amendment”
 - c. Resolution # 2023-24, “2023 Poverty Exemption Guidelines”
 - d. City of Harbor Beach & Michigan Fraternal Order of Police – Labor Council Letter of Understanding
10. COUNCIL REPORTS
11. NEXT MEETING DATE: Monday, April 3, 2023
12. ADJOURNMENT

**CITY OF HARBOR BEACH
CITY COUNCIL AGENDA
APRIL 3, 2023
7:00 P.M.**

1. MEETING CALLED TO ORDER BY MAYOR GUITAR AT CITY HALL
2. PLEDGE OF ALLEGIANCE
3. ROLL
4. CORRECTIONS/ADDITIONS TO AGENDA
5. APPROVAL OF MINUTES:
 - a. March 20, 2023 Council Minutes
6. APPROVAL OF BILLS:
 - a. March 2023 Bills \$159,518.17
7. PUBLIC COMMENT
8. UNFINISHED BUSINESS
 - a. First Reading of Ordinance # 233, “An Ordinance to Amend City of Harbor Beach Zoning Ordinance #169, Article XVIII, General Provisions, Section 1803, Accessory Buildings and Structures”
9. NEW BUSINESS:
 - a. Motion to approve Spring cleanup on May 20, 2023
 - b. Resolution # 2023-26, “Approving Hiring of DPW Part-Time Seasonal Employee”
 - c. Resolution # 2023-27, “Approving Hiring of Part-Time Seasonal Parks and Recreation Department Employee”
 - d. Resolution # 2023-28 “Approving Purchase of Silversmith Data Asset Status Tracker for DPW and WWTP”
 - e. Resolution # 2023-29 “Approving Purchase of Sewer Camera for DPW”
 - f. Resolution # 2023-30 “Approving purchase of BS&A Timesheet Software for Personnel Management”
10. COUNCIL REPORTS
11. NEXT MEETING DATE: Monday, April 17, 2023
12. ADJOURNMENT

**CITY OF HARBOR BEACH
CITY COUNCIL AGENDA
APRIL 17, 2023
7:00 P.M.**

1. MEETING CALLED TO ORDER BY MAYOR GUITAR AT CITY HALL
2. PLEDGE OF ALLEGIANCE
3. ROLL
4. CORRECTIONS/ADDITIONS TO AGENDA
5. APPROVAL OF MINUTES:
 - a. April 3, 2023 Council Minutes
 - b. April 3, 2023 Committee of the Whole Minutes
6. APPROVAL OF BILLS:

a.	March 2023 Bills	\$141,031.95
b.	Booms Construction, Inc. Application and Certificate for Payment #9	\$119,819.92
c.	Bond Interest Payment for Water Plant 1993	\$ 29,610.00
d.	Bond Interest Payment for Water Plant 2010 91-02	\$ 22,425.00
e.	Bond Interest Payment for Water Plant 2010 91-03	\$ 1,620.00
f.	Ferris, Schwedler & O'Mara, P.C.	\$ 400.00
7. PUBLIC COMMENT
8. UNFINISHED BUSINESS
 - a. Second Reading of Ordinance # 233, "An Ordinance to Amend City of Harbor Beach Zoning Ordinance #169, Article XVIII, General Provisions, Section 1803, Accessory Buildings and Structures"
9. NEW BUSINESS:
 - a. Resolution # 2023-32, "Approving Amendment to the Fraternal Order of Police Union of Michigan Contract Letter of Understanding Work Schedule"
 - b. Resolution # 2023-33, "Approving Addition to the Fraternal Order of Police Union of Michigan Contract Letter of Understanding Inflation Raise"
 - c. Resolution # 2023-34, "Approving Hiring of Part-Time Seasonal Employees and Hiring and Wage Increases for Returning Part-Time Seasonal Employees"
10. CITY MANAGER UPDATES
11. COUNCIL REPORTS
12. NEXT MEETING DATE: Monday, May 1, 2023
13. ADJOURNMENT

**CITY OF HARBOR BEACH
CITY COUNCIL AGENDA
MAY 1, 2023
7:00 P.M.**

1. MEETING CALLED TO ORDER BY MAYOR GUITAR AT CITY HALL
2. PLEDGE OF ALLEGIANCE
3. ROLL
4. CORRECTIONS/ADDITIONS TO AGENDA
5. APPROVAL OF MINUTES:
 - a. April 17, 2023 Council Minutes
 - b. April 24, 2023 Committee of the Whole Minutes
6. APPROVAL OF BILLS:
 - a. May 2023 Bills \$ 13,312.88
 - b. Simen, Figura & Parker, P.L.C. \$ 35.00
7. PUBLIC COMMENT
8. UNFINISHED BUSINESS
 - a. Resolution # 2023-32, "Approving Amendment to the Fraternal Order of Police Union of Michigan Contract Letter of Understanding Work Schedule"
 - b. Resolution # 2023-33, "Approving Addition to the Fraternal Order of Police Union of Michigan Contract Letter of Understanding Inflation Raise"
9. NEW BUSINESS:
 - a. Motion to approve Senior Parade on May 13, 2023 at 6:00 p.m.
 - b. Resolution # 2023-35, "Approving Wages for Newly Hired Part-Time Seasonal Employees and Wage Increases for Returning Part-Time Seasonal Employees"
 - c. Resolution # 2023-36, "Approving Personal Time for Clerk Lackowski and Deputy Treasurer/ Deputy Clerk Hanson"
 - d. Resolution # 2023-37, "Approving Flexible Scheduling for City of Harbor Beach Front Office Staff"
10. CITY MANAGER UPDATES
11. COUNCIL REPORTS
12. NEXT MEETING DATE: Monday, May 15, 2023
13. ADJOURNMENT

**CITY OF HARBOR BEACH
CITY COUNCIL AGENDA
MAY 9, 2023
7:00 P.M.**

1. SPECIAL MEETING CALLED TO ORDER BY MAYOR GUITAR
2. PLEDGE OF ALLEGIANCE
3. ROLL
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES
6. APPROVAL OF BILLS
7. PUBLIC COMMENT
8. UNFINISHED BUSINESS
9. NEW BUSINESS:
 - a. Resolution # 2023-38, “Approving School Resource Officer Agreement”
 - b. Resolution # 2023-39, “Approving Hiring of Full Time Police Officer”
 - c. Resolution # 2023-40, “Approving Purchase of Pro-Tech Bullet Proof Vest”
10. COUNCIL REPORTS
11. NEXT MEETING DATE: May 15, 2023
12. ADJOURNMENT

**CITY OF HARBOR BEACH
CITY COUNCIL AGENDA
MAY 15, 2023
7:00 P.M.**

1. MEETING CALLED TO ORDER BY MAYOR GUITAR AT CITY HALL
2. PLEDGE OF ALLEGIANCE
3. ROLL
4. CORRECTIONS/ADDITIONS TO AGENDA
5. APPROVAL OF MINUTES:
 - a. May 1, 2023 Council Minutes
 - b. May 1, 2023 Committee of the Whole Minutes
 - c. May 9, 2023 Special Council Minutes
 - d. May 9, 2023 Committee of the Whole Minutes
6. APPROVAL OF BILLS:
 - a. May 2023 Bills \$ 91,019.12
7. PUBLIC COMMENT
8. UNFINISHED BUSINESS
9. NEW BUSINESS:
 - a. Resolution # 2023-29, “Approving Purchase of Sewer Camera for DPW”
 - b. Resolution # 2023-41, “Approving Hiring of Part-Time Seasonal Parks and Recreation Department Employee”
 - c. Resolution # 2023-42, “Approval of Steel Bid for Waterfront Enhancement Project”
 - d. Resolution # 2023-43, “Approval of Concrete Bid for Waterfront Enhancement Project”
 - e. Resolution # 2023-44 “Approval of Bid for Sandblasting & Painting Steel Structure for Waterfront Enhancement Project”
10. CITY MANAGER UPDATES
11. COUNCIL REPORTS
12. NEXT MEETING DATE: Monday, June 5, 2023
13. ADJOURNMENT

**CITY OF HARBOR BEACH
CITY COUNCIL AGENDA
JUNE 19, 2023
7:00 P.M.**

1. MEETING CALLED TO ORDER BY MAYOR GUITAR AT CITY HALL
2. PLEDGE OF ALLEGIANCE
3. ROLL
4. CORRECTIONS/ADDITIONS TO AGENDA
5. APPROVAL OF MINUTES:
 - a. June 1, 2023 Committee of the Whole Minutes
 - b. June 1, 2023 Special Council Minutes
 - c. June 5, 2023 Council Minutes
 - d. June 12, 2023 Committee of the Whole Minutes
6. APPROVAL OF BILLS:
 - a. June 2023 Bills \$ 216,867.72
 - b. Smalley's Bar & Grill \$ 185.20
 - c. Ferris, Schwedler & O'Mara, P.C. \$ 75.00
7. PUBLIC COMMENT
8. UNFINISHED BUSINESS
9. NEW BUSINESS:
 - a. Resolution # 2023-48, "Approving Hiring of Part-Time Seasonal Parks and Recreation Department Employee"
 - b. Resolution # 2023-49, "Approving Personal Time for Officer Callender"
 - c. Resolution # 2023-50, "Approving Sidewalk and Curb Replacement Project"
 - d. Resolution # 2023-51, "Approving the Intergovernmental Agreement with the City of Sandusky"
10. CITY MANAGER UPDATES
11. COUNCIL REPORTS
12. NEXT MEETING DATE: Wednesday, July 5, 2023
13. ADJOURNMENT

**CITY OF HARBOR BEACH
CITY COUNCIL AGENDA
JUNE 1, 2023
6:00 P.M.**

1. SPECIAL MEETING CALLED TO ORDER BY MAYOR GUITAR
2. PLEDGE OF ALLEGIANCE
3. ROLL
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES
6. APPROVAL OF BILLS
7. PUBLIC COMMENT
8. UNFINISHED BUSINESS
9. NEW BUSINESS:
 - a. Closed Session: discuss pending litigation
10. COUNCIL REPORTS
11. NEXT MEETING DATE: June 5, 2023
12. ADJOURNMENT

**CITY OF HARBOR BEACH
CITY COUNCIL AGENDA
JUNE 5, 2023
7:00 P.M.**

1. MEETING CALLED TO ORDER BY MAYOR GUITAR AT CITY HALL
2. PLEDGE OF ALLEGIANCE
3. ROLL
4. CORRECTIONS/ADDITIONS TO AGENDA
5. APPROVAL OF MINUTES:
 - a. May 15, 2023 Council Minutes
6. APPROVAL OF BILLS:

a.	May 2023 Bills	\$ 341,795.37
b.	Booms Construction	\$ 38,837.24
c.	Hunter Lumber Co.	\$ 11,026.30
d.	Simen, Figura, & Parker, P.L.C	\$ 227.50
e.	Wood Contracting LLC	\$ 3,660.00
f.	Wood Contracting LLC	\$ 4,972.50
7. PUBLIC COMMENT
8. UNFINISHED BUSINESS
9. NEW BUSINESS:
 - a. Resolution # 2023-45, "Approving Tent Rental Maritime Festival"
 - b. Resolution # 2023-46, "Approving Purchase of Materials for Pickleball Court"
 - c. Motion to Rescind Resolution # 2023-33 "Approving the Fraternal Order of Police Letter of Understanding Inflation Raise", adopted May 1, 2023.
 - d. Resolution # 2023-47, "Approving Addition to the Fraternal Order of Police Union of Michigan Contract Letter of Understanding Inflation Raise"
10. CITY MANAGER UPDATES
11. COUNCIL REPORTS
12. NEXT MEETING DATE: Monday, June 19, 2023
13. ADJOURNMENT

**CITY OF HARBOR BEACH
CITY COUNCIL AGENDA
JULY 17, 2023
7:00 P.M.**

1. MEETING CALLED TO ORDER BY MAYOR GUITAR AT CITY HALL
2. PLEDGE OF ALLEGIANCE
3. ROLL
4. CORRECTIONS/ADDITIONS TO AGENDA
5. APPROVAL OF MINUTES:
 - a. July 5, 2023 Council Minutes
6. APPROVAL OF BILLS:
 - a. July 2023 Bills \$ 180,584.84
 - b. Simen, Figura, & Parker, P.L.C. \$ 1,186.00
7. PUBLIC COMMENT
8. UNFINISHED BUSINESS
9. NEW BUSINESS:
10. CITY MANAGER UPDATES
11. COUNCIL REPORTS
12. NEXT MEETING DATE: Monday, August 7, 2023
13. ADJOURNMENT

**CITY OF HARBOR BEACH
CITY COUNCIL AGENDA
JULY 5, 2023
7:00 P.M.**

1. MEETING CALLED TO ORDER BY MAYOR GUITAR AT CITY HALL
2. PLEDGE OF ALLEGIANCE
3. ROLL
4. CORRECTIONS/ADDITIONS TO AGENDA
5. APPROVAL OF MINUTES:
 - a. June 19, 2023 Council Minutes
6. APPROVAL OF BILLS:

a.	June 2023 Bills	\$ 217,643.11
b.	Wood Contracting LLC	\$ 405.00
c.	Caro Rental	\$ 3820.00
d.	Caro Rental	\$ 700.00
e.	Simen, Figura, & Parker, P.L.C.	\$ 978.50
f.	Halfway Fence Company	\$ 7,640.00
g.	Alro Steel	\$ 70,951.49
7. PUBLIC COMMENT
8. UNFINISHED BUSINESS
9. NEW BUSINESS:
 - a. Resolution # 2023-52, "Approving Purchase of Lumber for Pack Street Project"
10. CITY MANAGER UPDATES
11. COUNCIL REPORTS
12. NEXT MEETING DATE: Monday, July 17, 2023
13. ADJOURNMENT

**CITY OF HARBOR BEACH
CITY COUNCIL AGENDA
AUGUST 7, 2023
7:00 P.M.**

1. MEETING CALLED TO ORDER BY MAYOR GUITAR AT CITY HALL
2. PLEDGE OF ALLEGIANCE
3. ROLL
4. CORRECTIONS/ADDITIONS TO AGENDA
5. APPROVAL OF MINUTES:
 - a. July 17, 2023 Council Minutes
 - b. July 17, 2023 Committee Minutes
6. APPROVAL OF BILLS:

a.	August 2023 Bills	\$ 363,286.18
b.	Plante & Moran, PLLC	\$ 39,425.00
c.	Wolverine Fireworks Display, Inc.	\$ 5,680.80
d.	Hunter Lumber	\$ 4,906.00
e.	Vollmer Ready Mix	\$ 9,875.00
f.	Alma Bolt Company	\$ 1,250.40
7. PUBLIC COMMENT
8. UNFINISHED BUSINESS
9. NEW BUSINESS:
 - a. Resolution # 2023-53, "Awarding bid for First Street Asphalt Patch"
 - b. Resolution # 2023-54, "A Resolution to Amend Resolution # 2009-50 Amending Traffic Control Order 141-S With Order # 145-S"
 - c. Resolution # 2023-55, "A Resolution to Amend Resolution # 98-005 Amending Traffic Control Orders 133-S and 134-S"
 - d. Resolution # 2023-56, "A Resolution to Amend Resolution # 92-013 Rescinding Stop Signs"
 - e. Resolution # 2023-57, "A Resolution to Amend Resolution # 92-013 Amending Traffic Control Orders 50-S, 57-S, 70-S, and 112-S"
 - f. Resolution # 2023-58, "Approving Pitney Bowes Postage Machine Lease"
 - g. Resolution # 2023-59, "Approving Contract with McKenna for Master Plan Update"
 - h. Motion to waive the North Park Pavilion Rental Fee for Holy Name of Mary Parish's 4th annual Parish Picnic on Sunday, September 10, 2023.
 - i. Motion to donate the relic of Saint Therese of Lisieux to the Holy Name of Mary Parish to be displayed in a public place of worship in Harbor Beach.
 - j. First Reading of Ordinance # 234, "Consumers Energy Gas Franchise Ordinance"
 - k. Resolution # 2023-60, "Approving Proposal from SME for Marina Fuel Spill Remediation"
 - l. Resolution # 2023-61, "Approving Michigan Municipal League (MML) Liability and Property Insurance Renewal"
 - m. Resolution # 2023-62, "Approving Contract for Recodification and Online Code"

10. CITY MANAGER UPDATES
11. COUNCIL REPORTS
12. NEXT MEETING DATE: Monday, August 21, 2023
13. ADJOURNMENT

**CITY OF HARBOR BEACH
CITY COUNCIL AGENDA
AUGUST 21, 2023
7:00 P.M.**

1. MEETING CALLED TO ORDER BY MAYOR GUITAR AT CITY HALL
2. PLEDGE OF ALLEGIANCE
3. ROLL
4. CORRECTIONS/ADDITIONS TO AGENDA
5. APPROVAL OF MINUTES:
 - a. August 7, 2023 Council Minutes
 - b. August 7, 2023 Committee Minutes
6. APPROVAL OF BILLS:
 - a. August 2023 Bills \$ 152,204.94
 - b. Ferris Schwedler & O'Mara, P.C. \$ 412.50
7. PUBLIC COMMENT
8. UNFINISHED BUSINESS
 - a. Second Reading of Ordinance # 234, "Consumers Energy Gas Franchise Ordinance"
9. NEW BUSINESS:
 - a. Resolution # 2023-63, "Wage Increase for Board of Review"
 - b. Resolution # 2023-64, "Wage Increase for Election Inspectors"
 - c. Resolution # 2023-65, "Approving Production Contract with Rembrant Entertainment for Fifty Amp Fuse"
 - d. Resolution # 2023-66, "Approving Contract with Rave Mobile Safety for City Emergency Notification System"
 - e. Resolution # 2023-67 "Approving Wage Increase for Crossing Guards"
 - f. Motion to waive North Park Pavilion Rental for Zion Lutheran Church on August 27, 2023.
10. CITY MANAGER UPDATES
11. COUNCIL REPORTS
12. NEXT MEETING DATE: Tuesday, September 5, 2023
13. ADJOURNMENT

**CITY OF HARBOR BEACH
CITY COUNCIL AGENDA
SEPTEMBER 26, 2023
5:00 p.m.**

1. SPECIAL MEETING CALLED TO ORDER BY MAYOR GUITAR
2. PLEDGE OF ALLEGIANCE
3. ROLL
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES
6. APPROVAL OF BILLS
7. PUBLIC COMMENT
8. UNFINISHED BUSINESS
9. NEW BUSINESS:
 - a. Resolution # 2023-70, "Establishing Harbor Beach City Hall as an Early Voting Site for the Southeast Region of Huron County"
10. COUNCIL REPORTS
11. NEXT MEETING DATE: October 2, 2023
12. ADJOURNMENT

**CITY OF HARBOR BEACH
COMMITTEE OF THE WHOLE AGENDA
TUESDAY, SEPTEMBER 5, 2023
6:45 PM**

1. MEETING CALLED TO ORDER BY MAYOR GUITAR
2. ROLL
3. CORRECTIONS/ADDITIONS TO AGENDA
4. PUBLIC COMMENT
5. NEW BUSINESS:

ADMINISTRATION

- a. Crum & Forster Specialty Insurance Company
- b. Proposal 22-2 Early Voting

DPW

POLICE

WASTEWATER

WATER

6. ADJOURNMENT

**CITY OF HARBOR BEACH
CITY COUNCIL AGENDA
OCTOBER 2, 2023
7:00 P.M.**

1. MEETING CALLED TO ORDER BY MAYOR GUITAR AT CITY HALL
2. PLEDGE OF ALLEGIANCE
3. ROLL
4. CORRECTIONS/ADDITIONS TO AGENDA
5. APPROVAL OF MINUTES:
 - a. September 18, 2023 Council Minutes
 - b. September 26, 2023 Special Council Minutes
6. APPROVAL OF BILLS:

a.	September 2023 Bills	\$ 199,999.45
b.	Plante & Moran, PLLC	\$ 7,075.00
c.	Alro Steel	\$ 4,922.50
d.	Rave Mobile Safety	\$ 5,462.50
e.	Cook Out Charters LLC	\$ 1,980.00
f.	McKenna	\$ 600.00
7. PUBLIC COMMENT
8. UNFINISHED BUSINESS
9. NEW BUSINESS:
10. CITY MANAGER UPDATES
11. COUNCIL REPORTS
12. NEXT MEETING DATE: Monday, October 16, 2023
13. ADJOURNMENT

**CITY OF HARBOR BEACH
CITY COUNCIL AGENDA
OCTOBER 16, 2023
7:00 P.M.**

1. MEETING CALLED TO ORDER BY MAYOR GUITAR AT CITY HALL
2. PLEDGE OF ALLEGIANCE
3. ROLL
4. CORRECTIONS/ADDITIONS TO AGENDA
5. APPROVAL OF MINUTES:
 - a. October 2, 2023 Council Minutes
 - b. October 2, 2023 Committee Minutes
6. APPROVAL OF BILLS:

a.	October 2023 Bills	\$ 58,897.64
b.	Vollmer Ready Mix	\$ 22,673.00
c.	Stringer Construction	\$ 42,374.95
d.	Fleis & Vandenbrink	\$ 13,500.00
e.	AIS Construction Equipment	\$ 137,304.00
f.	Ferris, Schwedler & O'Mara	\$ 712.50
7. PUBLIC COMMENT
8. UNFINISHED BUSINESS
9. NEW BUSINESS:
 - a. Motion to approve Trick or Treat hours on Tuesday October 31, 2023 beginning at 5:00 pm and ending at 6:30 pm.
 - b. Motion to waive North Park Pavilion rental fee for November 3, 2023 and December 15, 2023 for school dances.
10. CITY MANAGER UPDATES
11. COUNCIL REPORTS
12. NEXT MEETING DATE: Monday, November 6, 2023
13. ADJOURNMENT

**CITY OF HARBOR BEACH
SPECIAL CITY COUNCIL AGENDA
OCTOBER 30, 2023
7:00 P.M.**

1. SPECIAL MEETING CALLED TO ORDER BY MAYOR GUITAR AT CITY HALL
2. PLEDGE OF ALLEGIANCE
3. ROLL
4. CORRECTIONS/ADDITIONS TO AGENDA
5. APPROVAL OF MINUTES:
 - a. October 16, 2023 Council Minutes
 - b. October 23, 2023 Committee Minutes
6. APPROVAL OF BILLS:
 - a. Wood Contracting LLC
7. PUBLIC COMMENT
8. UNFINISHED BUSINESS
9. NEW BUSINESS:
 - a. Resolution # 2023-71, "Approving Trash and Recycling Rate Increase"
 - b. Resolution # 2023-72, "Approving Changes to City of Harbor Beach Employees' Health Insurance Plans"
 - c. Resolution #: 2023-73, "Approving Agreement with Fleis & Vandenbrink Engineering, Inc. For Development of a Source Water Protection Plan (SWPP) for the City of Harbor Beach"
 - d. Resolution #: 2023-74, "A Resolution to Exempt the City from the Requirements of Public Act 152 until December 31, 2024"
 - e. Resolution #: 2023-75 "Approving KMA Assessing Agreement"
 - f. Resolution #: 2023-76 "Approving Easement Request at 120 South Huron Avenue"
 - g. Resolution #: 2023-77 "Approving Purchase of Water Treatment Plant Low Service Pump #1 & #3 Motor and Installation"
10. CITY MANAGER UPDATES
11. COUNCIL REPORTS
12. NEXT MEETING DATE: Monday, November 6, 2023
13. ADJOURNMENT

