

CITY OF PERRY REGULAR COUNCIL MEETING
PERRY COMMUNITY BUILDING

This institution is an equal opportunity provider, and employer.

REGULAR CITY COUNCIL MEETING HELD ON OCTOBER 7, 2021.

INVOCATION PRESENTED BY LELAND SCOTT

PRESENT: COUNCILMEMBERS, MINDY GALBAVI, LARRY LAMBERT, BOB PORTER
AND STEVE WALLACE; MAYOR, SUSAN HAMMOND
AND CITY CLERK, DEVIN MILLER

ABSENT: COUNCILMEMBER, RANDY COFFEY AND MIKE CONNELL

ALSO PRESENT: TREASURER, JO ANN VELTING
SUPT. DPW, JOHN SOUDER
STUDIO 130, ALEX MALLOY

Mayor called the meeting to order at 7:00 p.m.
Mayor led the Pledge of Allegiance.

APPROVAL OF THE AGENDA:

10-07-21-01

Moved by Lambert, seconded by Porter that the agenda be adopted as printed.
Carried, all yes.

READING AND APPROVAL OF THE MINUTES:

10-07-21-02

Moved by Wallace, seconded by Galbavi that we suspend the rules, waive the
reading and approve the minutes from the September 16, 2021 regular
meeting. Carried, all yes.

PRE-APPROVED REPORTS/PRESENTATIONS:

James Hisson of Grantmanship Consulting LLC introduced himself and offered
to answer any questions from the materials that were offered to Mayor and
Council.

Nick Jones introduced himself and stated that he is willing to serve on the
Planning Commission.

John Plowman explained some of the approved uses for the ARPA funds county
will be receiving and also shared from their finance committee the projects
being asked for county funds support.

COMMENTS FROM THE PUBLIC:

Nick Reid shared her opinion regarding Proposition 1 that will be on the
November 2, 2021 ballot.

COMMUNICATIONS:

Letter of Resignation for Planning Commission was read from Kellie
Willson.

MAYOR & DEPARTMENT HEAD REPORTS:

SUPT. DPW, JOHN SOUDER reported that the water tower refurbishing is
moving forward and the color for the water tower has been chosen.

MAYOR reported-

- Nominated Leland Scott and Larry Lambert for the Small Town America

- Reported that there is a Planning Commission seat open for anyone interested in applying to the seat.
- Reported the ARPA reports are now due on April 30, 2022.
- Shared flyer which asks for monetary donations to the City's Parks and Macqueen House.
- Employee Appreciation Dinner will be scheduled the first Friday of December.

COMMITTEE REPORTS:

Porter stated that the P & P committee have made a Facebook Group for Parks and parks equipment is on schedule for the end of November. Galbavi gave the Personnel committee's recommendation regarding the Ordinance Enforcement Officer. Lambert reported that the website updates are moving forward and stated that the F&O committee is sending work to the attorney regarding codified ordinance amendments.

PRESENTATION AND APPROVAL OF THE BILLS:

10-07-21-03

Moved by Lambert, seconded by Galbavi that we approve the bills as presented and that payment be authorized. Carried, all yes.

OLD BUSINESS:

None.

NEW BUSINESS:

1st Quarter Budget Comparison & Possible Amendments

Treasurer, Jo Ann Velting, gave the 1st Quarter Budget report.

10-07-21-04

Moved by Lambert, seconded by Porter that we approve the following 1st Quarter Budget Amendments as presented by the Treasurer:

1st Quarter Budget Amendments 2021/2022

FUND	DESCRIPTION	INCREASE	DECREASE	INCREASE FUNDED BY	ORIGINAL BUDGET	NEW BUDGET TOTAL	PAGE
GENERAL							
101-923.000-965-600	Contribution to McQueen	\$5,000.00		reallocated exp.	\$0.00	\$5,000.00	6
Total		\$5,000.00	\$0.00				
General Total Budget						\$1,425,839.00	
Water Fund							
591-549.000-991-100	1982 Bond Principal Pmt	\$30,000.00		fund balance	\$0.00	\$30,000.00	11
591-549.000-996-100	1982 Bond Interest Pmt	\$1,500.00		fund balance	\$0.00	\$1,500.00	11
Total		\$31,500.00	\$0.00				
Water Fund Budget						\$775,532.00	

Carried, all yes.

Possible Approval of Proposed New Code Enforcement Officer

10-07-21-05

Moved by Lambert, seconded by Galbavi that we approve the Personnel Committee's recommendation to create an administration part-time Code Enforcement Officer, which shall consist of a maximum of eight (8) hours per week at twenty (20) dollars per hour and amend the 2021/22 Budget for Department Number 101 entitled Legislative with an increase of \$5900.00 to line number 702.005, Ordinance Enforcement Officer, making the new budget total for this line item \$5900. Carried, all yes.

Possible First