**CITY OF HARBOR BEACH
CITY COUNCIL AGENDA
NOVEMBER 6, 2023
7:00 P.M.**

1. MEETING CALLED TO ORDER BY MAYOR GUITAR AT CITY HALL
2. PLEDGE OF ALLEGIANCE
3. ROLL
4. CORRECTIONS/ADDITIONS TO AGENDA
5. APPROVAL OF MINUTES:
 - a. October 30, 2023 Special Council Minutes
 - b. October 30, 2023 Committee Minutes
6. APPROVAL OF BILLS:

a.	November 2023 Bills	\$ 334,516.10
b.	Detroit Salt Company	\$ 6,734.74
c.	Wood Contracting LLC	\$ 1,800.00
d.	Ace-Saginaw Paving Co.	\$ 5,972.85
7. PUBLIC COMMENT
8. UNFINISHED BUSINESS
9. NEW BUSINESS:
10. CITY MANAGER UPDATES
11. COUNCIL REPORTS
12. NEXT MEETING DATE: Monday, November 20, 2023
13. ADJOURNMENT

**CITY OF HARBOR BEACH
CITY COUNCIL AGENDA
NOVEMBER 20, 2023
7:00 P.M.**

1. MEETING CALLED TO ORDER BY MAYOR GUITAR AT CITY HALL
2. PLEDGE OF ALLEGIANCE
3. ROLL
4. CORRECTIONS/ADDITIONS TO AGENDA
5. APPROVAL OF MINUTES:
 - a. November 6, 2023 Council Minutes
6. APPROVAL OF BILLS:

a.	November 2023 Bills	\$ 138,094.93
b.	Stringer Construction	\$ 39,343.75
c.	Lakeshore Collision	\$ 40,250.00
d.	Simen, Figura & Parker, P.L.C.	\$ 227.50
7. PUBLIC COMMENT
8. UNFINISHED BUSINESS
9. NEW BUSINESS:
10. CITY MANAGER UPDATES
11. COUNCIL REPORTS
12. NEXT MEETING DATE: Monday, December 4, 2023
13. ADJOURNMENT

**CITY OF HARBOR BEACH
CITY COUNCIL AGENDA
DECEMBER 4, 2023
7:00 P.M.**

1. MEETING CALLED TO ORDER BY MAYOR GUITAR AT CITY HALL
2. PLEDGE OF ALLEGIANCE
3. ROLL
4. CORRECTIONS/ADDITIONS TO AGENDA
5. APPROVAL OF MINUTES:
 - a. November 20, 2023 Council Minutes
 - b. November 20, 2023 Committee Minutes
6. APPROVAL OF BILLS:

a.	November 2023 Bills	\$ 111,956.31
b.	Dependable Sewer Service	\$ 9,087.50
c.	Rooney Contracting Co., Inc.	\$ 7,167.00
7. PUBLIC COMMENT
8. UNFINISHED BUSINESS
9. NEW BUSINESS:
 - a. Resolution # 2023-78 “Approving MERS Deferred Retirement Option Program for our Defined Benefit Adoption Agreement”
 - b. Resolution # 2023-79 “Michigan Department of Transportation Performance Resolution for Issuing Permits”
11. COUNCIL REPORTS
12. NEXT MEETING DATE: Monday, December 18, 2023
13. ADJOURNMENT

**CITY OF HARBOR BEACH
CITY COUNCIL AGENDA
DECEMBER 18, 2023
7:00 P.M.**

1. MEETING CALLED TO ORDER BY MAYOR GUITAR AT CITY HALL
2. PLEDGE OF ALLEGIANCE
3. ROLL
4. CORRECTIONS/ADDITIONS TO AGENDA
5. APPROVAL OF MINUTES:
 - a. December 4, 2023 Council Minutes
 - b. December 11, 2023 Committee Minutes
6. APPROVAL OF BILLS:

a.	December 2023 Bills	\$ 200,148.03
b.	Simen, Figura, & Parker, P.L.C.	\$ 192.50
c.	Rosati, Schultz, Joppich & Amtsbuechler, P.C.	\$ 1912.50
d.	Ferris, Schwedler & O'Mara, P.C.	\$ 562.50
7. PUBLIC COMMENT
8. UNFINISHED BUSINESS
9. NEW BUSINESS:
 - a. Resolution # 2023-81 "Approve Hire of Deputy Treasurer/Utility Billing Clerk"
 - b. Steel Bid Approval for Waterfront Enhancement Project
 - c. Forestville Intergovernmental Agreement
11. COUNCIL REPORTS
12. NEXT MEETING DATE: Tuesday, January 2, 2024
13. ADJOURNMENT

**OFFICIAL COUNCIL PROCEEDINGS
JANUARY 2, 2023**

A regular meeting of the City Council of the City of Harbor Beach was held on Monday, January 2, 2023 at City Hall. The meeting was called to order at 5:00 p.m. by Mayor Guitar.

Present: Capling, Wood, Woodke, Woodward and Mayor Guitar
Clerk Woycehoski and Director Wruble

Absent: None

It was moved by Woodke, seconded by Woodward to approve the Agenda as presented. Motion carried. 5 yeas.

It was moved by Capling, seconded by Woodward to approve the minutes of the December 19, 2022 Council meeting and the December 19, 2022 Administration Committee meeting as presented. Motion carried. 5 yeas.

APPROVAL OF BILLS: It was moved by Capling, seconded by Woodke to approve payment of the January 2023 bills in the amount of \$423,125.55. Motion carried. 4 yeas. 1 abstain (Wood).

It was moved by Woodke, seconded by Capling to approve payment of the Simen, Figura & Parker PLC bill in the amount of \$192.50. Motion carried. 5 yeas.

PUBLIC COMMENT: None

UNFINISHED BUSINESS: None.

NEW BUSINESS: It was moved by Guitar, seconded by Woodke to approve the appointment of Sam Capling as Mayor Pro-Tem of the City of Harbor Beach. Motion carried. 5 yeas.

Resolution # 2023-01, "2023 City Council Meeting Schedule" was presented to Council. It was moved by Woodward, seconded by Woodke to adopt Resolution # 2023-01 as presented. The Resolution reads as follows: **WHEREAS**, under Public Act 267 of 1976 of the State of Michigan, entitled "Open Meetings Act," as amended, it is required that the City of Harbor Beach publicly post the dates, times and places of regular meetings of the City Council for the upcoming year; and

WHEREAS, under the City Charter of the City of Harbor Beach of 1965, it is required that City Council provide by Resolution the time and place of all regular meetings; and

WHEREAS, the City Council of the City of Harbor Beach desires to encourage public attendance and participation at its meetings;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach hereby approves the attached notice entitled, "Harbor Beach City Council 2023 Meeting Schedule," and directs the City Clerk to post same at City Hall and to publish same in a local newspaper.

**HARBOR BEACH CITY COUNCIL
2023 MEETING SCHEDULE**

In compliance with the State of Michigan Open Meetings Act, Public Act 267 of 1976, as amended, and in compliance with the City Charter of the City of Harbor Beach 1965, the following information is publicly posted and provided regarding the City Council meetings for year 2023.

All meetings of the City Council of the City of Harbor Beach will be held at City Hall, 766 State Street, Harbor Beach, Michigan 48441. Regular meetings of the City Council will be held on the first and third Monday of each month, unless it should fall on a Holiday, when the meeting will be held on the Tuesday following the Holiday. All Council meetings will start at 7:00 p.m.

2023 Meeting Dates

January 2 and January 16

July 5 and July 17

February 6 and February 21

August 7 and August 21

March 6 and March 20

September 5 and September 18

April 3 and April 17

October 2 and October 16

May 1 and May 15

November 6 and November 20

June 5 and June 19

December 4 and December 18

NOTE: Special meetings of the City Council may be called by posting a public notice eighteen (18) hours in advance of the meeting time. Special meeting and Committee meeting notices will be posted at City Hall.

Motion carried. 5 years.

It was moved by Woodward, seconded by Capling to approve the following 2023 Council Committee Appointments:

COUNCIL COMMITTEES

1 Year Term

Sam Capling

Administration
DPW
Police
Recreation

Adam Wood

Planning
Police
DPW

Matt Woodke

Administration
Wastewater
Water

Will Woodward

Wastewater
Water
Brownfield
Recreation

Motion carried. 5 years.

It was moved by Woodward, seconded by Woodke to approve John Ferris as the 2023 City Attorney. Motion carried. 5 years.

COUNCIL REPORTS: Mayor Guitar is looking forward to the new year.

There being no further business. It was moved by Capling, seconded by Woodke to adjourn the meeting at 5:07 p.m.

Kevin Guitar, Mayor

Leslie A. Woycehoski, Clerk

OFFICIAL COUNCIL PROCEEDINGS
JANUARY 16, 2023

A regular meeting of the City Council of the City of Harbor Beach was held on Monday, January 16, 2023 at City Hall. The meeting was called to order at 7:00 p.m. by Mayor Guitar.

Present: Capling, Wood, Woodke, Woodward and Mayor Guitar
Clerk Woycehoski and Director Wruble

Absent: None

It was moved by Woodke, seconded by Woodward to approve the Agenda with the addition of item d. Wage/Benefit Study, under NEW BUSINESS. Motion carried. 5 years.

It was moved by Capling, seconded by Wood to approve the minutes of the January 2, 2023 Council meeting, the January 9, 2023 Special Council meeting, the January 2, 2023 Administration Committee meeting, the January 7, 2023 Administration Committee meeting, the January 9, 2023 Police Committee meeting, the January 9, 2023 Water Committee meeting and the January 9, 2023 Administration Committee meeting as presented. Motion carried. 5 years.

APPROVAL OF BILLS: It was moved by Capling, seconded by Woodke to approve payment of the Townley Engineering bill in the amount of \$4,435.00. Motion carried. 5 years.

It was moved by Woodward, seconded by Woodke to approve payment of the Application and Certificate for Payment for the WTP Filter Project in the amount of \$35,269.52. Motion carried. 5 years.

It was moved by Capling, seconded by Wood to approve payment of \$80,000.00 to the Harbor Beach Area Fire Department for the 2023 Subsidy. Motion carried. 5 years.

PUBLIC COMMENT: Ryan Ramsey of the Eastern Huron Ambulance Service presented the annual report on the activities, etc. at the Eastern Huron Ambulance Service.

UNFINISHED BUSINESS: None.

NEW BUSINESS: Resolution # 2023-02, "Approving Increase in Tuition Reimbursement" was presented to Council. It was moved by Woodke, seconded by Woodward to adopt Resolution # 2023-02 as presented. The Resolution reads as follows: **WHEREAS**, Patrolman Dave Wilson has enrolled in several college classes and has requested and received tuition reimbursement from the City; and

WHEREAS, Patrolman Wilson is requesting that the City increase the amount of tuition reimbursement due to the rising costs of classes; and

WHEREAS, the Administration Committee is recommending approval of an increase in the tuition reimbursement amount to \$2,800.00 per year, contingent upon Patrolman Wilson obtaining his degree and maintaining his employment with the City of Harbor Beach for three years from the date of his graduation;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves increasing the tuition reimbursement amount to \$2,800.00 per year, contingent upon Patrolman Wilson obtaining his degree and maintaining his employment with the City of Harbor Beach for three years from the date of his graduation. Motion carried. 5 years.

It was moved by Capling, seconded by Woodke to approve the Harbor Beach VFW Post 9344's request to conduct their annual Buddy Poppy Drive on May 4, 5 and 6, 2023. Motion carried. 5 years.

It was moved by Woodward, seconded by Woodke to approve the Harbor Beach VFW Post 9344's request to hold the Memorial Day Parade on May 29, 2023 beginning at 10:00 a.m. Motion carried. 5 years.

A wage/benefit study was discussed. The study will be discussed at the next Administration Committee.

COUNCIL REPORTS: None.

There being no further business. It was moved by Capling, seconded by Woodke to adjourn the meeting at 7:16 p.m.

Kevin Guitar, Mayor

Leslie A. Woycehoski, Clerk

OFFICIAL COUNCIL PROCEEDINGS
FEBRUARY 6, 2023

A regular meeting of the City Council of the City of Harbor Beach was held on Monday, February 6, 2023 at City Hall. The meeting was called to order at 7:00 p.m. by Mayor Guitar.

Present: Wood, Woodke, Woodward and Mayor Guitar
Clerk Lackowski and Director Wruble

Absent: Capling (with notice)

It was moved by Woodke, seconded by Woodward to approve the Agenda with the removal of Harbor Beach Area Fire Department Annual Update and the addition of item I. Resolution # 2023-14 “Requesting an Extension of the Waterfront Enhancement Project Grant”, under NEW BUSINESS. Motion carried. 4 years.

It was moved by Woodke, seconded by Woodward to approve the minutes of the January 16, 2023 Council meeting, the January 23, 2023 Police Committee meeting, the January 23, 2023 Administration Committee meeting, the January 30, 2023 Compensation Board Authority, the January 30, 2023 DPW Committee meeting, and the January 30, 2023 Water Committee as presented. Motion carried. 4 years.

APPROVAL OF BILLS: It was moved by Woodward, seconded by Wood to approve payment of the February 2023 Bills in the amount of \$453,280.67. Motion carried. 4 years.

It was moved by Woodke, seconded by Woodward to approve payment of the Simen, Figura & Parker, PLC in the amount of \$175.00. Motion carried. 4 years.

It was moved by Woodke, seconded by Woodward to approve payment of the Townley Engineering, LLC in the amount of \$4,350.00. Motion carried. 4 years.

It was moved by Woodke, seconded by Woodward to approve payment of the Plante Moran, PLLC in the amount of \$10,385.00. Motion carried. 4 years.

PUBLIC COMMENT: Michael Climer requested information on mandatory direct deposit alternatives.

UNFINISHED BUSINESS: None.

NEW BUSINESS: Resolution # 2023-03, “Approving Committee of the Whole Meeting” was presented to Council. It was moved by Woodke, seconded by Woodward to adopt Resolution # 2023-03 as presented. The Resolution reads as follows:

WHEREAS, the City holds individual Committee meetings; and

WHEREAS, City Manager Wruble contacted the City Attorney and received approval for the City to replace individual Committee meetings with a Committee of the Whole meeting; and

WHEREAS, the Administration Committee is recommending to Council that they approve the City of Harbor Beach holding a Committee of the Whole meeting;

NOW, THEREFORE, BE IT RESOLVED that Council approves the City of Harbor Beach holding Committee of the Whole meetings instead of individual Committee meetings. Motion carried. 4 years.

Resolution # 2023-04, “Appointment of Street Administrator” was presented to Council. It was moved by Woodward, seconded by Woodke to adopt Resolution # 2023-04 as presented. The Resolution reads as follows:

WHEREAS, Under 13(7) of Public Act 51, of 1951 requires the governing body of each municipality to appoint a street administrator “who shall be responsible for and shall represent the municipality in transactions with the state transportation department pursuant to this act”; and

WHEREAS, Chapter IV, Section 8, Page 13 of the City Charter states as follows: Functions of the Mayor: c. To be responsible for all public improvements, works and undertakings of the City. d. To be responsible for construction, repair, maintenance, lighting, drains and cleaning of all streets, sidewalks, bridges, pavements, sewers and of all public buildings or other property belonging to the City;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach hereby appoints Mayor Guitar and Director Wruble as the Street Administrators for the City of Harbor Beach. Motion carried. 4 yeas

Resolution # 2023-05, "Appointment of FOIA Coordinator" was presented to Council. It was moved by Woodke, seconded by Woodward to adopt Resolution # 2023-05 as presented. The Resolution reads as follows:

WHEREAS, the City must comply with the Freedom of Information Act (FOIA); and

WHEREAS, the FOIA Coordinator is either an individual who is a public body or an individual designated by a public body to accept and process requests for public records. The FOIA coordinator shall be responsible for accepting and processing requests for the public body's public records. The FOIA coordinator may designate another individual to act on his or her behalf in accepting and processing requests for the public body's public records; and

WHEREAS, the FOIA requires designation of a FOIA Coordinator; and

WHEREAS, the Administration Committee is recommending that the Mayor be appointed as the FOIA Coordinator along with City Manager Ron Wruble;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach hereby appoints the Mayor as the FOIA Coordinator for the City of Harbor Beach along with City Manager Ron Wruble. Motion carried. 4 yeas

Resolution # 2023-06, "Appointment of Nick Roggenbuck to Zoning Administrator and Safety Officer" was presented to Council. It was moved by Woodward, seconded by Woodke to adopt Resolution # 2023-06 as presented. The Resolution reads as follows:

WHEREAS, pursuant to the City Charter, the Mayor shall appoint administrative offices of the City with the consent of Council;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach hereby consents to the Mayor's appointment of Nick Roggenbuck to Zoning Administrator and Safety Officer of the City of Harbor Beach. Motion carried. 4 yeas.

Resolution # 2023-07, "Appointment of Ron Wruble to City Manager" was presented to Council. It was moved by Woodke, seconded by Woodward to adopt Resolution # 2023-07 as presented. The Resolution reads as follows:

WHEREAS, pursuant to the City Charter, the Mayor shall appoint administrative offices of the City with the consent of Council;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach hereby consents to the Mayor's appointment of Ron Wruble to City Manager of the City of Harbor Beach. Motion carried. 4 yeas.

Resolution # 2023-08, "Compensation Increase for Mayor and Council" was presented to Council. It was moved by Wood, seconded by Woodke to adopt Resolution # 2023-08 as presented. Motion denied. 1 yeas. 3 nays (Wood, Woodke and Mayor Guitar).

Resolution # 2023-09, "Approving Backhoe Loader Purchase for DPW" was presented to Council. It was moved by Woodke, seconded by Woodward to adopt Resolution # 2023-09 as presented. The Resolution reads as follows:

WHEREAS, Superintendent Jurgess is requesting to purchase a new Backhoe Loader for the DPW through the State of Michigan MiDeal State Contract; and

WHEREAS, Superintendent Jurgess and the DPW Committee are recommending that the loader be purchased from AIS Construction Equipment;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves purchasing the Backhoe Loader from AIS Construction Equipment at a cost of \$137,304.00. Motion carried. 4 yeas.

Resolution # 2023-10, "Approving Removal of Quarterly Fee to Certain Nonconsenting Meter Replacement Accounts" was presented to Council. It was moved by Woodward, seconded by Wood to adopt Resolution # 2023-10 as presented. The Resolution reads as follows:

WHEREAS, the City approved new meter reading equipment and software in March of 2019; and

WHEREAS, the DPW replaced meters and have encountered City Residents unwilling to consent to having their meter replaced; and

WHEREAS, when a meter is not replaced, the DPW must rely on outdated equipment and individually reading each house that does not have a new meter; and

WHEREAS, Superintendent Jurgess and the DPW Committee requested that a quarterly fee of \$50.00 be placed on those accounts not consenting to replacement of their meter to become effective with the March 2020 Quarterly Billing; and

WHEREAS, the City has now encountered some residents who feel they should not have to pay the fee as their homes are vacant and the water is turned off; and

WHEREAS, the Water Committee is recommending to Council that they approve removing the additional charge from vacant homes where the water is shut off, however, the ready-to-serve fee charges for water and sewer will remain in place; and

WHEREAS, if the water is turned on at the property, a complying meter will need to be installed;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves removing the quarterly fee of \$50.00 on those accounts where the home is vacant and the water is shut off. The ready-to-serve fee charges for water and sewer will remain in place and a complying meter will need to be installed if the water is turned on at the property. Motion carried. 4 yeas.

Resolution # 2023-11, "Approving Lease Agreement with Air Advantage, LLC" was presented to Council. It was moved by Woodward, seconded by Woodke to adopt Resolution # 2023-11 as presented. The Resolution reads as follows:

WHEREAS, Air Advantage, LLC has requested that the City allow them to place antennas on the City's water tower; and

WHEREAS, City Manager Wruble is recommending that Council approve the attached Lease Agreement with Air Advantage, LLC; and

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves entering into the attached Lease Agreement with Air Advantage, LLC. Motion carried. 4 yeas.

Resolution # 2023-12, "Hiring Full-Time Police Officer/School Resource Officer" was presented to Council. It was moved by Wood, seconded by Woodke to adopt Resolution # 2023-12 as presented. The Resolution reads as follows:

WHEREAS, Harbor Beach Community Schools have received a School Resource Officer Grant in the amount of \$177,000.00 over a three-year period; and

WHEREAS, the school wishes to collaborate with the City of Harbor Beach to provide this additional service to the school and community; and

WHEREAS, the Police Committee voted to support this effort and recommends to join with the school in this collaborating effort; and

WHEREAS, the additional full-time officer will allow Police Chief Bucholtz to schedule for the position of School Resource Officer and allow additional schedule flexibility when school is not in session; and

WHEREAS, the school will use the grant funding to pay the City for the service and offset the approximately 50% the City's cost of the new hire over a three-year period;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves hiring a full-time police officer/school resource officer for the City of Harbor Beach/Harbor Beach Community Schools. Motion carried. 4 yeas.

Resolution # 2023-13, "Approving Mandatory Direct Deposit" was presented to Council. It was moved by Woodke, seconded by Woodward to adopt Resolution # 2023-13 as presented. Discussion followed. No action was taken on this motion at this time. It was moved by Woodward, seconded by Woodke to postpone definitely Resolution # 2023-13. Motion carried. 4 yeas.

Resolution # 2023-14, "Requesting an Extension of the Waterfront Enhancement Project Grant" was presented to Council. It was moved by Woodke, seconded by Woodward to adopt Resolution # 2023-14 as presented. The Resolution reads as follows:

"RESOLVED, that the City of Harbor Beach, Michigan, requests an amendment to the agreement between the Michigan Department of Natural Resources and the City of Harbor Beach to allow for the extension of the project period for Michigan Natural Resources Trust Fund Grant number TF15-0187 Waterfront Enhancement Project until December 15, 2023. Motion carried. 4 yeas.

COUNCIL REPORTS: None.

There being no further business. It was moved by Woodke, seconded by Woodward to adjourn the meeting at 7:39 p.m.

Kevin Guitar, Mayor

Jennifer Lackowski, Clerk

**OFFICIAL COUNCIL PROCEEDINGS
FEBRUARY 21, 2023**

A regular meeting of the City Council of the City of Harbor Beach was held on Tuesday, February 21, 2023 at City Hall. The meeting was called to order at 5:00 p.m. by Mayor Guitar.

Present: Capling, Wood, Woodke, Woodward and Mayor Guitar
Clerk Lackowski and Director Wruble

Absent: None

It was moved by Capling, seconded by Woodke to approve the Agenda with the addition of item d. Resolution # 2023-17 “Approve Notice of Public hearing For 2023-2024 Budget”, under NEW BUSINESS. Motion carried. 5 years.

It was moved by Woodward, seconded by Capling to approve the minutes of the February 6, 2023 Council meeting, the February 10, 2023 Compensation Board Authority meeting and the February 14, 2023 Committee of the Whole meeting as presented. Motion carried. 5 years.

APPROVAL OF BILLS: It was moved by Wood, seconded by Capling to approve payment of the Simen, Figura & Parker, PLC in the amount of \$385.00. Motion carried. 5 years.

It was moved by Woodward, seconded by Woodke to approve payment of the Ferris, Schwedler & O’Mara P.C. in the amount of \$317.50. Motion carried. 5 years.

It was moved by Capling, seconded by Woodward to approve payment of the Application and Certificate for Payment in the amount of \$35,269.52. Motion carried. 5 years.

PUBLIC COMMENT: Chief Lermont from the Harbor Beach Area Fire Department gave an annual update.

UNFINISHED BUSINESS: Resolution # 2023-13, “Approving Mandatory Direct Deposit” was presented to Council. It was moved by Woodward, seconded by Woodke to adopt Resolution # 2023-13 as presented. The Resolution reads as follows:

WHEREAS, Clerk Lackowski is recommending that direct deposit of payroll checks be mandatory; and

WHEREAS direct deposit will save money, make the payroll process more efficient, and reduce fraud; and

WHEREAS, the alternate option to direct deposit will be Money Network Pay cards;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves mandatory direct deposit of paychecks. Motion carried. 5 years.

NEW BUSINESS: Resolution # 2023-15, “Compensation Increase for Mayor and Council ” was presented to Council. It was moved by Capling, seconded by Wood to adopt Resolution # 2023-15 as presented. The Resolution reads as follows:

WHEREAS, compensation for the Mayor and Council was discussed.

WHEREAS, compensation for the Mayor and Council has not been addressed since 1995. The current compensation is as follows:

Mayor	\$500 per year \$50 per Council meeting \$25 per Special Council meeting \$10 per Committee meeting
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Council	\$250 per year \$40 per Council meeting \$20 per Special Council meeting \$10 per Committee meeting; and
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WHEREAS, the new compensation schedule discussed is as follows:

Mayor	\$1000 per year
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\$60 per Council meeting
\$30 per Special Council meeting
\$60 per Committee of the Whole meeting

Council \$750 per year
\$50 per Council meeting
\$25 per Special Council meeting
\$50 per Committee of the Whole meeting;

Negotiating Committee will be a \$300-dollar flat fee.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach hereby approve the new compensation schedule for the Mayor and Council as noted above. Motion carried. 5 years.

Resolution # 2023-16, "Approving Payment at Time-of-Service Policy for Water Testing at Water Treatment Plant" was presented to Council. It was moved by Woodward, seconded by Woodke to adopt Resolution # 2023-16 as presented. The Resolution reads as follows:

WHEREAS, currently Water Treatment Plant Superintendent Krull invoices for all water testing at the WTP; and

WHEREAS, the City of Harbor Beach would like to change the policy of collecting payment for water testing at the Water Treatment Plant to payment due at time of service instead of invoicing, effective May 1, 2023; and

WHEREAS, all current customer will be notified by mail regarding the change of policy at the WTP;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves the change in policy at the WTP to payment due at time of service for all water testing, effective May 1, 2023. Motion carried. 5 years.

Approving Committee Appointments: It was moved by Woodke, seconded by Woodward to appoint Michael Climer to the Board of Review and the Planning Commission, and Terry Titus to the Board of Review. Motion carried. 5 years.

Resolution # 2023-17, "Approve Notice of Public Hearing for 2023-2024 Budget" was presented to Council. It was moved by Capling, seconded by Woodke to adopt Resolution # 2023-17 as presented. The Resolution reads as follows:

WHEREAS, Michigan law requires that a public hearing be scheduled for the purpose of discussing adoption of the City's budget and proposed millage rate; and

WHEREAS, the Public Hearing for the City of Harbor Beach's 2023-2024 Budget and proposed millage rate has been scheduled for Monday, March 6, 2023 at 7:00 p.m. at the Regular Council Meeting;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach authorizes holding a public hearing on Monday, March 6, 2023 at 7:00 p.m. for the purpose of discussing adoption of the City's 2023-2024 Budget and proposed millage rate. Motion carried. 5 years.

COUNCIL REPORTS: None.

There being no further business. It was moved by Capling, seconded by Woodke to adjourn the meeting at 5:34 p.m.

Kevin Guitar, Mayor

Jennifer Lackowski, Clerk

OFFICIAL COUNCIL PROCEEDINGS
MARCH 6, 2023

A regular meeting of the City Council of the City of Harbor Beach was held on Monday, March 6, 2023 at City Hall. The meeting was called to order at 7:00 p.m. by Mayor Guitar.

Present: Capling, Wood, Woodke, Woodward and Mayor Guitar
Clerk Lackowski

Absent: None

It was moved by Woodke, seconded by Woodward to approve the Agenda as presented. Motion carried. 5 yeas.

It was moved by Capling, seconded by Wood to approve the minutes of the February 21, 2023 Council meeting and the February 27, 2023 Committee of the Whole meeting as presented. Motion carried. 5 yeas.

APPROVAL OF BILLS: It was moved by Woodward, seconded by Woodke to approve payment of the March 2023 bills in the amount of \$444,634.99. Motion carried. 5 yeas.

It was moved by Capling, seconded by Woodward to approve payment of the Townley Engineering LLC bill in the amount of \$1,485.00. Motion carried. 5 yeas.

It was moved by Capling, seconded by Woodward to approve payment of the Booms Construction Inc. Application and Certificate of payment in the amount of \$1,822.00. Motion carried. 5 yeas.

It was moved by Woodke, seconded by Capling to approve payment of the Retention Basin bond payment in the amount of \$241,614.79. Motion carried. 5 yeas.

PUBLIC COMMENT: None.

It was moved by Capling, seconded by Guitar to open the public hearing at 7:07 p.m. on the 2023-2024 Budget and Truth in Taxation. Motion carried. 5 yeas. Finance Director/Treasurer Capling presented the budget and Mayor Guitar asked if anyone had any questions. Michael Climer commented he thought the police salaries were high for the area. It was moved by Capling, seconded by Woodke to close the 2023-2024 Budget and Truth in Taxation Public Hearing at 7:14 p.m. Motion carried. 5 yeas.

UNFINISHED BUSINESS: None.

NEW BUSINESS: It was moved by Capling, seconded by Woodward to approve the 2023 Committee Appointments. Motion carried. 5 yeas.

It was moved by Woodke, seconded by Woodward to approve the Harbor Beach Lions Club holding their White Cane Collection Days on May 19, 2023 and May 20, 2023. Motion carried. 5 yeas.

It was moved by Woodward, seconded by Woodke to approve waiving registration and permit fees for garage sales for 2023. Motion carried. 5 yeas.

Resolution # 2023-18, "Approving Retiree Health Insurance for Leslie Woycehoski" was presented to Council. It was moved by Wood, seconded by Capling to adopt Resolution # 2023-18 as presented. The Resolution reads as follows: **WHEREAS**, the City of Harbor Beach contributes to a retired employees health insurance monthly premium for health insurance coverage as prescribed in the City of Harbor Beach Personnel Manual; and

WHEREAS, qualifications outlined in the Personnel Manual for a retiree to be eligible for premium payments must be hired before July 1, 2007, must reached the age of fifty-five and have a minimum of twenty years of service to the City; and

WHEREAS, Leslie A. Woycehoski has diligently worked for the City of Harbor Beach since September 9, 2002; and she has reached the age of 55; and

WHEREAS, she will be retiring on March 17, 2023; and

WHEREAS, there are provisions in the Personnel Manual that make retired employees ineligible to be enrolled on the City's policy and for the premium payment if the retiree's spouse continues to work full time; and

WHEREAS, it is clear that the intent of said provision are to exclude retiring employees from the City's policy when they have coverage available through their spouse; and

WHEREAS, Leslie's spouse plans on continuing to work full time; and

WHEREAS, Leslie's spouse's employer has advised that it will not insure Leslie on their company health insurance plan;

NOW, THEREFORE BE IT RESOLVED since Leslie will not be covered by her spouse's health insurance upon retirement that the City Council of the City of Harbor Beach hereby approves allowing her to stay on the City's policy and agrees to pay five hundred dollars (\$500) per month toward the premium.

BE IT FURTHER RESOLVED that the City Council of the City of Harbor Beach agrees to allow Leslie Woycehoski to stay on the City's health insurance policy and pay five hundred dollars (\$500) toward the monthly premium starting on March 17, 2023 for the duration of her retirement. Motion carried. 5 years.

Resolution # 2023-19, "Approving Purchase of Murphy Museum Porch Columns" was presented to Council. It was moved by Capling, seconded by Woodward to adopt Resolution # 2023-19 as presented. The Resolution reads as follows: **WHEREAS**, the Murphy Museum Porch Columns are in need of replacement; and

WHEREAS, City Manager Wruble solicited proposals for new columns; and

WHEREAS, the Administration Committee is recommending awarding purchasing the columns from Hunter Lumber Company.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves awarding the Murphy Museum Column Project to Hunter Lumber Company at a cost of \$10,668.80 before tax. Motion carried. 5 years

Resolution # 2023-20, "Frankenmuth Credit Union Annexation" was presented to Council. It was moved by Woodward, seconded by Woodke to adopt Resolution # 2023-20 as presented. The Resolution reads as follows: **WHEREAS**, Frankenmuth Credit Union is building a branch office on property they recently purchased outside of the Harbor Beach city limits; and

WHEREAS, they are requesting to annex their property to the City of Harbor Beach; and

WHEREAS, the Administration Committee is recommending approval of their request; and

WHEREAS, City Manager Wruble consulted the City Attorney regarding the annexation process. The cost to the City will be approximately \$5,000.00.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves beginning the process of annexation of the property owned by Frankenmuth Credit Union to the City of Harbor Beach and approves paying the cost of the legal fees associated with the annexation process at an estimated cost of \$5,000.00. Motion carried. 5 years.

Resolution # 2023-21, "Memorial Day Weekend Citywide Garage Sales" was presented to Council. It was moved by Capling, seconded by Wood to adopt Resolution # 2023-21 as presented. The Resolution reads as follows: **WHEREAS**, the Chamber of Commerce will be sponsoring Memorial Day Weekend Citywide Garage Sales; and

WHEREAS, the Chamber is asking that the City waive the garage sale permit fee and expand the number of days a sale may be held to five;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves waiving the garage sale permit fee and expanding the number of days a sale may be held to five on Memorial Day Weekend for 2023 only. Motion carried. 5 years.

Resolution # 2023-22, "4/1/2023-3/31-2024 Budget Adoption" was presented to Council. It was moved by Capling, seconded by Woodke to adopt Resolution # 2023-22 as presented. Motion carried. 5 years.

COUNCIL REPORTS: None.

There being no further business. It was moved by Capling, seconded by Woodke to adjourn the meeting at 7:29 p.m.

Kevin Guitar, Mayor

Jennifer Lackowski, Clerk

OFFICIAL COUNCIL PROCEEDINGS
MARCH 20, 2023

A regular meeting of the City Council of the City of Harbor Beach was held on Monday, March 20, 2023 at City Hall. The meeting was called to order at 7:00 p.m. by Mayor Guitar.

Present: Capling, Wood, Woodke, Woodward, and Mayor Guitar
Clerk Lackowski and Director Wruble

Absent: None

It was moved by Woodke, seconded by Woodward to approve the agenda with the removal of item d. City of Harbor Beach & Michigan Fraternal Order of Police – Labor Council Letter of Understanding, the addition of item e. Resolution 2023-25 “Supporting Match for Harbor Beach Municipal Marina Dockbox Grant”, and item f. Rehire of seasonal employees; Tanton Babcock and Frank Beste at same wage as last pay, under New Business. Motion carried. 5 years.

It was moved by Capling, seconded by Woodke to approve the minutes of the March 6, 2023 Council meeting as presented. Motion carried. 5 years.

APPROVAL OF BILLS: It was moved by Capling, seconded by Wood to approve payment of the March 2023 bills in the amount of \$284,993.38. Motion carried. 5 years.

It was moved by Woodke, seconded by Woodward to approve payment of the Simen, Figura & Parker PLC bill in the amount of \$210.00. Motion carried. 5 years.

It was moved by Capling, seconded by Woodke to approve payment of the Booms Construction Inc. Application and Certificate for payment # 7 in the amount of \$144,887.34. Motion carried. 5 years.

It was moved by Woodward, seconded by Capling to approve payment of the Booms Construction Inc. Application and Certificate for payment # 8 in the amount of \$33,924.50. Motion carried. 5 years.

PUBLIC COMMENT: None.

UNFINISHED BUSINESS: None.

NEW BUSINESS: First Reading of Ordinance # 233, “An Ordinance to Amend City of Harbor Beach Zoning Ordinance #169, Article XVIII, General Provisions, Section 1803, Accessory Buildings and Structures” It was discussed, no action taken.

Resolution # 2023-23, “2022-2023 Budget Amendment” was presented to Council. It was moved by Capling, seconded by Woodke to adopt Resolution # 2023-23 as presented. Motion carried. 5 years

Resolution # 2023-24, “2023 Poverty Exemption Guidelines” was presented to Council. It was moved by Capling, seconded by Woodke to adopt Resolution # 2023-24 as presented. The Resolution reads as follows: **WHEREAS**, the General Property Tax Act, MCL 211.7u, states that the homestead of persons who, in the judgment of the Board of Review, by reason of poverty, are unable to contribute to the public charges is eligible for exemption in whole or part from taxation under the General Property Tax Act; and

WHEREAS, a City Council is required by MCL 211.7u to adopt guidelines for the poverty exemption; and

WHEREAS, PA 253 of 2020 made several changes to the poverty exemption statute starting with the 2021 tax year;

NOW, THEREFORE, BE IT HEREBY RESOLVED, pursuant to MCL 211.7u, as amended by PA 253 of 2020, the City of Harbor Beach, Huron County, adopts the following updated guidelines for the Board of Review to implement.

The guidelines shall include but not be limited to the specific income and asset levels (Exhibit A) of the claimant and all persons residing in the household. To be eligible for exemption under this section, a person must do all of the following on an annual basis:

1. Own and occupy as a principal residence the property for which an exemption is requested. The person shall affirm this ownership and occupancy status in writing by filing a form prescribed by the State Tax Commission with the Local Assessing Unit.

2. File a claim with the Board of Review on a form prescribed by the State Tax Commission and provided by the Local Assessing Unit, accompanied by federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns, filed in the immediately preceding year or in the current year. Federal and state income tax returns are not required for a person residing in the principal residence if that person was not required to file a federal or state income tax return in the tax year in which the exemption under this section is claimed or in the immediately preceding tax year, and an affidavit in a form prescribed by the State Tax Commission may be accepted in place of the federal or state income tax return.
3. Produce a valid driver's license or other form of identification if requested by the Board of Review.
4. Produce a deed, land contract, or other evidence of ownership of the property for which an exemption is requested if required by the Board of Review.
5. Meet the federal poverty income guidelines as defined and determined annually by the United States Office of Management and Budget,

WHEREAS, pursuant to PA 390 of 1994, as amended by PA 253 of 2020, the City of Harbor Beach adopts the following guidelines and policy as provided in Exhibits A and B attached hereto 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.

BE IT FURTHER RESOLVED THAT:

1. The Board of Review may request from the applicant any supporting documents that may be utilized in determining a property poverty exemption request; and
2. The completed property poverty exemption application must be filed after January 1, but one (1) day prior to the last day of the Board of Review in the year for which the exemption is sought; and
3. The Board of Review shall follow this Resolution and the City's 2023 guidelines and policy for property tax poverty exemption in granting or denying an exemption, and
4. If a person meets all eligibility requirements in statute, the Board of Review must grant a full exemption equal to a 100% reduction in taxable value OR a partial exemption equal to a 25% or 50% reduction in taxable value OR any other percentage reduction in taxable value approved by the State Tax Commission; and

BE IT FINALLY RESOLVED, that the City Council of Harbor Beach rescinds all prior resolutions that are inconsistent with or in conflict with this Resolution; and

That to conform to the provisions of PA 390 of 1994 and PA 253 of 2020, The Poverty Exemption Guidelines (Exhibits A and B) are hereby effective March 20, 2023. Motion carried. 5 yeas.

Resolution # 2023-25, "Supporting Match For Harbor Beach Municipal Marina Dockbox Grant" was presented to Council. It was moved by Woodke, seconded by Woodward to adopt Resolution # 2023-25 as presented. **"RESOLVED**, that the City of Harbor Beach, Michigan, accepts the terms of the Agreement as received from the Michigan Department of Natural Resources, and that the City agrees, but not by way of limitation, as follows: 1. To appropriate the sum of eight thousand five hundred dollars (\$8,500.00) to match the seven thousand five hundred dollars (\$7,500.00) State grant authorized by the Department.

2. To maintain satisfactory financial accounts, documents, records, and to make them available to the Department for auditing at reasonable times.

3. To construct the facilities and provide the funds, services, and materials as may be necessary to satisfy the terms of the Agreement.

4. To ensure that all premises, buildings, and equipment related procedures comply with all applicable State and Federal regulations.

5. To establish and appoint the City Manager to regulate the use of the facilities constructed under this Agreement to assure the use thereof by the public on equal and reasonable terms.

6. To enforce all State statutes and local ordinances pertaining to marine safety and to enforce statutes of the State of Michigan within the confines of the City pertaining to the licensing of watercraft. Watercraft not fully complying with the laws of the State of Michigan relative to licensing shall not be permitted to use the facility until full compliance with those laws has been made.

7. To comply with all terms of the Agreement, including all terms not specifically set forth in the foregoing portions of this Resolution.” Motion carried. 5 years.

It was moved by Woodward, seconded by Woodke to rehire seasonal employees; Tanton Babcock and Frank Beste at same wage as last pay. Motion carried. 5 years.

COUNCIL REPORTS: None.

There being no further business. It was moved by Capling, seconded by Woodke to adjourn the meeting at 7:23 p.m.

Kevin Guitar, Mayor

Jennifer Lackowski, Clerk

OFFICIAL COUNCIL PROCEEDINGS
APRIL 3, 2023

A regular meeting of the City Council of the City of Harbor Beach was held on Monday, April 3, 2023 at City Hall. The meeting was called to order at 7:00 p.m. by Mayor Guitar.

Present: Capling, Wood, Woodke, Woodward, and Mayor Guitar
Clerk Lackowski and Director Wruble

Absent: None

It was moved by Woodke, seconded by Woodward to approve the agenda with the removal of item e. Resolution 2023-29 “Approving Purchase of Sewer Camera for DPW”, and the addition of item g. Resolution 2023-31 “Harbor Beach Dredging Project Grant “under New Business. Motion carried. 5 years.

It was moved by Capling, seconded by Woodke to approve the minutes of the March 20, 2023 Council meeting as presented. Motion carried. 5 years.

APPROVAL OF BILLS: It was moved by Woodward, seconded by Woodke to approve payment of the March 2023 bills in the amount of \$159,518.17. Motion carried. 5 years.

UNFINISHED BUSINESS: It was moved by Capling, seconded by Wood to approve the First Reading of Ordinance # 233, “An Ordinance to Amend City of Harbor Beach Zoning Ordinance #169, Article XVIII, General Provisions, Section 1803, Accessory Buildings and Structures”

NEW BUSINESS: It was moved by Woodward, seconded by Woodke to approve Spring cleanup on May 20, 2023

Resolution # 2023-26, “Approving Hiring of DPW Part-Time Seasonal Parks and Recreation Department Employees” was presented to Council. It was moved by Woodke, seconded by Capling to adopt Resolution # 2023-26 as presented. The Resolution reads as follows: **WHEREAS**, Superintendent Jurgess is requesting to hire a DPW part-time seasonal employee; and

WHEREAS, Superintendent Jurgess and the Administration Committee are recommending hiring Tristan Duggan at a rate of \$13.50 per hour;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves hiring DPW part-time seasonal employee Tristan Duggan at a rate of \$13.50 per hour. Motion carried. 5 years.

Resolution # 2023-27, “Approving Hiring of Part-Time Seasonal Parks and Recreation Department Employees” was presented to Council. It was moved by Capling, seconded by Wood to adopt Resolution # 2023-27 as presented. The Resolution reads as follows: **WHEREAS**, City Manager Wruble is requesting to hire employees for the summer positions needed in the Parks and Recreation Department; and

WHEREAS, after reviewing applications, City Manager Wruble and the Recreation Commission are recommending hiring Lori Murawske, Marjorie Schott, Justin Voss, and Krystal Killinger to fill the positions;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves hiring Lori Murawske, Marjorie Schott, Justin Voss, and Krystal Killinger to fill the Parks and Recreation Department positions. Motion carried. 5 years.

Resolution # 2023-28 “Approving Purchase of Silversmith Data Asset Status Tracker for DPW and WWTP” was presented to Council. It was moved by Woodward, seconded by Woodke to adopt Resolution # 2023-28 as presented. The Resolution reads as follows: **WHEREAS**, Superintendent Roggenbuck needs to purchase a Silversmith asset status tracker for the DPW and WWTP; and

WHEREAS, Superintendent Roggenbuck and the Wastewater Committee are recommending purchasing the asset status tracker from Silversmith Data at a cost of \$3,412;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves purchasing the asset status tracker from Silversmith Data at a cost of \$3,412.00 for the DPW and WWTP. Motion carried. 5 years.

Resolution # 2023-30 “Approving Purchase of BS&A Timesheet Software for Personnel Management” was presented to Council. It was moved by Woodke, seconded by Woodward to adopt Resolution #: 2023-30 as presented. The Resolution reads as follows: **WHEREAS**, City Manager Wruble is requesting to purchase new computer timesheet software for personnel management; and

WHEREAS, City Manager Wruble and the Administration Committee are recommending that the software be purchased from BS&A

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves purchasing the software from BS&A at a cost of \$6,140.00 for the City’s Finance Department. Motion carried. 5 years.

Resolution # 2023-31 “Harbor Beach Dredging Project Grant” was presented to Council. It was moved by Capling, seconded by Woodward to adopt Resolution # 2023-31 as presented. The Resolution reads as follows: **“RESOLVED**, that the City of Harbor Beach, Michigan, accepts the terms of the Agreement as received from the Michigan Department of Natural Resources, and that the City agrees, but not by way of limitation, as follows:

1. To appropriate the sum of fifty thousand dollars (\$50,000.00) to match the one hundred and fifty thousand dollars (\$150,000.00) State grant authorized by the Department.
2. To maintain satisfactory financial accounts, documents, records, and to make them available to the Department for auditing at reasonable times.
3. To construct the facilities and provide the funds, services, and materials as may be necessary to satisfy the terms of the Agreement.
4. To ensure that all premises, buildings, and equipment related procedures comply with all applicable State and Federal regulations.
5. To establish and appoint the City Manager to regulate the use of the facilities constructed under this Agreement to assure the use thereof by the public on equal and reasonable terms.
6. To enforce all State statutes and local ordinances pertaining to marine safety and to enforce statutes of the State of Michigan within the confines of the City pertaining to the licensing of watercraft. Watercraft not fully complying with the laws of the State of Michigan relative to licensing shall not be permitted to use the facility until full compliance with those laws has been made.
7. To comply with all terms of the Agreement, including all terms not specifically set forth in the foregoing portions of this Resolution.” Motion carried. 5 years.

COUNCIL REPORTS: None.

There being no further business. It was moved by Capling, seconded by Woodke to adjourn the meeting at 7:16 p.m.

Kevin Guitar, Mayor

Jennifer Lackowski, Clerk

OFFICIAL COUNCIL PROCEEDINGS
APRIL 17, 2023

A regular meeting of the City Council of the City of Harbor Beach was held on Monday, April 17, 2023 at City Hall. The meeting was called to order at 7:00 p.m. by Mayor Guitar.

Present: Capling, Wood, Woodke, Woodward, and Mayor Guitar
Clerk Lackowski and Director Wruble

Absent: None

It was moved by Woodke, seconded by Woodward to approve the agenda with the amendment of item b. Resolution 2023-33, "Approving Addition to the Fraternal Order of Police Union of Michigan Contract Letter of Understanding Inflation Raise", changing the November 1, 2022 rate of pay to \$28.10 for Full time Officers, and \$28.66 for Sergeant. Motion carried. 5 years.

It was moved by Capling, seconded by Woodke to approve the minutes of the April 3, 2023 Council meeting and the April 3, 2023 Committee of the Whole meeting as presented. Motion carried. 5 years.

APPROVAL OF BILLS: It was moved by Woodke, seconded by Capling to approve payment of the March 2023 bills in the amount of \$141,031.95. Motion carried. 5 years.

It was moved by Capling, seconded by Woodward to approve payment of the Booms Construction Inc. Application and Certificate for payment # 9 in the amount of \$119,819.92. Motion carried. 5 years

It was moved by Woodke, seconded by Capling to approve the Bond Interest Payment for Water Plant 1993 in the amount of \$29,610.00. Motion carried. 5 years.

It was moved by Woodward, seconded by Woodke to approve the Bond Interest Payment for Water Plant 2010 91-02 in the amount of \$22,425.00. Motion carried. 5 years.

It was moved by Capling, seconded by Woodward to approve the Bond Interest Payment for Water Plant 2010 91-03 in the amount of \$1,620.00. Motion carried. 5 years.

It was moved by Woodward, seconded by Woodke to approve the Ferris, Schwedler & O'Mara, P.C. in the amount of \$400.00. Motion carried. 5 years.

UNFINISHED BUSINESS: It was moved by Wood, seconded by Woodke to approve the Second Reading of Ordinance # 233 "An Ordinance to Amend City of Harbor Beach Zoning Ordinance #169, Article XVIII, General Provisions, Section 1803, Accessory Buildings and Structures" Motion carried. 5 years.

NEW BUSINESS: It was moved by Wood, seconded by Capling to table item a. Resolution # 2023-32, "Approving Amendment to the Fraternal Order of Police Union of Michigan Contract Letter of Understanding Work Schedule", until May 1, 2023 City Council meeting. Motion carried. 5 years.

It was moved by Wood, seconded by Woodke to table item b. Resolution # 2023-33, "Approving Addition to the Fraternal Order of Police Union of Michigan Contract Letter of Understanding Inflation Raise", until May 1, 2023 City Council meeting. Motion carried. 5 years.

Resolution # 2023-34, "Approving Hiring of Part-Time Seasonal Employees and Hiring and Wage Increases for Returning Part-Time Seasonal Employees" was presented to Council. It was moved by Woodke, seconded by Woodward to adopt Resolution #: 2023-34 as presented. It was moved by Capling, seconded by Woodke to Amend the Resolution with the addition of Faith Boynton at \$13.50, Krystal Killinger at \$13.25, Grace Boynton at \$13.00, and Margaret Johnson at \$15.00 dollars per hour. It was moved by Woodward, seconded by Capling to adopt the amended Resolution with the additional employees. The Resolution reads as follows: **WHEREAS**, Department Heads are requesting to hire part-time seasonal employees per the attached sheet; and

WHEREAS, Department Heads are recommending hiring returning part-time seasonal employees with a wage increase per the attached sheet;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves hiring part-time seasonal employees per the attached sheet and approves hiring returning part-time seasonal employees with a wage increase per the attached sheet. Motion carried. 5 years.

<u>EMPLOYEE</u>	<u>2023 Wage 4/17/2023</u>
Faith Boynton	\$ 13.50
Grace Boynton	\$ 13.00
Mariah Jahn	\$ 13.00
Margaret Johnson	\$ 15.00
Krystal Killinger	\$ 13.25
Josie Kozfkay	\$ 13.25
Michelle Richardson	\$ 13.75
Justin Voss	\$ 13.00

CITY MANAGER UPDATES: Waiting on dredging permit.

COUNCIL REPORTS: None.

There being no further business. It was moved by Capling, seconded by Woodke to adjourn the meeting at 7:19 p.m.

Kevin Guitar, Mayor

Jennifer Lackowski, Clerk

OFFICIAL COUNCIL PROCEEDINGS
MAY 1, 2023

A regular meeting of the City Council of the City of Harbor Beach was held on Monday, May 1, 2023 at City Hall. The meeting was called to order at 7:00 p.m. by Mayor Guitar.

Present: Capling, Wood, Woodke, Woodward, and Mayor Guitar
Clerk Lackowski and Director Wruble

Absent: None

It was moved by Woodke, seconded by Woodward to approve the agenda with the addition of item c. May Bills in the amount of \$17,953.10, and the addition of item e. Employment Contracts for Non-Union employees. Motion carried. 5 years.

It was moved by Capling, seconded by Woodke to approve the minutes of the April 17, 2023 Council meeting and the April 24, 2023 Committee of the Whole meeting as presented. Motion carried. 5 years.

APPROVAL OF BILLS: It was moved by Woodke, seconded by Capling to approve payment of the May 2023 bills in the amount of \$13,312.88. Motion carried. 5 years.

It was moved by Woodke, seconded by Woodward to approve payment of the Simen, Figura, & Parker, P.L.C. bill in the amount of \$35.00. Motion carried. 5 years

It was moved by Woodke, seconded by Woodward to approve payment of the May 2023 bills in the amount of \$17,953.10. Motion carried. 5 years.

UNFINISHED BUSINESS: Resolution # 2023-32, "Approving Amendment to the Fraternal Order of Police Union of Michigan Contract Letter of Understanding Work Schedule" was presented to Council. It was moved by Woodke, seconded by Woodward to adopt Resolution # 2023-32 as presented. The Resolution reads as follows: WHEREAS, the Employer and Union are parties to a collective bargaining agreement from July 1, 2021 until June 30, 2026.

WHEREAS, the Employer wishes to amend ARTICLE 14. WORK SCHEDULES, Section A and Section C in the current Collective Bargaining Agreement.

THEREFORE, IT IS AGREED AS FOLLOWS:

1. The current wording in Article 14- Section A states: - *Employees will normally be scheduled to work one hundred sixty (160) hours in each twenty-eight (28) day period. The normal workday consists of either eight (8) hour or ten (10) hours. Scheduling will include 16 – 10 hour shifts in a 28-day period.* The city shall continue to have the right to schedule the hours of work and scheduling will remain a management decision. Over the course of a year the number of ten-hour shifts will be consistent between employees. The city will attempt to keep short notice shift changes to a minimum. Part-time employees will be used at the discretion of the city. This section shall in no way be construed as a guarantee by the city of any amount of work in any period of time or as a limitation of the City's right to schedule work in excess of the normal weekday or the normal work week, shall be replaced with;

Article 14- Section A - *Employees will be scheduled to work either an eight (8), ten (10) or twelve (12) hour shift at the discretion of the Chief of Police.* The city shall continue to have the right to schedule the hours of work and scheduling will remain a management decision. Over the course of a year the number of ten-hour shifts will be consistent between employees. The city will attempt to keep short notice shift changes to a minimum. Part-time employees will be used at the discretion of the city. This section shall in no way be construed as a guarantee by the city of any amount of work in any period of time or as a limitation of the City's right to schedule work in excess of the normal weekday or the normal work week.

2. The current wording in Article 14- Section C states: - Time and one-half of the employees' regular hourly rate of pay shall be paid for work performed under the following conditions:

1. All hours of work in excess of eight (8) hours.
2. All hours of work in excess of eighty (80) hours in any two (2) weeks.
3. All hours of work in excess of one hundred sixty (160) hours in each twenty- eight (28) day work period.
4. All hours of work on an employee's scheduled pass day.

shall be replaced with;

Article 14- Section C: - Time and one-half of the employees' regular hourly rate of pay shall be paid for work performed under the following conditions:

1. All hours of work in excess of eighty (80) hours in any two (2) weeks.
 2. All hours of work in excess of one hundred sixty (160) hours in each twenty- eight (28) day work period.
 3. All hours of work on an employee's scheduled pass day.
3. All other language other than identified above in ARTICLE 14. WORK SCHEDULES shall remain unchanged.
4. Nothing in this Agreement shall modify any other terms or conditions of the Agreement but for that which is specifically set forth above. Motion carried. 4 yeas. 1 nay (Wood).

Resolution 2023-33, "Approving Addition to the Fraternal Order of Police Union of Michigan Contract Letter of Understanding Inflation Raise" was presented to Council. It was moved by Woodke, seconded by Capling to adopt Resolution #: 2023-33 as presented. It was moved by Guitar, seconded by Capling to amend the Resolution taking out retroactive pay. The 1% inflation raise would be effective May 1, 2023. The Resolution reads as follows: This LETTER OF UNDERSTANDING is entered into this first day of May 2023, between the City of Harbor Beach, hereinafter referred to as the "Employer", and the Michigan Fraternal Order of Police Labor Council, hereinafter referred to as the "Union".

WHEREAS, the Employer and Union are parties to a collective bargaining agreement from July 1, 2021 until June 30, 2026.

WHEREAS, the Employer wishes to offer a one-time inflation raise to the yearly wage scale as identified in APPENDIX B of the collective bargaining agreement.

THEREFORE, IT IS AGREED AS FOLLOWS:

1. The Employer shall give all Union employees a 1% pay increase on May 1, 2023 which was given to all other City employees and was approved by City Council on December 19, 2022.
2. Employees shall be given a pay raise of \$0.87 cents per hour.
3. Pay Scale to be provided by Employer:

Full time Officers:

November 1, 2022	\$28.10
May 1, 2023	\$28.97
July 1, 2023	\$29.55
July 1, 2024	\$30.14
July 1, 2025	\$30.74

Sergeant:

November 1, 2022	\$28.66
May 1, 2023	\$29.53
July 1, 2023	\$30.12
July 1, 2024	\$30.72
July 1, 2025	\$31.33

Nothing in this Agreement shall modify any other terms or conditions of the Agreement but for that which is specifically set forth above. Motion carried. 4 yeas. 1 nay (Wood).

NEW BUSINESS: It was moved by Capling, seconded by Woodward to approve the Senior Parade on May 13, 2023 at 6:00 p.m. Motion carried. 5 yeas.

Resolution # 2023-35, "Approving Wages for Newly Hired Part-Time Seasonal Employees and Wage Increases for Returning Part-Time Seasonal Employees" was presented to Council. It was moved by Woodke, seconded by Woodward to adopt Resolution #: 2023-35 as presented. The Resolution reads as follows: **WHEREAS**, Department Heads are requesting to hire part-time seasonal employees per the attached sheet; and

WHEREAS, Department Heads are recommending hiring returning part-time seasonal employees with a wage increase per the attached sheet;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves hiring part-time seasonal employees per the attached sheet and approves hiring returning part-time seasonal employees with a wage increase per the attached sheet.

<u>Parks & Rec</u>	<u>Seasonal and Part Time</u>								
	<u>Hire Date/Retire Date</u>	<u>2023</u>	<u>2022</u>	<u>2021</u>	<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>
Beste, Frank	03/22/16	16.00	14.00	14.00	13.50	13.00	12.00	11.25	8.50
Boynton, Grace	04/17/23	13.00							
Brown, Dan	04/04/22	16.00	15.00						
Cooper, Gary	07/06/04	17.00	16.50	14.50	14.00	13.50	12.50	12.00	11.00
Deer, Dakota	12/07/19	14.00	13.75	10.50/11.00	9.65	9.45			
Hessling, Gerald	06/10/13	21.75	21.25	20.25	19.75	19.25	18.25	18.00	17.00
Johnson, Margaret	06/08/21	16.00	13.25	11.00					
Killinger, Krystal	04/29/22	13.25	13.00						
Lermont, John JP	2021 Season	200 Bi-week	175 Bi-weekly 2022		150.00 Bi-weekly 2021 (1800/season)				
Murawske, Lori	05/26/18	14.25	14.00	12.00	12.00	10.25	10.00		
Pionk, Lacey	05/09/21	13.50	13.25	11.00					
Schott, Marjorie	05/10/21	13.50	13.25	11.00					
Siemen, Nathan	07/05/22	13.25	13.00						
Talaski, Lindsey	05/24/13	20.50	20.00	16.00	15.00	14.50	13.50	13.00	11.50
Will, Rob	06/21/22	23.50	23.00						
Woodke, Luke	07/30/21	13.25	13.00	9.65					
Kadar, Dylan	05/01/23	13.00							
MARINA									
	<u>Hire Date/Retire Date</u>	<u>2023</u>	<u>2022</u>	<u>2021</u>	<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>
Boynton, Faith	4/29/2021	13.50	13.25	11.00					
Jahn, Mariah	4/17/2023	13.00							
Kozfkay, Josie	5/9/2022	13.25	13.00						
Kozfkay, Lisa	4/24/2014	20.50	20.00	16.00	15.00	14.50	13.50	13.00	11.50
Pawlowski, Megan	5/1/2023	13.00							
Richardson, Michelle	8/8/2019	13.75	13.50	11.25		10.00			
Richardson, Scott	5/7/2022	13.25	13.00						
Voss, Justin	5/25/2022	13.25	13.00						
DPW & WWTP									
	<u>Hire Date/Retire Date</u>	<u>2023</u>	<u>2022</u>	<u>2021</u>	<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>
Duggan, Tristan	5/17/2021	13.50	13.25	11.00					
Weeks, Trinity	7/6/2022	13.25	13.00						
Wells, Troy	3/28/2022	13.25	13.00/11.25						
Community Prom.Dir									
	<u>Hire Date/Retire Date</u>	<u>2023</u>	<u>2022</u>	<u>2021</u>	<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>
Osentoski, Kelly Jo	7/22/2014	20.50	20.00	17.25	16.75	16.25	15.25	15.00	14

Resolution # 2023-36, "Approving Personal Time for Clerk Lackowski and Deputy Treasurer/Deputy Clerk Hanson" was presented to Council. It was moved by Woodward, seconded by Woodke to adopt Resolution # 2023-36 as presented. The Resolution reads as follows: **WHEREAS**, City Manager Wruble and the Administration Committee is recommending 3 days of personal time for Clerk Lackowski and Deputy Treasurer/Deputy Clerk Hanson effective May 1, 2023; and

WHEREAS, The City will provide 3 paid personal days on July 1, 2023 and renew every year according to personnel manual;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves 3 additional days of personal time on May 1, 2023, and then personal days will follow the guidelines of City personnel manual renewing every July for the employees listed above. Motion carried. 5 yeas.

Resolution # 2023-37, “Approving Flexible Scheduling for City of Harbor Beach Front Office Staff” was presented to Council. It was moved by Capling, seconded by Wood to adopt Resolution # 2023-37 as presented. Motion denied. 5 nays.

It was moved by Woodward, seconded by Woodke to approve Employment Contracts for Non-Union employees, with wage increases effective May 1, 2023 for the following employees: Wruble \$1.00 per hour, Roggenbuck \$4.00 per hour, Lackowski \$2.00 per hour, and Hanson \$2.00 per hour. Motion carried. 3 yeas. 2 nays (Capling and Wood).

CITY MANAGER UPDATES: Can II Can Fishing tournament is this weekend, and we are expecting a large turnout.

COUNCIL REPORTS: None.

There being no further business. It was moved by Capling, seconded by Woodke to adjourn the meeting at 7:16 p.m.

Kevin Guitar, Mayor

Jennifer Lackowski, Clerk

OFFICIAL COUNCIL PROCEEDINGS
MAY 9, 2023

A special meeting of the City Council of the City of Harbor Beach was held on Tuesday, May 9, 2023 at City Hall. The meeting was called to order at 7:00 p.m. by Mayor Guitar.

Present: Capling, Wood, Woodke, Woodward and Mayor Guitar
Clerk Lackowski and Director Wruble

Absent: None

It was moved by Woodke, seconded by Capling to approve the Agenda as presented. Motion carried. 5 years.

APPROVAL OF MINUTES: None.

APPROVAL OF BILLS: None.

PUBLIC COMMENT: None

UNFINISHED BUSINESS: None.

NEW BUSINESS: Resolution # 2023-38, Approving School Resource Officer Agreement” was presented to Council. It was moved by Wood, seconded by Capling to adopt Resolution #: 2023-38 as presented. It was moved by Woodward, seconded by Woodke to amend resolution and adopt Resolution # 2023-38 as amended. The Resolution reads as follows: **School Resource Officer Agreement**

This Agreement (the “Agreement”) for a school resource officer (“SRO”), effective February 1st, 2023, is made and entered into between Harbor Beach Community Schools (the “District”) and the City of Harbor Beach (the “City”).

WHEREAS, the District desires increased police protection services by having a police officer who will, among other duties, serve as an SRO at District grounds and facilities and for District events, and who will assist the District with school safety; and

WHEREAS, the City desires to provide a police officer for increased police protection pursuant to the terms and conditions of this Agreement; and

WHEREAS, municipal corporations may contract with each other for services pursuant to Public Act 35 of 1951 (MCL 124.1 et seq.); and

WHEREAS, the District has the authority to enter into agreements with third parties pursuant to section 11a of the Revised School Code, MCL 380.11a;

THEREFORE, in consideration of these premises and the promises, agreements, representations, and acknowledgments contained in this Agreement and incorporated Attachments, it is mutually agreed as follows:

1. **Agreement Term.** This Agreement will be effective June 11, 2023, for a three (3) year term until June 10, 2025. This Agreement may be terminated by either party without cause by providing 60 days’ written notice to the other party.
2. **Officer Selection and Assignment.** The City will assign one police officer to the District to serve as an SRO. The City will ensure that any person appointed to serve as an SRO is fully trained in accordance with the SRO grant and certified, and licensed to serve in that role. The SRO will be selected and appointed by the City after consultation with the District’s Superintendent. The District and the City agree that neither the City nor any SRO, by virtue of this Agreement or otherwise, may be considered an employee, contractor, subcontractor, partner, joint venturer, representative, or agent of the District and that at all times and for all purposes under this Agreement, the City and its SRO will be controlled and governed by this Agreement and its Attachments. The City will be the sole and exclusive employer of the SRO for all purposes, including hiring, directing, discharge, compensation, overtime wages, fringe benefits, pension or retirement benefits, travel expenses, mileage allowances, training expenses, transportation costs, and other allowances or reimbursements of any kind, including, but not limited to, workers’ disability compensation, unemployment compensation, Social Security Act protections and benefits, retirement and pension, any employment taxes, and any other statutory or contractual right or benefit based on any employment status.

3. **Duties.** The SRO will perform the duties specified in the job description, which is attached as Attachment A and incorporated as part of this Agreement. The City will determine the SRO's work schedule after consultation with District officials. The SRO shall not be responsible to resolve routine discipline problems involving students unless the violation or misbehavior involves criminal conduct. When appropriate the SRO may assist in teaching classes with school personnel, for example; the danger of sexting, danger of vaping, boating safety, gun safety etc. The SRO shall not be involved in enforcing "regular" school discipline. The administration of student discipline, including student code of conduct violations and student misbehavior, is the responsibility of school administrators unless the violation/misbehavior involves criminal conduct for which law enforcement intervention is required.
4. **School Resource Officer Replacement.** If an SRO resigns, or if the District requests the replacement of an SRO for reasonable cause, the City will replace the SRO with a similarly qualified individual at no additional charge to the District.
5. **School Building Space and Computer Access.** The District will provide the SRO with an individual workstation, cell phone, computer and internet access. The SRO may use District equipment and supplies for purposes of carrying out this Agreement. The SRO may only use District computers, internet, equipment, and supplies for purposes directly related to the implementation of this Agreement.
6. **Consideration.** The District will pay the City the sum of $\$58,725 + \$23,000 = \$81,725$ for the 2023-2024 school year, $\$59,047 + \$23,000 = \$82,047$ for the 2024-2025 school year, and $\$59,375 + \$23,000 = \$82,375$ for the 2025-2026 school year, payable in quarterly installments. These amounts will cover Salary, Fringe Benefits and allowable training costs. The City will send the District a detailed invoice showing the actual cost of salaries, fringe benefits, and allowable trainings incurred every 3 months. The District will pay the lesser of actual costs or amounts specified above per the terms of the State of Michigan School Resource Officer Grant program. The District will make the payment within 30 days from its receipt of the invoice. In the event this Agreement is terminated pursuant to Paragraph 1, all costs referenced in this Paragraph will be prorated based on the number of days the SRO actually worked in the District prior to termination, and each Party will promptly issue any payment or refund to the other Party as applicable.
7. **Weekly School Time.** The SRO shall be assigned a 40-hour-a-week schedule by the City. The City and District agree that the 40-hour-a-week schedule will include coverage during District activities and events at District facilities at times outside of normal school days/hours (e.g. evenings, Saturdays, and Sundays) through the use of flex scheduling and compensatory time earned when possible and without additional charge.
8. **Non-School Time.** Both parties agree that the SRO will be assigned other duties by the City during major breaks and holidays during the calendar year when school is not in session. These breaks include, but are not limited to winter break, spring break, and summer break. Arrangements will be made between the District and the City on days in which the SRO may lead or provide professional development training to school staff in pertinent areas such as school safety or law enforcement related topics if it occurs during a scheduled school break/holidays.
9. **School Resource Officer Training.** Training is an essential element of providing quality police services. SRO training expenses specifically related to the role of an SRO will be paid by the City. The City will schedule all training for the SRO on days the District is not in school session.
10. **Overtime.** Overtime shall be paid and charged to the District when mutually agreed upon by the City and District ahead of such overtime being performed.
11. **Other Costs.** The City is responsible for the costs of any other resources necessary for the SRO to satisfy the obligations of this Agreement, including, without limitation, the costs of uniforms, special equipment, and vehicles.
12. **Substitute School Resource Officers.** In the event the SRO normally assigned by the City to provide the District with services under this Agreement has other City-related job functions unrelated to the District and is unable to provide services to the District, the City may assign another similarly qualified officer to provide the District services under this Agreement. In the event that the normally assigned SRO is unable to provide services under this Agreement for a time interval greater than one week, and

the City does not provide a substitute officer, the District will receive a *per diem* credit, which will be applied to the next scheduled billing.

13. Criminal Background Check.

1. The City will not furnish any personnel to the District who would be ineligible for employment by the District if the person(s) were instead employed directly by the District.
2. Pursuant to the requirements of Revised School Code Sections 1230 and 1230a-h, the District will perform a criminal history check through the Michigan State Police and a criminal records check through the Federal Bureau of Investigation for all persons assigned by the City under this Agreement to work in any District facilities or at program sites where the District delivers educational programs and services. The City will ensure that all persons assigned pursuant to this Agreement take all necessary steps, including completing all paperwork and paying all fees, to comply with Revised School Code Sections 1230 and 1230a-h, and any record keeping requirements of the Michigan State Police. The District may decline an SRO's assignment based on the results of criminal history check and criminal records check.

14. Criminal Convictions Prohibited. The City will not assign any of its employees, agents, or other person(s) to perform any services under this Agreement where the person(s) would regularly and continuously work in the District's facilities or program sites if the person(s) has been convicted of any of the following offenses:

1. Any "listed offense" as defined under Section 2 of the Sex Offenders Registration Act, MCL 28.722;
2. Any offense enumerated in Sections 1535a or 1539b of the Revised School Code;
3. Any felony;
4. Any misdemeanor conviction involving sexual or physical abuse as those terms are defined in Revised School Code Sections 1230(10) and 1230a(8);
5. Any offense of a substantially similar enactment to those enumerated in A-D above of the United States or another State; or
6. Any other offense that would, in the judgment of the District, create a potential risk to the safety and security of students serviced by the District or employees of the District.

15. Compliance with School Policies. The SRO will abide by District policies that are applicable to the Agreement, including but not limited to, policies pertinent to:

1. Non-discrimination;
2. Child abuse and neglect reporting;
3. Sexual harassment;
4. Confidentiality of student records and student record information;
5. Administration of medication to pupils;
6. Communicable diseases;
7. Seclusion and Restraint;
8. Search and Seizure;
9. Alcohol/controlled substance possession and use; and
10. Emergency Procedures.

Before the effective date of this Agreement, The District will provide a copy of the above policies to the City.

16. **FERPA.** The SRO will be deemed the District's "Law Enforcement Unit," as defined by the Family Educational Rights and Privacy Act (FERPA), 20 USC § 1232g and its underlying regulations. The SRO will also be deemed a "School Official" as defined by FERPA. The SRO may access personally identifiable information from student education records only for the following purposes:

1. The District designates the SRO a "school official" as provided in the Federal Educational Rights and Privacy Act (FERPA) 20 U.S.C. 1232g. An SRO may be provided access to student records information maintained by the District only as needed by the SRO to perform their duties as an SRO. An SRO may also be granted access to student records information in the event of an emergency situation threatening the health or safety of a student or other individual. The SRO may only re-disclose student records information consistent with FERPA.
2. Records created and maintained by an SRO for the purpose of ensuring the safety and security of persons or property in the school and district, or for the enforcement of local, state, or federal laws or ordinances shall not be considered student records - even when such records may serve the dual purpose of enforcing school rules - and are not subject to the same prohibitions of access or disclosure by the SRO.

a. *To access directory information.* For purposes of this Agreement, directory information means the information described in the District's Board Policy 8330. Before accessing a student's directory information, the SRO must first determine whether the student's parents have submitted a directory information opt-out form. If so, the SRO may not access the student information except pursuant to subparagraphs 13.b. and 13.c. of this Agreement.

b. *For a legitimate educational purpose.* For purposes of this Agreement, a legitimate educational purpose includes ensuring the safety of District facilities and events and protecting the safety of District staff, students, volunteers, and visitors. The SRO may not access student information for law enforcement purposes unless the SRO has a legitimate educational purpose.

c. *In response to a health or safety emergency.* For purposes of this Agreement, a health or safety emergency means that the SRO believes there is an articulable and significant threat to a student or to another person. In such a circumstance, the SRO may access student information only as necessary to protect that student or person from the threat. After accessing student information pursuant to this paragraph, the SRO, in consultation with the building principal, will document the articulable and significant threat that prompted access to the student information and to whom information was shared.

Except as otherwise stated in this Agreement or permitted by law, the SRO will not disclose any student information without prior written consent of the student's parent/guardian or eligible student. The SRO may, however, redisclose student information to the same extent any other school official would be permitted to disclose the information pursuant to FERPA and other state and federal laws that apply to local educational agencies. If the SRO rediscloses personally identifiable information, the SRO must notify the building principal of the redisclosure and must, in consultation with the building principal, take steps required by state and federal law to document to whom the information was disclosed and the purpose for the redisclosure.

17. **Insurance.** The City will maintain, at its own expense during the term of this Agreement, the following insurances as bargained through the city and the department's police officer union. This would include; worker's compensation insurance, comprehensive liability insurance, automobile liability insurance, and police professional liability coverage.

18. **Liability and Indemnity.** Neither the District nor the City will waive its governmental immunity nor any defense available to them or their officers, agents, or employees under the Michigan Governmental Immunity Act, or any other defenses which may be available to each governmental entity, or its officers, agents, and employees. The District and the City are solely responsible for the acts, errors, or omissions of its respective officers, agents, and employees.

19. **Employment Discrimination.** The District and the City will not discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions or privileges of employment, or a matter directly or indirectly related to employment, because of religion, race, color, national origin, age, sex, height, weight, marital status, disability, pregnancy, sexual orientation, gender identity, veteran status, or any other characteristic for which discrimination is prohibited by state or federal law. The District and the City will not discriminate against any student or other recipient of services under this Agreement due to race,

color, religion, sex, national origin, disability or any other characteristic for which discrimination is prohibited by state or federal law in the delivery of programs and services rendered under this Agreement.

20. **Conflicts of Interest.** The SRO will comply with Michigan law concerning actual or potential financial conflicts of interests between the District, the City, its staff and any third party.

21. **Notices.** The parties will send, by first class mail, postage prepaid, all correspondence and written notices required or permitted by this Agreement to each signatory of this Agreement or any signatory successor in office, to the following addresses:

1. If to the District:

Superintendent, Harbor Beach Community Schools
402 S. Fifth,
Harbor Beach, MI
48441

b. If to the City:

City of Harbor Beach, Attn: City Manager
766 State Street
Harbor Beach, Michigan 48441

Except as otherwise provided by this Agreement, all correspondence or written notices will be considered delivered to a party as of the date that the notice is deposited with sufficient postage with the United States Postal Service.

22. **Dispute Resolution.** Disputes arising from or relating to this Agreement must be presented to the District or the City, in writing, for discussion and informal resolution. Disputes must identify the provision(s) in dispute, the full relief requested, and all the facts and circumstances supporting the requested relief, including the names of all witnesses and relevant documents. If the issues cannot be resolved between the District and the City, then the dispute may be submitted to the appropriate Michigan state court. The laws of Michigan will apply.

23. **Construction of Agreement.** This Agreement will be deemed to have been jointly drafted by both parties. Any asserted ambiguity may not be construed against either party.

24. **Severability.** If any provision of this Agreement is held invalid by any other applicable statute or regulation or by a decision of a court of competent jurisdiction, the invalidity will not affect any other provision of this Agreement that is severable and can be given effect without the invalid provision.

25. **Non-Enforcement of Waiver.** The District and the City may enforce this Agreement in strict accordance with the terms, notwithstanding any conduct or custom on the part of a party in refraining from doing so at any time. All rights and remedies of the respective parties are cumulative and concurrent. The exercise of, or failure to exercise, a right or remedy will not be deemed a waiver or release of any other right or remedy.

26. **Force Majeure.** Neither party is liable for any delays or failures in performance due to circumstances beyond its control that could not be avoided by the exercise of due care. Causes beyond a party's control may include, but are not limited to, any act of God; compliance with any order, decree, or law of any governmental authority; fire; labor difficulty; or declaration of national emergency.

27. **Authorization.** This Agreement has been authorized, executed, and delivered by the parties and constitutes a legal, valid, and binding obligation, enforceable in accordance with its terms.

28. **Third Party Rights.** This Agreement does not confer any rights or remedies upon any third party other than the parties to this Agreement and their respective successors and assigns.

29. **Captions.** Captions are provided for convenience only and do not affect the interpretation of this Agreement.

30. **Entire Agreement.** This document, and its Attachments, represent the Parties' entire Agreement, and supersedes all prior negotiations, representations, or contracts, either written or oral related to the subject matter of this Agreement. Modification to this Agreement, including to this Paragraph, may only be made by a written signed by both parties.

IN WITNESS WHEREOF, each person's signature below represents and warrants that he or she is the signatory authorized to execute this Agreement on behalf of the District or the City.

City of Harbor Beach,

Harbor Beach Community Schools

By: _____

By: 

Its: _____

Its: Superintendent of Schools

Date: _____, 2023

Date: May 3, 2023

ATTACHMENT A

Job Description

Position: School Resource Officer

School Resource Officer Duties and Responsibilities for Harbor Beach Community Schools.

Officers will:

- Wear a uniform as required/assigned by the Harbor Beach PD while the regular school day is in session.
- Report to the assigned school according to the hours of duty as directed by Harbor Beach PD and the school district.
- Make all reports (incident, accident, etc...) available to the LE supervisor ASAP.
- If sick, notify LE Supervisor and School Administrator no later than 0700 hrs.
- Notify the School Administration upon leaving the school campus for any reason.
- Supervise traffic at the beginning and end of each school day to ensure the safety of all the students.
- Patrol the parking lots ensuring student's safety into the school upon arrival in the morning and upon leaving the campus in the afternoon, to deter reckless driving, and to make sure only active students enter the campus.
- Improve the schools perception as a safe learning environment and deter misconduct by remaining highly visible in the halls, cafeteria, and gymnasium.
- Serve as a role model to students, especially in terms of appropriate attitudes and respect.
- Work with students daily, either one-on-one or as a group on all school and non-school safety topics.
- Assist the school administration with anyone who is causing a disruption and any criminal activities occurring on campus.
- Perform ongoing security checks of the campus and make recommendations to the School Administrator.
- Attend parent and faculty meetings if requested by the School Administrator.
- Attend conferences with students, parents, faculty members and the Superintendent of Schools when necessary to assist them with law enforcement issues and or crime prevention.
- Also attend LE functions that the supervisor deems appropriate. (e.g., Department Meetings, Training, Annual Firearm Qualifications etc.)
- Function as an information-gathering source for Law Enforcement and Juvenile Officials.
- Assist the School Administrator in developing and implementing plans and strategies to prevent and handle dangerous situations.
- Assist the School Administration in formulating and practicing a school safety plan.

- Serve as a liaison between the Police Department, School personnel, and parents.
- If/when needed, conduct classroom activities/presentations involving a wide range of topics, including security, crime prevention, drug/alcohol education, and other related issues as approved by the School Administrator.
- Coordinate all activities with the Police Department and School Administrators and seek their advice, and guidance prior to enacting any program within the school.
- Adhere to the Harbor Beach Community School Board and City of Harbor Beach Police Department policies at all times.
- Keep names of students and actions taken by school administration in the strictest of confidence.
- Chain of Command should be followed by the law enforcement agencies and school districts to create a positive flow of information.
- SRO should follow his/her law enforcement agency policies and procedures while working with school districts policies and procedures. This may not be easy, but both entities need to be considered for the best interest of the school, staff and students.
- Attend Board Meetings upon request
- Assist in coordinating fire drills, tornado drills, and lockdown exercises.
- Assist in providing safety education courses with other school personnel.

Resolution # 2023-39, “Approving Hiring of Full Time Police Officer” was presented to Council. It was moved by Woodke, seconded by Woodward to adopt Resolution # 2023-39 as presented. The Resolution reads as follows: **WHEREAS**, the City needs to hire a full-time police officer; and

WHEREAS, Chief of Police Bucholtz and the Administration committee are recommending to Council that they hire Gabe Callender at \$28.97 per hour; and

WHEREAS, Chief of Police Bucholtz and the Administration committee are recommending Gabe Callender start on June 11, 2023 as a full-time police officer for the City of Harbor Beach;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves hiring Gabe Callender as the full-time police officer for the City of Harbor Beach Police Department effective June 11, 2023. Motion carried. 5 yeas.

Resolution # 2023-40, “Approving Purchase of Pro-Tech Bullet Proof Vest” was presented to Council. It was moved by Woodward, seconded by Capling to adopt Resolution # 2023-40 as presented. The Resolution reads as follows: **WHEREAS**, the Harbor Beach Police Department is purchasing a bullet proof vest; and

WHEREAS, Chief Bucholtz received quotes for the purchase of a new vest; and

WHEREAS, the Police Committee and Chief Bucholtz are recommending purchasing the vest from Pro-Tech, at a cost of \$1,044.00;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves purchasing a new bullet proof vest from Pro-Tech, at a cost of \$1,044.00.

COUNCIL REPORTS: None.

There being no further business. It was moved by Capling, seconded by Woodke to adjourn the meeting at 7:06 p.m.

Kevin Guitar, Mayor

Jennifer Lackowski, Clerk

OFFICIAL COUNCIL PROCEEDINGS
MAY 15, 2023

A regular meeting of the City Council of the City of Harbor Beach was held on Monday, May 15, 2023 at City Hall. The meeting was called to order at 7:00 p.m. by Mayor Guitar.

Present: Capling, Wood, Woodke, Woodward, and Mayor Guitar
Clerk Lackowski and Director Wruble

Absent: None

It was moved by Woodke, seconded by Woodward to approve the agenda with the addition of item f. Motion to wave fee for North Park Rental for the Lions Club on July 29, 2023. Motion carried. 5 years.

It was moved by Capling, seconded by Woodke to approve the minutes of the May 1, 2023 Committee of the Whole meeting, May 1, 2023 Council meeting, May 9, 2023 Committee of the Whole meeting, and May 9, 2023 Special Council Minutes as presented. Motion carried. 5 years.

APPROVAL OF BILLS: It was moved by Capling, seconded by Woodke to approve payment of the May 2023 bills in the amount of \$91,019.12. Motion carried. 5 years.

NEW BUSINESS: Resolution # 2023-29, "Approving Purchase of Sewer Camera for DPW" was presented to Council. It was moved by Woodward, seconded by Woodke to adopt Resolution # 2023-29 as presented. The Resolution reads as follows: WHEREAS, Superintendent Jurgess is requesting to purchase a new EnviroSight Verisight Pro Plus Push Camera; and

WHEREAS, the DPW Committee and Superintendent Jurgess are recommending purchasing the sewer camera from Bell Equipment at a cost of \$11,662.00;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves purchasing a sewer push camera from Bell Equipment at a cost of \$11,662.00. Motion carried. 5 years.

Resolution # 2023-41, "Approving Hiring of Part-Time Seasonal Parks and Recreation Department Employee" was presented to Council. It was moved by Woodke, seconded by Woodward to adopt Resolution #: 2023-41 as presented. The Resolution reads as follows:

WHEREAS, City Manager Wruble is requesting to hire an employee for the summer positions needed in the Parks and Recreation Department; and

WHEREAS, after reviewing applications, City Manager Wruble and the Recreation Commission are recommending hiring Michael Anderson to fill the position

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves hiring Michael Anderson at \$13.00 dollars per hour, to fill a Parks and Recreation Department position. Motion carried. 5 years.

Resolution # 2023-42, "Approval of Steel Bid for Waterfront Enhancement Project" was presented to Council. It was moved by Capling, seconded by Woodward to adopt Resolution # 2023-42 as presented. The Resolution reads as follows: WHEREAS, the City of Harbor Beach is commencing with construction of the Waterfront Enhancement Project; and

WHEREAS, all requirements will be met by bidding contractors; and

WHEREAS, City employees will complete the majority of work on the project; and

WHEREAS, the City needs to purchase steel to complete construction on the Waterfront Enhancement Project; and

WHEREAS, City Manager Wruble advertised for bids in local and statewide publications, city website, and solicited bids from several companies; and

WHEREAS, The City of Harbor Beach received sealed bids; and

WHEREAS, The City received a bid from Alro Steel for the purchase of 52-16-inch x 36 lb. wf beams 40 ft long, 22-8-inch x 11.5 lb. channel iron 20 ft long, and 15-3-inch x 3-inch x .25-inch angle iron for \$67,317.24;

WHEREAS, City Manager Wruble is recommending to Council that they approve bid most advantageous to the City of Harbor Beach; and

WHEREAS, because of Michigan Department of Natural Resources Trust Fund Grant for development projects requires all bids over \$5,000.00 must be approved by the DNR of the State of Michigan before the bid is awarded; and

WHEREAS, State and Federal funds are being used to assist in construction of this project and relevant State and Federal requirements will apply. All contractors must comply with all requirements of 1976 PA 453 (Elliott-Larsen Civil Rights Act) and 1976 PA 220 (Persons with Disabilities Civil Rights Act), as amended. All contracts must contain a covenant by the contractor, subcontractor, or supplier not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions or privileges of employment, because of race, color, religion, national origin, age, sex, height, weight, marital status or a disability that is unrelated to the individual's ability to perform the duties of a particular job or position;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves the bid from Alro Steel in the amount of \$ 67,317.24 contingent on being approved by the Michigan Department of Natural Resources. Motion carried. 5 yeas.

Resolution # 2023-43, "Approval of Concrete Bid for Waterfront Enhancement Project" was presented to Council. It was moved by Woodke, seconded by Woodward to adopt Resolution # 2023-43 as presented. The Resolution reads as follows: WHEREAS, the City of Harbor Beach is commencing with construction of the Waterfront Enhancement Project; and

WHEREAS, all requirements will be met by bidding contractors; and

WHEREAS, City employees will complete the majority of work on the project; and

WHEREAS, the City needs to purchase approximately 240 cubic yards of concrete to complete construction of the Waterfront Enhancement Project; and

WHEREAS, City Manager Wruble advertised for bids in local and statewide publications, city website, and solicited bids from several companies; and

WHEREAS, the City of Harbor Beach received sealed bids; and

WHEREAS, The City received a bid from Vollmer Ready Mix Inc. in the amount of \$158.00 per cubic yard for 6 bag limestone;

WHEREAS, City Manager Wruble is recommending to Council that they approve the bid most advantageous to the City of Harbor Beach; and

WHEREAS, because of Michigan Department of Natural Resources Trust Fund Grant for development projects requires all bids over \$5,000.00 must be approved by the DNR of the State of Michigan before the bid is awarded; and

WHEREAS, State and Federal funds are being used to assist in construction of this project and relevant State and Federal requirements will apply. All contractors must comply with all requirements of 1976 PA 453 (Elliott-Larsen Civil Rights Act) and 1976 PA 220 (Persons with Disabilities Civil Rights Act), as amended. All contracts must contain a covenant by the contractor, subcontractor, or supplier not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions or privileges of employment, because of race, color, religion, national origin, age, sex, height, weight, marital status or a disability that is unrelated to the individual's ability to perform the duties of a particular job or position;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves the bid for concrete from Vollmer Ready Mix Inc. for the cost of \$158.00 per cubic yard, contingent on being approved by the Michigan Department of Natural Resources. Motion carried. 5 yeas.

Resolution # 2023-44, "Approval of Bid for Sandblasting & Painting Steel Structure for Waterfront Enhancement Project" was presented to Council. It was moved by Woodward, seconded by Woodke to adopt Resolution # 2023-44 as presented. The Resolution reads as follows: WHEREAS, the City of Harbor Beach is commencing with construction of the Waterfront Enhancement Project; and

WHEREAS, all requirements will be met by bidding contractors; and

WHEREAS, City employees will complete the majority of work on the project; and

WHEREAS, the City needs to hire a contractor to sandblast, prime, and paint steel substructure to complete the Waterfront Enhancement Project; and

WHEREAS, City Manager Wruble advertised for bids in local and statewide publications, city website, and solicited bids from several companies; and

WHEREAS, The City of Harbor Beach received sealed bids; and

WHEREAS, The City received a bid from Lakeshore Collision for sandblasting, priming, and painting 14 sections of substructure for the Packstreet Pier at a cost of \$5,900.00 per section;

WHEREAS, City Manager Wruble is recommending to Council that they approve the bid most advantageous to the City of Harbor Beach; and

WHEREAS, because of Michigan Department of Natural Resources Trust Fund Grant for development projects requires all bids over \$5,000.00 must be approved by the DNR of the State of Michigan before the bid is awarded; and

WHEREAS, State and Federal funds are being used to assist in construction of this project and relevant State and Federal requirements will apply. All contractors must comply with all requirements of 1976 PA 453 (Elliott-Larsen Civil Rights Act) and 1976 PA 220 (Persons with Disabilities Civil Rights Act), as amended. All contracts must contain a covenant by the contractor, subcontractor, or supplier not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions or privileges of employment, because of race, color, religion, national origin, age, sex, height, weight, marital status or a disability that is unrelated to the individual's ability to perform the duties of a particular job or position;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves the bid from Lakeshore Collision for a price, not to exceed \$5900.00 per section, contingent on being approved by the Michigan Department of Natural Resources.

It was moved by Woodke, seconded by Woodward to waive North Park Rental Fee for the Lions Club on July, 29, 2023. Motion carried. 4 yeas. 1 nay (Capling).

CITY MANAGER UPDATES: The City is gearing up for Memorial Day Weekend. Citywide trash pickup is this Saturday.

COUNCIL REPORTS: None.

There being no further business. It was moved by Capling, seconded by Woodke to adjourn the meeting at 7:17 p.m.

Kevin Guitar, Mayor

Jennifer Lackowski, Clerk

OFFICIAL COUNCIL PROCEEDINGS
JUNE 1, 2023

A special meeting of the City Council of the City of Harbor Beach was held on Thursday, June 1, 2023 at City Hall. The meeting was called to order at 6:00 p.m. by Mayor Guitar.

Present: Capling, Wood, Woodward, and Mayor Guitar
Clerk Lackowski and Director Wruble

Absent: Woodke

It was moved by Capling, seconded by Woodward to approve the agenda as presented. Motion carried. 4 yeas.

NEW BUSINESS: It was moved by Capling, seconded by Wood to move into closed session at 6:04 p.m. Pending Litigation was discussed. It was moved by Capling, seconded by Woodward to adjourn closed session at 6:52 p.m.

CITY MANAGER UPDATES: None

COUNCIL REPORTS: None.

There being no further business. It was moved by Capling, seconded by Woodward to adjourn the meeting 6:58 p.m.

Kevin Guitar, Mayor

Jennifer Lackowski, Clerk

OFFICIAL COUNCIL PROCEEDINGS
JUNE 5, 2023

A regular meeting of the City Council of the City of Harbor Beach was held on Monday, June 5, 2023 at City Hall. The meeting was called to order at 7:06 p.m. by Mayor Guitar.

Present: Capling, Wood, Woodke, Woodward, and Mayor Guitar
Clerk Lackowski and Director Wruble

Absent: None

It was moved by Woodke, seconded by Capling to approve the agenda with the addition of item e. Sandusky Intergovernmental Agreement, item f. Dock Boxes, item g. Plante Moran, and item h. Drone recording at truck show. Motion carried. 5 years.

It was moved by Capling, seconded by Woodke to approve the minutes of the May 15, 2023 Council meeting as presented. Motion carried. 5 years.

APPROVAL OF BILLS: It was moved by Woodward, seconded by Woodke to approve payment of the May 2023 bills in the amount of \$341,795.37. Motion carried. 5 years.

It was moved by Woodke, seconded by Woodward to approve the payment of the final Booms Construction bill in the amount of \$38,837.24. Motion carried. 5 years.

It was moved by Woodward, seconded by Capling to approve the payment of the Hunter Lumber Company bill in the amount of \$11,026.30. Motion carried. 5 years.

It was moved by Woodke, seconded by Woodward to approve payment of the Simen, Figura, & Parker, P.L.C. bill in the amount of \$227.50. Motion carried. 5 years.

It was moved by Woodke, seconded by Capling to approve payment of the Wood Contracting LLC bill in the amount of \$3,660.00. Motion carried. 4 years. 1 abstain (Wood).

It was moved by Woodke, seconded by Capling to approve payment of the Wood Contracting LLC bill in the amount of \$4,972.50. Motion carried. 4 years. 1 abstain (Wood).

NEW BUSINESS: Resolution # 2023-45, "Approving Tent Rental Maritime Festival" was presented to Council. It was moved by Capling, seconded by Wood to adopt Resolution # 2023-45 as presented. The Resolution reads as follows: WHEREAS, City Manager Wruble is requesting a tent from Caro Rental; and

WHEREAS, City Administration Committee is recommending a tent from Caro Rental for Maritime Festival at a cost of \$ 3,820.00;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves a tent from Caro Rental for the Maritime Festival at the rate of \$ 3,820.00. Motion carried. 5 years.

Resolution # 2023-46, "Approving Purchase of Materials for Pickleball Court" was presented to Council. It was moved by Wood, seconded by Capling to adopt Resolution # 2023-46 as presented. The Resolution reads as follows: WHEREAS, City Manager Wruble contacted several businesses for prices; and

WHEREAS, City Manager Wruble is recommending purchasing the materials from Halfway Fence Company at a cost of \$4,490.00

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves purchasing the materials from Halfway Fence Company at the cost of \$4,490.00. Motion carried. 5 years.

It was moved by Capling, seconded by Guitar to rescind Resolution # 2023-33, "Approving the Fraternal Order of Police Letter of Understanding Inflation Raise", adopted May 1, 2023. Motion carried. 5 years.

Resolution # 2023-47, "Approving Addition to the Fraternal Order of Police Union of Michigan Contract Letter of Understanding Inflation Raise" was presented to Council. It was moved by Woodke, seconded by Capling to adopt Resolution # 2023-47 as presented. The Resolution reads as follows: This LETTER OF UNDERSTANDING is entered into this 1st day of April 2023, between

the City of Harbor Beach, hereinafter referred to as the “Employer”, and the Michigan Fraternal Order of Police Labor Council, hereinafter referred to as the “Union”.

WHEREAS, the Employer and Union are parties to a collective bargaining agreement from July 1, 2021 until June 30, 2026.

WHEREAS, the Employer wishes to offer a one-time inflation raise to the yearly wage scale as identified in APPENDIX B of the collective bargaining agreement.

THEREFORE, IT IS AGREED AS FOLLOWS:

1. The Employer shall give all Union employees a 1% pay increase on May 1, 2023.
2. Full Time Officers shall be given a pay raise of \$0.87 cents per hour.
3. Sergeant’s pay shall be 2% higher than Full Time Officers
4. Pay Scale to be provided by Employer:

Full time Officers:

May 1, 2023	\$28.97
July 1, 2023	\$29.55
July 1, 2024	\$30.14
July 1, 2025	\$30.74

Sergeant:

May 1, 2023	\$29.55
July 1, 2023	\$30.14
July 1, 2024	\$30.74
July 1, 2025	\$31.36

Nothing in this Agreement shall modify any other terms or conditions of the Agreement but for that which is specifically set forth above. Motion carried. 5 yeas.

It was moved by Woodke, seconded by Capling to approve Sandusky intergovernmental Agreement. Motion failed. 2 yeas. 3 nays (Wood, Woodke, and Woodward).

It was moved by Woodke, seconded by Woodward to purchase 4 dock boxes at the cost of \$2,844.47 for the marina. Motion carried. 5 yeas.

Plante Moran contract was discussed. No action taken.

Council member Woodke informed Council that a drone video of the truck show would be taken.

COUNCIL REPORTS: Mayor Guitar discussed the events taking place this weekend: the Truck Show, Food Trucks, and the Veterans Fishing Outing.

It was moved by Capling, seconded by Woodke to recess the meeting at 7:59 p.m. Mayor Guitar called the Meeting back to order at 8:10 p.m.

It was moved by Capling, seconded by Woodke to have City Manager Wruble, KMA Associates, and Simen, Figura, & Parker, P.L.C. negotiate settlement of property dispute; keeping Council informed throughout the process. Motion carried. 5 yeas.

There being no further business. It was moved by Capling, seconded by Woodke to adjourn the meeting at 8:17 p.m.

Kevin Guitar, Mayor

Jennifer Lackowski, Clerk

OFFICIAL COUNCIL PROCEEDINGS
JUNE 19, 2023

A regular meeting of the City Council of the City of Harbor Beach was held on Monday, June 19, 2023 at City Hall. The meeting was called to order at 7:00 p.m. by Mayor Guitar.

Present: Capling, Wood, Woodke, Woodward, and Mayor Guitar
Clerk Lackowski

Absent: None

It was moved by Woodward, seconded by Woodke to approve the agenda as presented. Motion carried. 5 years.

It was moved by Capling, seconded by Woodward to approve the minutes of the June 1, 2023 Committee of the Whole, June 1, 2023 Special Council, June 5, 2023 Council, and June 12, 2023 Committee of the Whole Minutes as presented. Motion carried. 5 years.

APPROVAL OF BILLS: It was moved by Wood, seconded by Capling to approve payment of the June 2023 bills in the amount of \$216,867.72. Motion carried. 5 years.

It was moved by Woodward, seconded by Wood to approve the payment of the Smalley's Bar & Grill bill in the amount of \$185.20. Motion carried. 4 years. 1 abstain (Capling).

It was moved by Woodke, seconded by Woodward to approve the payment of the Ferris, Schwedler & O'Mara, P.C. bill in the amount of \$75.00. Motion carried. 5 years.

PUBLIC COMMENT: Gary Lilly from Sand Beach Township enquired about the Pickleball courts.

NEW BUSINESS: Resolution # 2023-48, "Approving Hiring of Part Time Seasonal Parks and Recreation Department Employee" was presented to Council. It was moved by Woodke, seconded by Woodward to adopt Resolution # 2023-48 as presented. The Resolution reads as follows: WHEREAS, City Manager Wruble is requesting to hire an employee for the summer position needed in the Parks and Recreation Department; and

WHEREAS, City Manager Wruble and the Recreation Commission are recommending hiring Casey Johnson to fill the position,

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves hiring Casey Johnson at \$13.25 dollars per hour, to fill a Parks and Recreation Department position. Motion carried. 5 years.

Resolution # 2023-49, "Approving Personal Time for Officer Callender" was presented to Council. It was moved by Wood, seconded by Capling to adopt Resolution # 2023-49 as presented. The Resolution reads as follows: WHEREAS, City Manager Wruble and the Administration Committee is recommending 3 days of personal time for Officer Callender effective June 19, 2023; and

WHEREAS, The City will provide 3 paid personal days on July 1, 2023 and renew every year according to personnel manual;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves 3 additional days of personal time on June 19, 2023, and then personal days will follow the guidelines of City personnel manual renewing every July for the employee listed above. Motion carried. 5 years.

Resolution # 2023-50, "Approving Sidewalk and Curb Replacement Project" was presented to Council. It was moved by Woodke, seconded by Capling to adopt Resolution # 2023-50 as presented. The Resolution reads as follows: WHEREAS, the City of Harbor is replacing sidewalk and curb; and

WHEREAS, City Manager Wruble solicited bids for the project; and

WHEREAS, City Manager Wruble and the DPW Committee are recommending awarding the bid to Stringer Construction;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves awarding the bid to Stringer Construction for Sidewalk and Curb replacement. See attached contract for pricing. Motion carried. 5 years.

CITY OF HARBOR BEACH SIDEWALK AND CURB REPLACEMENT PROJECT

This agreement is between the City of Harbor Beach and Stringer Construction LLC (Contractor) to replace approximately 2,500 feet of sidewalk and 1,500 feet of curb. The sidewalk and curb to be replaced is located on City side streets in random areas of the City and will vary in length.

Scope of the sidewalk project is as follows:

Contractor will cut existing sidewalk where replacement sections start and end.

Install four (4) dowels with six-inch embedment into existing sidewalk extending 24 inches into new concrete for \$46.00 per splice or \$92.00 per section.

Contractor will remove existing sidewalk and haul to concrete recycling yard (at Conquergood’s pit), set grade and compact for new concrete, pour new concrete sidewalks four (4) inches thick and four (4) feet wide with 6 bag limestone mix. Concrete will be screeded, troweled, finished with a fine broom, and control joints installed. Control joint intervals and grade will be determined by City of Harbor Beach DPW personnel. Contractor will restore area on both sides of sidewalk with topsoil and grass seed. All material - sand, rebar, concrete, topsoil and grass seed will be provided by the contractor.

Contractor will place two lengths of 3/8” re-rod ten feet long in new concrete where sidewalk is adjacent to trees for an additional \$28.00 per tree. An additional \$1.00 per square foot will be added for driveway crossings to allow for six inches of concrete.

Example:

Cost associated with replacing 100 feet of sidewalk with one adjacent tree.

Cutting and installing dowels per section	\$92.00
Remove & dispose concrete, set grade & compact, pour sidewalk { (\$.85 + \$1.25 + \$3.50) x 4 } x 100 =	\$2,240.00
Re-bar by one tree	\$28.00
Restoration (\$.40 x 2) x 100 =	<u>\$80.00</u>
Total cost to replace 100’ of sidewalk	\$2,440.00

Total cost to replace 2,500 feet of sidewalk will be approximately \$61,000

Scope of the curb project is as follows:

Contractor will cut existing curb where replacement section starts and ends for \$18.50 per cut or \$37.00 per section. Where needed the City of Harbor Beach DPW personnel will cut and remove asphalt alongside the curb to be replaced.

Contractor will remove existing curb and haul to concrete recycling yard (at Conquergood’s pit), set grade and compact for new concrete. Re-rod dowels (3) in each end of remaining curb and run re-rod the length of the curb section to be replaced (3 runs). ½” re-rod will be used with 4” embedment in existing curb will be installed. Pour new concrete curbs with 6 bag limestone mix include control joints. Control joint intervals and grade will be determined by City of Harbor Beach DPW personnel. Contractor will restore area on the outside of the curb with topsoil and grass seed. Asphalt will be replaced by others.

Example:

Cost associated with replacing 100 feet of sidewalk.

Cutting per section	\$37.00
Remove & dispose concrete, set grade & compact, install re-bar & pour curb (\$5.60 + \$4.80 + \$2.45 + \$28.00) x 100 =	\$4,085.00
Restoration \$.50 x 100 =	<u>\$50.00</u>
Total cost to replace 100’ of sidewalk	\$4,172.00

Total cost to replace 1,500 feet of sidewalk will be approximately \$63,000

City of Harbor Beach DPW personnel will inspect all aspects of the project including, but not limited to: grade, sand compaction, concrete quality, finish and reclamation work to check if work is done per specifications and to assure quality. Contractor will schedule project with DPW Superintendent, Mike Jurgess. Curb work will be completed prior to asphalt plant closing in the fall of 2023 to allow time for street repair. Sidewalks will be completed prior to November 31, 2023.

Resolution # 2023-51, “Approving the Intergovernmental Agreement with the City of Sandusky” was presented to Council. It was moved by Woodward, seconded by Wood to adopt Resolution # 2023-51 as presented. The Resolution reads as follows: WHEREAS, because of an employee’s retirement at the Wastewater Plant in Sandusky; Sandusky City Manager, Dave Faber has requested that Nick Roggenbuck be allowed to travel to Sandusky one day per week to help train Sandusky personnel; and

WHEREAS, the Administration Committee is recommending entering into an intergovernmental agreement with Sandusky. Wastewater Superintendent Roggenbuck will be assisting the City of Sandusky during their transition period;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves the intergovernmental agreement with the City of Sandusky. See attached Agreement for details. Motion carried. 5 yeas.

INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF HARBOR BEACH AND THE CITY OF SANDUSKY

This intergovernmental agreement, between the City of Harbor Beach, 766 State Street, Harbor Beach, Michigan, and the City of Sandusky, 26 West Speaker Street, Sandusky, Michigan is made and effective on this _____ day of _____, 2023. The parties above agree as follows:

1. **Term**

The term for the agreement shall be for one (1) year starting on June 12, 2023 through June 12, 2024.

2. **Agreement**

- a. The City of Harbor Beach agrees to schedule Nick Roggenbuck to work one day per week at the Sandusky Wastewater Treatment Plant to assist with the of training Sandusky personnel. Scheduling will be determined by management of the City of Harbor Beach.
- b. The City of Sandusky agrees to pay the City of Harbor Beach \$75.00 per hour from the time Nick Roggenbuck leaves Harbor Beach until the time he returns. This fee includes travel expenses. Overtime will be calculated at a rate of \$107.50 per hour.
- c. The City of Sandusky agrees to indemnify and hold harmless the City of Harbor Beach, and their officers, agents and employees for any claims for injuries or damages to persons or property or both resulting from the execution of this intergovernmental agreement.
- d. For the duration of the agreement, the City of Sandusky must maintain General Liability Insurance with a limit not less than \$1,000,000.00, to include contractual liability as outlined in the hold harmless section of these specifications, and the policy must name the City of Harbor Beach as additionally insured. The City of Sandusky must also maintain workers compensation insurance and provide City with copy of both certificates of insurance at all times. Further, the City of Harbor Beach must be notified, in writing, 30 days prior to the policy being terminated for any reason.
- e. This agreement shall be binding on all parties upon execution.
- f. Either party may terminate this agreement with 30 days written notice.

When this agreement expires on June 12, 2024, a new agreement may be negotiated.

COUNCIL REPORTS: Mayor Guitar discussed the events taking place this weekend: Music at the Beach on Friday and a Movie on the Beach on Saturday.

There being no further business. It was moved by Capling, seconded by Woodke to adjourn the meeting at 7:10 p.m.

Kevin Guitar, Mayor

Jennifer Lackowski, Clerk

OFFICIAL COUNCIL PROCEEDINGS
JULY 5, 2023

A regular meeting of the City Council of the City of Harbor Beach was held on Wednesday, July 5, 2023 at City Hall. The meeting was called to order at 7:00 p.m. by Mayor Guitar.

Present: Capling, Wood, Woodke, Woodward, and Mayor Guitar
Clerk Lackowski

Absent: Woodke (with notice)

It was moved by Woodward, seconded by Wood to approve the agenda as presented. Motion carried. 4 years.

It was moved by Capling, seconded by Woodward to approve the minutes of the June 19, 2023 Council meeting as presented. Motion carried. 4 years.

APPROVAL OF BILLS: It was moved by Woodward, seconded by Wood to approve payment of the June 2023 bills in the amount of \$217,643.11. Motion carried. 4 years.

It was moved by Capling, seconded by Woodward to approve the payment of the Wood Contracting LLC bill in the amount of \$405.00. Motion carried. 3 years. 1 abstain (Wood).

It was moved by Woodward, seconded by Capling to approve the payment of the Caro Rental bill in the amount of \$3,820.00. Motion carried. 4 years.

It was moved by Woodward, seconded by Capling to approve the payment of the Caro Rental bill in the amount of \$700.00. Motion carried. 4 years.

It was moved by Capling, seconded by Wood to approve the payment of the Simen, Figura, & Parker, P.L.C. bill in the amount of \$978.50. Motion carried. 4 years.

It was moved by Woodward, seconded by Wood to approve the payment of the Halfway Fence Company bill in the amount of \$7,640.00. Motion carried. 4 years.

It was moved by Woodward, seconded by Capling to approve the payment of the Alro Steel bill in the amount of \$70,951.49. Motion carried. 4 years.

NEW BUSINESS: Resolution # 2023-52, "Approving Purchase of Lumber for Pack Street Project" was presented to Council. It was moved by Woodward seconded by Capling to adopt Resolution # 2023-52 as presented. The Resolution reads as follows:

WHEREAS, City Manager Wruble is requesting to purchase 220 pieces of 4"x 6"x 10' treated lumber for the Pack Street Project; and

WHEREAS, City Manager Wruble received prices; and

WHEREAS, City Manager Wruble is recommending that the City purchase the lumber from Hunter Lumber at a cost of \$4906.00;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves purchasing the treated lumber for the Pack Street Project from Hunter Lumber at a cost of \$4,906.00. Motion carried. 4 years.

There being no further business. It was moved by Wood, seconded by Capling to adjourn the meeting at 7:17 p.m.

Kevin Guitar, Mayor

Jennifer Lackowski, Clerk

OFFICIAL COUNCIL PROCEEDINGS
JULY 17, 2023

A regular meeting of the City Council of the City of Harbor Beach was held on Monday July 17, 2023 at City Hall. The meeting was called to order at 7:00 p.m. by Mayor Guitar.

Present: Capling, Wood, Woodke, Woodward, and Mayor Guitar
Clerk Lackowski

Absent: Woodward (with notice)

It was moved by Woodke, seconded by Capling to approve the agenda with the addition of the Lakeside Collision Bill in the amount of \$34,500.00. Motion carried. 4 yeas.

It was moved by Capling, seconded by Woodke to approve the minutes of the July 5, 2023 Council meeting as presented. Motion carried. 4 yeas.

APPROVAL OF BILLS: It was moved by Capling, seconded by Woodke to approve payment of the July 2023 bills in the amount of \$180,584.84. Motion carried. 4 yeas.

It was moved by Woodke, seconded by Capling to approve the payment of the Simen, Figura, & Parker, P.L.C. bill in the amount of \$1,186.00. Motion carried. 4 yeas.

It was moved by Capling, seconded by Wood to approve the payment of the Lakeside Collision Bill in the amount of \$34,500.00. Motion carried. 4 yeas.

There being no further business. It was moved by Wood, seconded by Woodke to adjourn the meeting at 7:23 p.m.

Kevin Guitar, Mayor

Jennifer Lackowski, Clerk

OFFICIAL COUNCIL PROCEEDINGS
AUGUST 7, 2023

A regular meeting of the City Council of the City of Harbor Beach was held on Monday August 7, 2023 at City Hall. The meeting was called to order at 7:02 p.m. by Mayor Guitar.

Present: Capling, Wood, Woodke, Woodward, and Mayor Guitar
Clerk Lackowski and City Manager Wruble

Absent: None

It was moved by Woodke, seconded by Capling to approve the agenda as presented. Motion carried. 5 years.

It was moved by Capling, seconded by Woodke to approve the minutes of the July 17, 2023 Council and Committee of the Whole meetings as presented. Motion carried. 5 years.

APPROVAL OF BILLS: It was moved by Woodke, seconded by Woodward to approve payment of the August 2023 bills in the amount of \$363,286.18. Motion carried. 5 years.

It was moved by Capling, seconded by Woodward to approve the payment of the Plante & Moran, PLLC bill in the amount of \$39,425.00. Motion carried.5 years.

It was moved by Woodke, seconded by Capling to approve the payment of the Wolverine Fireworks Display, Inc. Bill in the amount of \$5,680.80. Motion carried. 5 years.

It was moved by Wood, seconded by Capling to approve the payment of the Hunter Lumber bill in the amount of \$4,906.00. Motion carried.5 years.

It was moved by Woodke, seconded by Capling to approve the payment of the Vollmer Ready Mix Bill in the amount of \$9,875.00. Motion carried. 5 years.

It was moved by Woodward, seconded by Woodke to approve the payment of the Alma Bolt Company bill in the amount of \$1,250.40. Motion carried.5 years.

NEW BUSINESS: Resolution # 2023-53, "Awarding bid for First Street Asphalt Patch" was presented to Council. It was moved by Woodke, seconded by Woodward to adopt Resolution # 2023-53 as presented. The Resolution reads as follows: WHEREAS, First Street needs to be patched this year; and

WHEREAS, Superintendent Jurgess solicited bids for asphalt; and

WHEREAS, Superintendent Jurgess and the DPW Committee are recommending awarding the bid to Yaroch Asphalt in the amount of \$27,500;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves awarding the asphalt bid to Yaroch Asphalt in the amount of \$27,500. Motion carried. 5 years.

Resolution # 2023-54, "A Resolution to Amend Resolution # 2009-50 Amending Traffic Control Order 141-S with Order # 145-S" was presented to Council. It was moved by Capling, seconded by Woodke to adopt Resolution # 2023-54 as presented. The Resolution reads as follows: WHEREAS, there are two locations assigned to Order No. 141-S

AMEND: Order No. 141-S directing traffic at the intersection of Bartlett Street and South First Street will remain the same (adopted August 4, 2003). Order No. 141-S directing traffic at the intersection of South First Street and Broad Street (adopted August 17, 2009) will be changed to *Order No. 145-S*. Both signs are legally/properly placed at the location; and

WHEREAS, the Police Committee met on Monday, July 17, 2023 to discuss this matter, and their recommendation is to approve Traffic Orders #145-S

NOW, THEREFORE BE IT RESOLVED that the Council approves Traffic Orders #145-S.

BE IT FURTHER RESOLVED, that all other terms and conditions of Resolution No. 2009-50 shall remain the same. Motion carried. 5 years.

Resolution #: 2023-55, "A Resolution to Amend Resolution # 98-005 Amending Traffic Control Orders 133-5 and 134-S" was presented to Council. It was moved by Capling, seconded by Woodward to adopt Resolution # 2023-55 as presented. The Resolution reads as follows: WHEREAS, Order No. 133-S Hunter Dr. and Pierce Rd
AMEND: The order states "North Park Industrial Drive and Nelson Street, stop sign placed at the north west portion of the intersection regulating westbound traffic". The order should state "Hunter Drive and Pierce Rd., stop sign placed at north east portion of the intersection regulating westbound traffic; and

WHEREAS, Order No. 134-S Hunter Dr. and North Huron Avenue
AMEND: The order states "North Park Industrial Dr and North Huron Avenue, stop sign be placed at the south east portion of the intersection regulating east bound traffic". The order should state "Hunter Dr and North Huron Avenue, stop sign be placed at the south west portion of the intersection regulating east bound traffic"; and

WHEREAS, the Police Committee met on Monday, July 17, 2023 to discuss this matter, and their recommendation is to approve Traffic Orders #133-S and 134-S

NOW, THEREFORE BE IT RESOLVED that the Council approves Traffic Orders #133-S and 134-S.

BE IT FURTHER RESOLVED, that all other terms and conditions of Resolution No. 98-005 shall remain the same. Motion carried. 5 yeas.

Resolution # 2023-56, "A Resolution to Amend Resolution # 92-013 Rescinding Stop Signs" was presented to Council. It was moved by Woodward, seconded by Woodke to adopt Resolution # 2023-56 as presented. The Resolution reads as follows: WHEREAS, the following traffic control orders need to be rescinded because the stop signs have been removed. Order #'s: 34-S, 58-S, 63-S, 76-S, 77-S, 80-S, 117-S, 121-S, and 124-S; and

WHEREAS, the Police Committee met on Monday, July 17, 2023 to discuss this matter, and their recommendation is to approve rescinding the above listed traffic control orders. See attached list:

NOW, THEREFORE BE IT RESOLVED that the Council approves rescinding Traffic Orders: 34-S, 58-S, 63-S, 76-S, 77-S, 80-S, 117-S, 121-S, and 124-S.

BE IT FURTHER RESOLVED, that all other terms and conditions of Resolution No. 92-013 remain the same. Motion carried. 5 yeas

Resolution # 2023-57, "A Resolution to Amend Resolution # 92-013 Amending Traffic Control Orders 50-S, 57-S, 70-S, and 112-S" was presented to Council. It was moved by Capling, seconded by Woodward to adopt Resolution # 2023-57 as presented. The Resolution reads as follows: WHEREAS, the following traffic control orders need to amended. Order #'s: 50-S, 57-S, 70-S, and 112-S; and

WHEREAS, the Police Committee met on Monday, July 17, 2023 to discuss this matter, and their recommendation is to approve amending the above listed traffic control orders. See attached list:

NOW, THEREFORE BE IT RESOLVED that the Council approves amending Traffic Orders: Order #'s: 50-S, 57-S, 70-S, and 112-S.

BE IT FURTHER RESOLVED, that all other terms and conditions of Resolution No. 92-013 remain the same. Motion carried. 5 yeas.

Resolution # 2023-58, "Approving Pitney Bowes Postage Machine Lease" was presented to Council. It was moved by Capling, seconded by Woodke to adopt Resolution # 2023-58 as presented. The Resolution reads as follows: WHEREAS, the City's postage machine lease will need to be renewed; and

WHEREAS, Deputy Treasurer / Deputy Clerk Hanson and the Administration Committee are recommending to Council that the City lease a postage machine from Pitney Bowes at a cost of \$96.27 per month for 60 months;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves the City leasing a postage machine from Pitney Bowes at a total cost of \$5776 for the whole lease period of 60 months. Motion carried. 5 yeas.

Resolution # 2023-59, "Approving Contract with McKenna for Master Plan Update" was presented to Council. It was moved by Wood, seconded by Capling to adopt Resolution # 2023-59 as presented. The Resolution reads as follows: WHEREAS, the City of Harbor Beach is in the process of updating the Master Plan; and

WHEREAS, the City contacted McKenna to assist with the update of the Master Plan; and

WHEREAS, the Administration Committee is recommending that Council approve the contract with McKenna at a cost of \$15,000.00;

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Harbor Beach approves the contract with McKenna at a cost of \$15,000.00. Motion Carried. 5 years.

It was moved by Woodke, seconded by Capling to waive the North Park Pavilion Rental Free for Holy Name of Mary Parish's 4th annual Parish Picnic on Sunday, September 10, 2023. Motion carried. 5 years.

It was moved by Capling, seconded by Woodke to loan the relic of Saint Therese of Lisieux to the Holy Name of Mary Parish to be displayed in a public place of worship in Harbor Beach. Motion carried. 5 years.

It was moved by Woodke, seconded by Wood to approve the First Reading of Ordinance # 234, "Consumers Energy Gas Franchise Ordinance." Motion carried. 5 years.

Resolution #: 2023-60, "Approving Proposal from SME for Marina Fuel Spill Remediation" was presented to Council. It was moved by Capling, seconded by Woodke to adopt Resolution #: 2023-60 as presented. The Resolution reads as follows: WHEREAS, the City of Harbor Beach had a fuel spill at the marina; and

WHEREAS, EGLE requires the City to hire an environment consultant company to perform additional testing on the site; and

WHEREAS, Safety Director Roggenbuck solicited proposals from three environmental testing companies; and

WHEREAS, Safety Director Roggenbuck and the Administration Committee are recommending approval of SME's proposal to do additional site testing to verify no further remediation is required at an estimated cost of \$7200;

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Harbor Beach approves the proposal from SME at an estimated cost of \$7,200. Motion carried. 5 years.

Resolution #: 2023-61, "Approving Michigan Municipal League (MML) Liability and Property Insurance Renewal" was presented to Council. It was moved by Woodward, seconded by Wood to adopt Resolution #: 2023-61 as presented. The Resolution reads as follows: WHEREAS, the City of Harbor Beach received a proposal for Property and Liability Insurance Coverage Renewal from MML; and

WHEREAS, the annual premium for insurance and related service for the City of Harbor Beach is \$79,481;

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Harbor Beach authorize the renewal to MML for the period of 8/15/2023 – 8/15/2024 as proposed in the amount of \$79,481. Motion carried. 5 years.

Resolution #: 2023-62, "Approving Contract for Recodification and Online Code" was presented to Council. It was moved by Capling, seconded by Woodward to adopt Resolution #: 2023-62 as presented. The Resolution reads as follows: WHEREAS, The City needs to recodify ordinances; and

WHEREAS, Clerk Lackowski and the Administration Committee are recommending a contract with Civic Plus at a cost of \$13,200;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves recodification and online code hosting from Civic Plus at a cost of \$13,200. Motion carried. 5 years.

There being no further business. It was moved by Capling, seconded by Woodke to adjourn the meeting at 7:29 p.m.

Kevin Guitar, Mayor

Jennifer Lackowski, Clerk

OFFICIAL COUNCIL PROCEEDINGS
AUGUST 21, 2023

A regular meeting of the City Council of the City of Harbor Beach was held on Monday August 21, 2023 at City Hall. The meeting was called to order at 7:00 p.m. by Mayor Guitar.

Present: Capling, Wood, Woodward, and Mayor Guitar
Deputy Clerk Hanson and City Manager Wruble

Absent: Woodke (with notice)

It was moved by Woodward, seconded by Capling to approve the agenda as presented. Motion carried. 5 years.

It was moved by Wood, seconded by Capling to approve the minutes of the August 7, 2023 Council and Committee of the Whole meetings as presented. Motion carried. 5 years.

APPROVAL OF BILLS: It was moved by Woodward, seconded by Capling to approve payment of the August 2023 bills in the amount of \$152,204.94. Motion carried. 5 years.

It was moved by Woodward, seconded by Wood to approve the payment of the Ferris, Schwedler, & O'Mara, P.C. bill in the amount of \$412.50. Motion carried. 5 years.

Unfinished Business: It was moved by Capling, seconded by Woodward to approve the Second Reading of Ordinance #234, "Consumers Energy Gas Franchise Ordinance." Motion carried. 5 years.

NEW BUSINESS: Resolution # 2023-63, "Wage Increase for Board of Review" was presented to Council. It was moved by Capling, seconded by Woodward to adopt Resolution # 2023-63 as presented. The Resolution reads as follows: WHEREAS, the members of the Board of Review are requesting that their wages be reviewed; and

WHEREAS, the Administration Committee is recommending the Board of Review Members receive a wage increase from \$12.00 per hour to \$21.00 per hour, effective August 21, 2023;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves a wage increase for Board of Review Members to \$21.00 per hour, effective August 21, 2023. Motion carried. 5 years.

Resolution # 2023-64, "Wage Increase for Election Inspectors" was presented to Council. It was moved by Woodward, seconded by Capling to adopt Resolution # 2023-64 as presented. The Resolution reads as follows: WHEREAS, Clerk Lackowski is requesting that the Election Inspectors receive a wage increase; and

WHEREAS, the Administration Committee is recommending the Elections Inspectors receive a wage increase from \$12.50 per hour to \$16.00 per hour for the Chairperson and from \$12.00 per hour to \$15.00 per hour for the Inspectors, effective immediately;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves a wage increase to \$16.00 per hour for the Chairperson and \$15.00 per hour for the Inspectors, effective immediately. Motion carried. 5 years.

Resolution #: 2023-65, "Approving Production Contract with Rembrant Entertainment for Fifty Amp Fuse" was presented to Council. It was moved by Capling, seconded by Wood to adopt Resolution # 2023-65 as presented. The Resolution reads as follows: WHEREAS, Rembrant Entertainment has submitted a contract to the City of Harbor Beach to provide musical entertainment during the 2024 Maritime Festival in the amount of \$4,000.00;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves the production contract with Rembrant Entertainment to provide musical entertainment during the 2024 Maritime Festival in the amount of \$4,000.00. Motion carried. 5 years.

Resolution # 2023-66, "Approving Contract with Rave Mobile Safety for City Emergency Notification System" was presented to Council. It was moved by Woodward, seconded by Capling to adopt Resolution # 2023-66 as presented. The Resolution reads as follows: WHEREAS, Rave Mobile Safety Renewal has provided the Emergency Notification System for the City of Harbor Beach for the last five years; and

WHEREAS, their contract needs to be renewed; and

WHEREAS, the contract period is June 1, 2023 through May 31, 2024, at a cost of \$5,462.50 per year for five years. The total contract value is 27,312.50; and

WHEREAS, the cost is shared with Corteva, Sensient, and the City; and

WHEREAS, the Administration Committee is recommending that Council approve the renewal of the RAVE Mobile Safety contract;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Harbor Beach approves the renewal of Rave Mobile Safety contract for the next 5 years through May 31, at a cost of \$5,462.50 per year for five years. The total contract value is 27,312.50. Motion carried. 5 years

Resolution # 2023-67, "Approving Wage Increase for Crossing Guards" was presented to Council. It was moved by Wood, seconded by Capling to adopt Resolution # 2023-67 as presented. The Resolution reads as follows: WHEREAS, Chief Bucholtz is requesting that the City's Crossing Guards receive a wage increase; and

WHEREAS, the Administration Committee is recommending the Crossing Guards receive a wage increase of \$.50 per hour, effective August 21, 2023;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves a wage increase of \$.50 per hour, effective August 21, 2023. Motion carried. 5 years.

It was moved by Capling, seconded by Wood to waive the North Park Pavilion Rental Fee for Zion Lutheran Church on Sunday, August 27, 2023. Motion carried. 5 years.

There being no further business. It was moved by Capling, seconded by Woodward to adjourn the meeting at 7:12 p.m.

Kevin Guitar, Mayor

Jennifer Lackowski, Clerk

OFFICIAL COUNCIL PROCEEDINGS
SEPTEMBER 5, 2023

A regular meeting of the City Council of the City of Harbor Beach was held on Tuesday September 5, 2023 at City Hall. The meeting was called to order at 7:00 p.m. by Mayor Guitar.

Present: Capling, Wood, Woodke, Woodward, and Mayor Guitar
Clerk Lackowski and City Manager Wruble

Absent: None

It was moved by Woodke, seconded by Woodward to approve the agenda with the addition of Homecoming Parade on September 29, 2023, waive North Park Pavilion Rental Fee for the Lighthouse Preservation Society on September 12, 2023, and Purchasing tabulator from Election Source. Motion carried. 5 years.

It was moved by Capling, seconded by Wood to approve the minutes of the August 21, 2023 Council and Committee of the Whole meetings as presented. Motion carried. 5 years.

APPROVAL OF BILLS: It was moved by Woodward, seconded by Capling to approve payment of the August 2023 bills in the amount of \$244,237.60. Motion carried. 5 years.

It was moved by Capling, seconded by Woodward to approve the payment of the Frohm & Widmer, Inc bill in the amount of \$12,500.00. Motion carried. 5 years.

It was moved by Woodke, seconded by Woodward to approve the payment of the Civic Plus bill in the amount of \$2,737.50. Motion carried. 5 years.

It was moved by Woodke, seconded by Woodward to approve the payment of the Tank Surveying bill in the amount of \$600.00. Motion carried. 5 years.

It was moved by Capling, seconded by Woodke to approve the payment of the US Bank Retention Basin Interest bill in the amount of \$9,746.04. Motion carried. 5 years.

It was moved by Woodward, seconded by Woodke to approve the payment of the Michigan Municipal League bill in the amount of \$79,481.00. Motion carried. 5 years.

Unfinished Business: None

NEW BUSINESS: Resolution # 2023-68, "Approval of Rebar Bid for Waterfront Enhancement Project" was presented to Council. It was moved by Wood, seconded by Capling to adopt Resolution # 2023-68 as presented. The Resolution reads as follows: WHEREAS, the City of Harbor Beach is commencing with construction of the Waterfront Enhancement Project; and

WHEREAS, all requirements will be met by bidding contractors; and

WHEREAS, city employees will complete the majority of work on the project; and

WHEREAS, the City needs to purchase steel to complete construction on the Waterfront Enhancement Project; and

WHEREAS, City Manager Wruble advertised for bids in local and statewide publications, city website, and solicited bids from several companies; and

WHEREAS, The City of Harbor Beach received sealed bids; and

WHEREAS, The City received a bid from Alro Steel for the purchase of 180: ¾" (#6) Rebar Grd 60 #19 Metric Grade 420, 20 Ft long pieces, and 150: ½" (#4) Rebar GRD 60 #13 Metric Grade 420, 20 Ft long pieces for \$4,921.20;

WHEREAS, City Manager Wruble is recommending to Council that they approve bid most advantageous to the City of Harbor Beach; and

WHEREAS, because of Michigan Department of Natural Resources Trust Fund Grant for development projects requires all bids over \$5,000.00 must be approved by the DNR of the State of Michigan before the bid is awarded; and

WHEREAS, State and Federal funds are being used to assist in construction of this project and relevant State and Federal requirements will apply. All contractors must comply with all requirements of 1976 PA 453 (Elliott-Larsen Civil Rights Act) and 1976 PA 220 (Persons with Disabilities Civil Rights Act), as amended. All contracts must contain a covenant by the contractor, subcontractor, or supplier not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions or privileges of employment, because of race, color, religion, national origin, age, sex, height, weight, marital status or a disability that is unrelated to the individual's ability to perform the duties of a particular job or position;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves the bid from Alro Steel in the amount of \$ 4,921.20 contingent on being approved by the Michigan Department of Natural Resources. Motion carried. 5 years.

Resolution # 2023-69, "Awarding Bid for Tree and Stump Removal" was presented to Council. It was moved by Woodward, seconded by Woodke to adopt Resolution # 2023-69 as presented. The Resolution reads as follows: WHEREAS, due to trees damaging sidewalks and needing to be removed, the City of Harbor Beach wishes to contract with a Tree Service to remove 8 trees and stumps; and

WHEREAS, DPW Superintendent Jurgess placed an ad in the paper and received sealed bids; and

WHEREAS, Superintendent Jurgess and the DPW Committee are recommending to Council that they approve awarding the bid to R&D Tree Service at a cost of \$8,400.00 for tree and stump removal;

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Harbor Beach approves awarding the bid to R&D Tree Service at a cost of \$8,400.00 for tree and stump removal. Motion carried. 5 years.

It was moved by Woodward, seconded by Woodke to approve the Homecoming Parade for September 29, 2023. Motion carried. 5 years.

It was moved by Wood, seconded by Capling to waive the North Park Pavilion Rental Fee for the Harbor Beach Lighthouse Preservation Society on Tuesday, September 12, 2023. Motion carried. 5 years.

It was moved by Woodward, seconded by Capling to approve purchasing tabulator from Election Source for \$7,109.84. Motion carried. 5 years.

There being no further business. It was moved by Capling, seconded by Woodke to adjourn the meeting at 7:26 p.m.

Kevin Guitar, Mayor

Jennifer Lackowski, Clerk

OFFICIAL COUNCIL PROCEEDINGS
SEPTEMBER 18, 2023

A regular meeting of the City Council of the City of Harbor Beach was held on Monday September 18, 2023 at City Hall. The meeting was called to order at 7:00 p.m. by Mayor Guitar.

Present: Capling, Wood, Woodke, Woodward, and Mayor Guitar

Absent: None

It was moved by Woodke, seconded by Woodward to approve the agenda with the addition of the City of Harbor Beach as an early voting site. Motion carried. 5 yeas.

It was moved by Capling, seconded by Woodward to approve the minutes of the September 5, 2023 Council and Committee of the Whole meetings as presented. Motion carried. 5 yeas.

APPROVAL OF BILLS: It was moved by Woodward, seconded by Capling to approve payment of the September 2023 bills in the amount of \$112,329.86. Motion carried. 5 yeas.

It was moved by Capling, seconded by Woodke to approve the payment of the Meadowbrook Insurance Bill in the amount of \$7,303.48. Motion carried. 5 yeas.

It was moved by Woodke, seconded by Wood to approve the payment of the Yaroch Asphalt bill in the amount of \$29,100.00. Motion carried. 5 yeas.

It was moved by Woodward, seconded by Capling to approve the payment of the Stringer Construction LLC bill in the amount of \$48,251.00. Motion carried. 5 yeas.

It was moved by Woodke, seconded by Woodward to approve the payment of the Simen, Figura, & Parker, P.L.C. bill in the amount of 70.00. Motion carried. 5 yeas.

Unfinished Business: None

NEW BUSINESS: It was moved by Capling, seconded by Woodward to approve Knights of Columbus annual street collection on October 6 & October 7, 2023. Motion carried. 5 yeas.

There being no further business. It was moved by Capling, seconded by Woodke to adjourn the meeting at 7:14 p.m.

Kevin Guitar, Mayor

Jennifer Lackowski, Clerk

OFFICIAL COUNCIL PROCEEDINGS
SEPTEMBER 26, 2023

A special meeting of the City Council of the City of Harbor Beach was held on Tuesday, September 26, 2023 at City Hall. The meeting was called to order at 5:07 p.m. by Mayor Guitar.

Present: Capling, Wood, Woodward and Mayor Guitar

Absent: Woodke (with notice)

It was moved by Capling, seconded by Wood to approve the agenda as presented. Motion carried. 4 yeas.

APPROVAL OF MINUTES: None.

APPROVAL OF BILLS: None.

PUBLIC COMMENT: None

UNFINISHED BUSINESS: None.

NEW BUSINESS: Resolution # 2023-70, "Establishing Harbor Beach City Hall as an Early Voting Site for the Southeast Region of Huron County" was presented to Council. It was moved by Capling, seconded by Woodward to adopt Resolution #: 2023-70 presented. The Resolution reads as follows:

WHEREAS, the Harbor Beach City Clerk is responsible for administering early voting in this municipality, pursuant to MI Constitution Sec. 4 and Public Act 81 (2023); and,

WHEREAS, Harbor Beach City Hall is centrally located within the Southeast Region of Huron County, and fulfills additional security requirements of being a public building and its proximity to law enforcement,

NOW, THEREFORE, BE IT RESOLVED THAT, the City of Harbor Beach shall partner with Sigel Township, Sherman Township, Paris Township, and Sand Beach Township to conduct the constitutionally mandated early voting for all future elections beginning with the 2024 Presidential Primary; and

BE IT FURTHER RESOLVED THAT, the hours of operation of the early voting site shall be determined and published at a later date; and,

BE IT FINALLY RESOLVED THAT the Clerk is authorized to expend necessary funds to ensure the City of Harbor Beach can cover their shared costs for mandated early voting. Motion carried. 4 yeas.

COUNCIL REPORTS: None.

There being no further business. It was moved by Capling, seconded by Woodward to adjourn the meeting at 5:13 p.m.

Kevin Guitar, Mayor

Jennifer Lackowski, Clerk

**OFFICIAL COUNCIL PROCEEDINGS
OCTOBER 2, 2023**

A regular meeting of the City Council of the City of Harbor Beach was held on Monday October 2, 2023 at City Hall. The meeting was called to order at 7:00 p.m. by Mayor Guitar.

Present: Capling, Wood, Woodke, Woodward, and Mayor Guitar

Absent: None

It was moved by Woodke, seconded by Woodward to approve the agenda with the addition of the Audit Presentation and Emterra Contract. Motion carried. 5 years.

David Helisek and Erika Stanley of Plante Moran presented the City's audit via Zoom.

It was moved by Wood, seconded by Capling to approve the minutes of the September 18, 2023 Council and September 26, 2023 Special Council meetings as presented. Motion carried. 5 years.

APPROVAL OF BILLS: It was moved by Capling, seconded by Woodward to approve payment of the September 2023 bills in the amount of \$199,999.45. Motion carried. 5 years.

It was moved by Capling, seconded by Woodke to approve the payment of the Plante & Moran, PLLC Bill in the amount of \$7,075.00. Motion carried. 5 years.

It was moved by Woodke, seconded by Woodward to approve the payment of the Alro Steel bill in the amount of \$4922.50. Motion carried. 5 years.

It was moved by Woodke, seconded by Woodward to approve the payment of the Rave Mobile Safety bill in the amount of \$5462.50. Motion carried. 5 years.

It was moved by Capling, seconded by Woodke to approve the payment of the Cook Out Charters LLC bill in the amount of \$1980.00. Motion carried. 5 years.

It was moved by Woodward, seconded by Capling to approve the payment of the McKenna bill in the amount of \$600.00. Motion carried. 5 years.

Unfinished Business: None

NEW BUSINESS: It was moved by Capling, seconded by Woodke to approve Emterra increase of \$1.65 per month per household. Motion carried. 4 years. 1 nay (Wood).

There being no further business. It was moved by Capling, seconded by Woodke to adjourn the meeting at 7:37 p.m.

Kevin Guitar, Mayor

Jennifer Lackowski, Clerk

**OFFICIAL COUNCIL PROCEEDINGS
OCTOBER 16, 2023**

A regular meeting of the City Council of the City of Harbor Beach was held on Monday October 16, 2023 at City Hall. The meeting was called to order at 7:01 p.m. by Mayor Guitar.

Present: Capling, Wood, Woodke, Woodward (arrived at 7:05), and Mayor Guitar

Absent: None

It was moved by Woodke, seconded by Capling to approve the agenda with the addition of the Simen, Figura & Parker, P.L.C. bill and the KMA Associates, LLC bill. Motion carried. 4 years.

It was moved by Capling, seconded by Woodke to approve the minutes of the October 2, 2023 Council and Committee meetings as presented. Motion carried. 4 years.

APPROVAL OF BILLS: It was moved by Wood, seconded by Capling to approve payment of the October 2023 bills in the amount of \$58,897.64. Motion carried. 4 years.

It was moved by Capling, seconded by Wood to approve the payment of the Vollmer Ready Mix Bill in the amount of \$22,673.00. Motion carried. 4 years.

It was moved by Woodward, seconded by Woodke to approve the payment of the Stringer Construction bill in the amount of \$42,374.95. Motion carried. 5 years.

It was moved by Capling, seconded by Woodward to approve the payment of the Fleis & Vandenbrink bill in the amount of \$13,500.00. Motion carried. 5 years.

It was moved by Capling seconded by Wood to approve the payment of the AIS Construction Equipment bill in the amount of \$137,304.00. Motion carried. 5 years.

It was moved by Wood, seconded by Capling to approve the payment of the Ferris, Schwedler & O'Mara bill in the amount of \$712.50. Motion carried. 5 years.

It was moved by Woodward, seconded by Woodke to approve the payment of the Simen, Figura & Parker, P.L.C. bill in the amount of \$402.50. Motion carried. 5 years.

It was moved by Woodke, seconded by Capling to approve the payment of the KMA Associates, LLC bill in the amount of \$1,474.25. Motion carried. 5 years.

Unfinished Business: None

NEW BUSINESS: It was moved by Capling, seconded by Woodward to approve Trick or Treat hours on Tuesday, October 31, 2023 beginning at 5:00 pm and ending at 6:30 pm. Motion carried. 5 years

It was moved by Woodward, seconded by Wood to waive the North Park Pavilion rental fee for November 3, 2023 and December 15, 2023 school dances. Motion carried. 5 years

There being no further business. It was moved by Capling, seconded by Woodke to adjourn the meeting at 7:40 p.m.

Kevin Guitar, Mayor

Jennifer Lackowski, Clerk

**OFFICIAL COUNCIL PROCEEDINGS
OCTOBER 30, 2023**

A special meeting of the City Council of the City of Harbor Beach was held on Monday, October 30, 2023 at City Hall. The meeting was called to order at 7:00 p.m. by Mayor Guitar.

Present: Capling, Wood, Woodke, Woodward and Mayor Guitar

Absent: None

It was moved by Woodke, seconded by Capling to approve the agenda as presented. Motion carried. 5 years.

It was moved by Capling, seconded by Woodke to approve the minutes of the October 16, 2023 Council meeting and October 23, 2023 Committee meeting. Motion carried. 5 years.

APPROVAL OF BILLS: It was moved by Woodward, seconded by Woodke to approve payment of the Wood Contracting LLC bill in the amount of \$2,990.00. Motion carried. 4 years. Wood (abstain).

PUBLIC COMMENT: None

UNFINISHED BUSINESS: None.

NEW BUSINESS: Resolution # 2023-71, "Approving Trash and Recycling Rate Increase" was presented to Council. It was moved by Wood, seconded by Capling to adopt Resolution #: 2023-71 as presented. The Resolution reads as follows: WHEREAS, the trash and recycling rate for the residents of Harbor Beach has not been increased in two years; and

WHEREAS, the cost for trash collection has substantially increased over the last several years; and

WHEREAS, in order for trash revenues to break even with the current expenses and new contract rate paid to Emterra Environmental USA, the trash rate needs to increase by a \$12.01. The new quarterly rate would be \$52.50; and

WHEREAS, the Administration Committee is recommending that Council increase the trash rate;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves increasing the trash rate to \$52.50 per quarter effective January 1, 2024. Motion carried. 5 years.

Resolution # 2023-72, "Approving Changes to City of Harbor Beach Employees' Health Insurance Plans" was presented to Council. It was moved by Woodke, seconded by Woodward to adopt Resolution #: 2023-72 as presented. The Resolution reads as follows: WHEREAS, the City of Harbor Beach provides health, dental and vision insurance, including prescription coverage, to all full-time employees, their spouses, and their dependent children; and

WHEREAS, the City may determine that it is necessary to make changes to employee benefits, including, for example, modifying or eliminating benefit offerings or plan choices, changing related co-pays or deductibles, or requiring employee contributions to the costs associated with insurance; and

WHEREAS, the City Council of the City of Harbor Beach has found it necessary to make the following changes to the Employees' Health Insurance Plan: (a) The employee will be able to select health insurance coverage from the following options:

Plan Name	Aggregate Deductible	Coinsurance	Out of Pocket Limit
1. Community Blue PPO Platinum Option 1:	None	20%	\$9100 Individual/ \$18,200 Family
2. Simply Blue HSA PPO Gold Option 2:	\$2500 Individual/\$5000 Family	None	\$4500 Individual/ \$9,000 Family

This coverage shall be applied to all full-time employees covered by the terms of this Agreement, further the Employer agrees that the City Council Policy adopted July 1, 1985, shall apply to current employees who retire from employment with the Employer after July 1, 1986 and before June 30, 2001. Further, for employees who retire after July 1, 2001, the Employer agrees to pay the percentage of the premium for health insurance coverage as provided in the formula as attached in Appendix "A". The Employer agrees to pay no more than five hundred dollars (\$500.00) per month for each employee who retires, after July 1, 2007, utilizing the health insurance benefit. For all Union employees hired after July 1, 2007, the City will not pay or contribute any cost for health insurance at retirement.

(b) Employees selecting SB HSA PPO Gold Option 2 will receive from the City \$7,750 per year. These funds will be made to an HSA account on behalf of the employee in two \$3,875 installments on January 1st and July 1st. If the employee's HSA account is depleted, the City upon verification will make the second \$3,875 installment immediately. If the employee leaves employment with the City, the payment to the employee's HSA account will be prorated (based on percentage of 365 days). If an employee's out of pocket expenses surpass \$7,750, the City will contribute up to an additional \$550 to the employee's HSA account. If the employee's out of pocket expenses surpass \$8,300, the City will reimburse the employee dollar for dollar up to, and not to exceed \$450.

(c) The Employer agrees to pay the full premium for hospitalization-medical coverage, not to exceed six (6) months for the employee and their family during the employee's absence as the result of any injury, illness or maternity.

(d) The Employer agrees to pay the full premium for the Blue Dental PPO Plus 100/80/50 SG-Non-voluntary \$25/\$75 deductible Dental Plan.

(e) For the current option, CB Platinum \$0, the City shall provide and pay the premium for a Blue Preferred Rx Prescription Drug Coverage Custom Select Prescription Drug Plan, 3-Tier copay/Coinsurance. Tier 1-Generic drugs is ten dollars (\$10). Tier 2-Preferred brand-name drugs is fifty dollars (\$50). Tier 3-Nonpreferred brand-name drugs is one hundred dollars (\$100). These copays are all for 1-30 day supplies. There are additional charges of 25% for out of network pharmacies.

For the PPO Option SB HSA Gold Option 2, Tier 1 is a \$20 co-pay, Tier 2 preferred is a \$60 co-pay, Tier 3 non-preferred is \$150, Tier 4 preferred specialty is 20% coinsurance maximum \$300, Tier 5 nonpreferred specialty is 25% coinsurance maximum \$500.

(f) The Employer agrees to pay the full premium of Double Indemnity Term Life Insurance Plan for each employee, face value of two times the employee's annual base wages, not to exceed one hundred thousand dollars (\$100,000) while employed or on layoff. At age 65, the amount is reduced to \$65,000.

(g) The Employer shall pay the premium on a Sick and Accident Plan which will provide an employee who has been employed ninety-one (91) days and who is injured off the job or becomes sick so as not to be able to work sixty-six and two-thirds percent (66.66%) of his regular pay, which is for forty (40) hour week with pay not to exceed nine hundred dollars (\$900) weekly for a maximum of fifty-two (52) weeks, after the eighth (8th) day of injury or illness. Further, the Employer shall provide Long Term disability insurance with a monthly benefit of sixty percent (60%) of wages not to exceed two thousand five hundred dollars (\$2,500) per month to age sixty-five (65) and to coordinate with all other payment as set forth in the provisions of the Long-term disability insurance plan. Sick time may be used to supplement this benefit.

(h) The City agrees to pay the full premium of Blue Vision for pediatric and Blue Vision for adults with VSP Choice Network 12/12/12 \$5/\$10 Copay.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach, Michigan, approves the changes as above-mentioned to the City of Harbor Beach Employees' Health Insurance Plan. Motion carried. 5 yeas.

Resolution # 2023-73, "Approving Agreement with Fleis & Vandenbrink Engineering, Inc. for Development of a Source Water Protection Plan for the City of Harbor Beach" was presented to Council. It was moved by Wood, and seconded by Woodward to adopt Resolution # 2023-73 as presented. The Resolution reads as follows: WHEREAS, the City of Harbor Beach is committed to ensuring the highest quality of water for our water plant, safeguarding the health of our residents; and

WHEREAS, development and implementation of a comprehensive Source Water Protection Plan is essential to preserve the integrity of our drinking water sources; and

WHEREAS, the City of Harbor Beach authorized Fleis & Vandenbrink, a respected environmental firm to prepare a SWPP to improve our source water quality now and into the future;

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Harbor Beach approves the professional service agreement from Fleis & Vandenbrink Engineering, Inc for the development of a Source Water Protection Plan at a total cost of \$13,500.00. Motion carried. 5 yeas.

Resolution # 2023-74, "A Resolution to Exempt the City from the Requirements of Public Act 152 until December 31, 2024" was presented to Council. It was moved by Capling, seconded by Woodke to adopt Resolution # 2023-74 as presented. The Resolution reads as follows: WHEREAS, Public Act 152 of 2011 was passed by the Legislature and signed into law by the Governor; and

WHEREAS, Public Act 152 of 2011 establishes limitations on the amount a public employer can expend for employee medical benefit plans; and

WHEREAS, Public Act 152 also provides that municipalities may choose to exempt themselves by a two-thirds vote of the elected body; and

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach hereby exempts itself from the requirements of Public Act 152 of 2011 until December 31, 2024 at which time it will revisit its options and responsibility under Public Act 152 of 2011. Motion carried. 5 years.

Resolution # 2023-75, "Approving the KMA Assessing Agreement" was presented to Council. It was moved by Capling, seconded by Woodward to adopt Resolution # 2023-75 as presented. The Resolution reads as follows: WHEREAS, the City of Harbor Beach has received a new Assessing Agreement from KMA Associates, covering the period of October 1, 2023 through April 30, 2024; and

WHEREAS, the Administration Committee is recommending that the City enter into the new Assessing Agreement with KMA Associates;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves the City of Harbor Beach entering into a new Assessing Agreement with KMA Associates at a cost of \$1,841.00 per month. Motion carried. 5 years.

Resolution # 2023-76, "Approving Easement Request at 120 South Huron Avenue" was presented to Council. It was moved by Wood, seconded by Woodke to adopt Resolution # 2023-76 as presented. The Resolution reads as follows: WHEREAS, J & M Commercial Holdings, LLC owns property located in the City of Harbor Beach, described in attached Revocable Easement Agreement; and

WHEREAS, John & Marsha Westerman owners of the property, wish to build a staircase for egress from their building; and

WHEREAS, the staircase will encroach two feet onto City property; and

WHEREAS, J & M Commercial Holdings, LLC, is requesting approval of a temporary easement on the south two feet property owned by the City and described in attached Revocable Easement Agreement;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves granting a temporary easement to J & M Commercial Holdings, LLC, as provided for in the Revocable Easement Agreement, attached hereto, and recorded on _____, Huron County Register of Deeds. Motion carried. 5 years.

Resolution # 2023-77, "Approving Purchase of Water Treatment Plant Low Service Pump #1 & #3 Motor and Installation" was presented to Council. It was moved by Woodke, seconded by Woodward to adopt Resolution # 2023-77 as presented. The Resolution reads as follows: WHEREAS, the Water Treatment Plant needs to replace low service pump #1 & #3 motor; and

WHEREAS, the Superintendent Krull contacted several companies; and

WHEREAS, Superintendent Krull and the Water Committee are recommending to Council that they approve the quote from Kerr Pump and Supply at a cost of \$14,113.00 for replacement and installation of low service pump #1 & #3 motor;

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Harbor Beach approves the quote from Kerr Pump and Supply at a cost of \$14,113.00 for replacement and installation of low service pump #1 & #3 motor. Motion carried. 5 years.

COUNCIL REPORTS: None.

There being no further business. It was moved by Capling, seconded by Woodke to adjourn the meeting at 7:09 p.m.

Kevin Guitar, Mayor

Jennifer Lackowski, Clerk

OFFICIAL COUNCIL PROCEEDINGS
NOVEMBER 6, 2023

A regular meeting of the City Council of the City of Harbor Beach was held on Monday November 6, 2023 at City Hall. The meeting was called to order at 7:00 p.m. by Mayor Guitar.

Present: Capling, Wood, Woodke, Woodward, and Mayor Guitar

Absent: None

It was moved by Woodke, seconded by Woodward to approve the agenda with the addition of the Harbor Beach Fire Department Subsidy. Motion carried. 5 yeas.

It was moved by Capling, seconded by Wood to approve the minutes of the October 30, 2023 Special Council and Committee meetings as presented. Motion carried. 5 yeas.

APPROVAL OF BILLS: It was moved by Woodke, seconded by Capling to approve payment of the November 2023 bills in the amount of \$334,516.10. Motion carried. 5 yeas.

It was moved by Wood, seconded by Woodke to approve the payment of the Detroit Salt Company Bill in the amount of \$6,734.74. Motion carried. 5 yeas.

It was moved by Woodward, seconded by Capling to approve the payment of the Wood Contracting LLC bill in the amount of \$1,800.00. Motion carried. 4 yeas. 1 abstain (Wood).

It was moved by Woodward, seconded by Woodke to approve the payment of the Ace-Saginaw Paving Co. bill in the amount of \$5,972.85. Motion carried. 5 yeas.

Unfinished Business: None

NEW BUSINESS: It was moved by Capling, seconded by Woodke to deny the additional \$5,000.00 dollars requested by the Harbor Beach Area Fire Department. Motion carried. 5 yeas.

There being no further business. It was moved by Capling, seconded by Woodke to adjourn the meeting at 7:10 p.m.

Kevin Guitar, Mayor

Jennifer Lackowski, Clerk

OFFICIAL COUNCIL PROCEEDINGS
NOVEMBER 20, 2023

A regular meeting of the City Council of the City of Harbor Beach was held on Monday November 20, 2023 at City Hall. The meeting was called to order at 7:00 p.m. by Mayor Guitar.

Present: Capling, Wood, Woodke, Woodward, and Mayor Guitar

Absent: None

It was moved by Wood, seconded by Woodward to approve the agenda with a correction on the November 2023 bills removing the Wood Contracting bill in the amount of \$2,990.00. Motion carried. 5 years. This bill was approved on October 30, 2023 and paid on November 14, 2023.

It was moved by Capling, seconded by Woodke to approve the minutes of the November 6, 2023 Council meeting as presented. Motion carried. 5 years.

APPROVAL OF BILLS: It was moved by Capling, seconded by Woodward to approve payment of the November 2023 bills in the amount of \$135,104.93. Motion carried. 5 years.

It was moved by Woodward, seconded by Capling to approve the payment of the Stringer Construction bill in the amount of \$39,343.75. Motion carried. 5 years.

It was moved by Woodward, seconded by Capling to approve the payment of the Lakeshore Collision bill in the amount of \$40,250.00. Motion carried. 5 years.

It was moved by Capling, seconded by Woodke to approve the payment of the Simen, Figura & Parker, P.L.C. bill in the amount of \$227.50. Motion carried. 5 years.

PUBLIC COMMENT: Michael Climer requested information on the total cost of the Pack Street Project to date.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

COUNCIL REPORTS: There is no parking on City Streets between 4:00 am and 7:30 am. This is in effect from December 1, 2023 through March 31, 2024.

There being no further business. It was moved by Capling, seconded by Woodke to adjourn the meeting at 7:07 p.m.

Kevin Guitar, Mayor

Jennifer Lackowski, Clerk

**OFFICIAL COUNCIL PROCEEDINGS
DECEMBER 4, 2023**

A regular meeting of the City Council of the City of Harbor Beach was held on Monday December 4, 2023 at City Hall. The meeting was called to order at 7:00 p.m. by Mayor Guitar.

Present: Capling, Wood, Woodke, and Mayor Guitar

Absent: Woodward (with notice)

It was moved by Woodke, seconded by Capling to approve the agenda with an addition of item c. Resolution # 2023-80, "Approving Wage Increase for Taylor Hanson and Jennifer Lackowski. Motion carried. 4 yeas.

It was moved by Capling, seconded by Woodke to approve the minutes of the November 20, 2023 Council meeting and Committee meeting as presented. Motion carried. 4 yeas.

APPROVAL OF BILLS: It was moved by Capling, seconded by Woodke to approve payment of the November 2023 bills in the amount of \$111,956.31. Motion carried. 4 yeas.

It was moved by Woodke seconded by Wood to approve the payment of the Dependable Sewer Service bill in the amount of \$9,087.50. Motion carried. 4 yeas.

It was moved by Capling, seconded by Woodke to approve the payment of the Rooney Contracting Co., Inc. bill in the amount of \$7,167.00. Motion denied. 4 yeas

PUBLIC COMMENT: None

UNFINISHED BUSINESS: None

NEW BUSINESS: Resolution # 2023-78 "Approving MERS Deferred Retirement Option Program for our Defined Benefit Adoption Agreement" was presented to Council. It was moved by Woodke, seconded by Capling to adopt Resolution # 2023-78 as presented. The Resolution reads as follows: WHEREAS, Todd Bucholtz wishes to enter Deferred Retirement Option Plan (DROP); and

WHEREAS, MERS did an impact study on terms of the application and determined that there is no additional liability for the city to adopt the cost neutral DROP provision for division 02 employees;

WHEREAS, MERS is requesting that the city approve the attached "Defined Benefit Plan Adoption Agreement" and authorize Mayor Guitar to sign name;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves the attached Defined Benefit Plan Adoption Agreement and authorizes Mayor Guitar to sign name. Motion carried. 4 yeas

Resolution # 2023-79 "Michigan Department of Transportation Performance Resolution for Issuing Permits" was presented to Council. It was moved by Capling, seconded by Woodke to adopt Resolution # 2023-79 as presented. The Resolution reads as follows: RESOLVED WHEREAS, the _____ THE CITY OF HARBOR BEACH _____ hereinafter referred to as the "MUNICIPALITY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations within and adjacent to its corporate limits;

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

1. Each party to this *Resolution* shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this *Resolution*, as provided by law. This *Resolution* is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. If any of the work performed for the MUNICIPALITY is performed by a contractor, the MUNICIPALITY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employee's, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the MUNICIPALITY Failure of the MUNICIPALITY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.

3. Any work performed for the MUNICIPALITY by a contractor or subcontractor will be solely as a contractor for the MUNICIPALITY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the MUNICIPALITY, or their subcontractors or any other person not a party to the PERMIT without the DEPARTMENT'S specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the MUNICIPALITY.
4. The MUNICIPALITY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.
5. The MUNICIPALITY will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the MUNICIPALITY'S facilities according to a PERMIT issued by the DEPARTMENT.
6. With respect to any activities authorized by a PERMIT, when the MUNICIPALITY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.
7. The incorporation by the DEPARTMENT of this *Resolution* as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
8. This *Resolution* shall continue in force from this date until cancelled by the MUNICIPALITY or the DEPARTMENT with no less than thirty (30) days prior written notice provided to the other party. It will not be cancelled or otherwise terminated by the MUNICIPALITY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

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

Title and/or Name:

Mike Jurgess: DPW Superintendent

Ron Wruble: City Manager

Motion carried. 4 yeas

Resolution # 2023-80, "Approving Wage Increase for Treasurer Hanson and Clerk Lackowski" was presented to Council. It was moved by Capling, seconded by Woodke to adopt Resolution # 2023-80 as presented. The Resolution reads as follows:
WHEREAS, City Manager Wruble is recommending a wage increase; and

WHEREAS, the Administration Committee is recommending Treasurer Hanson and Clerk Lackowski receive a wage increase to \$28.00 per hour, effective the first pay in January of 2024;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves a wage increase for Taylor Hanson and Jennifer Lackowski to \$28.00 per hour, effective the first pay in January of 2024. Wage increases to follow employment agreement. Motion carried. 4 yeas.

COUNCIL REPORTS: Discussed interviews, and the future of the City.

There being no further business. It was moved by Capling, seconded by Woodke to adjourn the meeting at 7:25 p.m.

Kevin Guitar, Mayor

Jennifer Lackowski, Clerk

**OFFICIAL COUNCIL PROCEEDINGS
DECEMBER 18, 2023**

A regular meeting of the City Council of the City of Harbor Beach was held on Monday December 18, 2023 at City Hall. The meeting was called to order at 7:02 p.m. by Mayor Guitar.

Present: Capling, Wood, Woodke, Woodward, and Mayor Guitar
Absent: None

It was moved by Woodke, seconded by Woodward to approve the agenda with the addition of Resolution # 2023-82, "Forestville Intergovernmental Operations Agreement for Operating Sanitary Sewer and Municipal Water Systems", Resolution # 2023-83, "Approving Production Contract with Jedi Mind Trip Productions LLC to Provide Sound, Lights, and Technical Support for the Maritime Festival", and Resolution # 2023-84, "Approval of Steel bid for Waterfront Enhancement Project". Motion carried. 5 yeas.

It was moved by Capling, seconded by Woodke to approve the December 4, 2023 Council minutes and the December 11, 2023 Committee of the Whole meeting minutes as presented. Motion carried. 5 yeas.

APPROVAL OF BILLS: It was moved by Woodward, seconded by Capling to approve payment of the December 2023 bills in the amount of \$200,148.03. Motion carried. 5 yeas.

It was moved by Woodke, seconded by Woodward to approve the payment of the Simen, Figura, & Parker, P.L.C. bill in the amount of \$192.50. Motion carried. 5 yeas.

It was moved by Woodward, seconded by Capling to approve the payment of the Rosati, Schultz, Joppich & Amtsbuechler, P.C. bill in the amount of \$1912.50. Motion carried. 5 yeas.

It was moved by Capling, seconded by Woodward to approve the payment of the Ferris, Schwedler, & O'Mara, P.C. bill in the amount of \$562.50. Motion carried. 5 yeas.

Unfinished Business: None

NEW BUSINESS: Resolution # 2023-81, "Approve Hire of Deputy Treasurer/Utility Billing Clerk" was presented to Council. It was moved by Woodward, seconded by Woodke to adopt Resolution # 2023-81 as presented. The Resolution reads as follows: WHEREAS, the City needs to hire a full-time Deputy Treasurer/Utility Billing Clerk; and

WHEREAS, City Manager Wruble and the Administration committee are recommending to Council that they hire Chris Amey at \$24.00 per hour; and

WHEREAS, City Manager Wruble and the Administration committee are recommending Chris Amey start on January 2, 2023 as a full-time office employee for the City of Harbor Beach;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves hiring Chris Amey as the full-time Deputy Treasurer/Utility Billing Clerk for the City of Harbor Beach effective January 2, 2023. Motion carried. 5 yeas.

Resolution #: 2023-82, "Forestville Intergovernmental Agreement" was presented to Council. It was moved by Capling, seconded by Woodke to adopt Resolution # 2023-82 as presented. The Resolution reads as follows: WHEREAS, the Village of Forestville has requested the City to operate its sanitary sewer and water distribution systems; and

WHEREAS, it is necessary that the City and the Village enter into a formal agreement hereto attached; and

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves the Operations Agreement Between Village of Forestville and the City of Harbor Beach for Operating Sanitary Sewer and Municipal Water Systems. Motion carried. 5 yeas.

Resolution # 2023-83, "Approving Production Contract with Jedi Mind Trip Productions LLC" was presented to Council. It was moved by Woodke, seconded by Woodward to adopt Resolution # 2023-83 as presented. The Resolution reads as follows: WHEREAS, Jedi Mind Productions LLC has submitted a contract to the City of Harbor Beach to provide sound, lights, and technical support during the 2024 Maritime Festival in the amount of \$3,000.00;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves the production contract with Jedi Mind Trip Productions to provide sound, lights, and technical support during the 2024 Maritime Festival in the amount of \$3,000.00. Motion carried. 5 years

Resolution # 2023-84, "Approval of Steel Bid for Waterfront Enhancement Project" was presented to Council. It was moved by Woodward, seconded by Woodke to adopt Resolution # 2023-84 as presented. The Resolution reads as follows: WHEREAS, the City of Harbor Beach is commencing with construction of the Waterfront Enhancement Project; and

WHEREAS, all requirements will be met by bidding contractors; and

WHEREAS, city employees will complete the majority of work on the project; and

WHEREAS, the City needs to purchase steel to complete construction on the Waterfront Enhancement Project; and

WHEREAS, City Manager Wruble advertised for bids in local and statewide publications, city website, and solicited bids from several companies; and

WHEREAS, The City of Harbor Beach received sealed bid; and

WHEREAS, City Manager Wruble is recommending to Council that they approve bid most advantageous to the City of Harbor Beach; and

WHEREAS, because of Michigan Department of Natural Resources Trust Fund Grant for development projects requires all bids over \$5,000.00 must be approved by the DNR of the State of Michigan before the bid is awarded; and

WHEREAS, State and Federal funds are being used to assist in construction of this project and relevant State and Federal requirements will apply. All contractors must comply with all requirements of 1976 PA 453 (Elliott-Larsen Civil Rights Act) and 1976 PA 220 (Persons with Disabilities Civil Rights Act), as amended. All contracts must contain a covenant by the contractor, subcontractor, or supplier not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions or privileges of employment, because of race, color, religion, national origin, age, sex, height, weight, marital status or a disability that is unrelated to the individual's ability to perform the duties of a particular job or position;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves the bid from Alro Steel in the amount of \$ 39,602.94 contingent on being approved by the Michigan Department of Natural Resources. Motion carried. 5 yeas.

There being no further business. It was moved by Capling, seconded by Woodke to adjourn the meeting at 7:14 p.m.

Kevin Guitar, Mayor

Jennifer Lackowski, Clerk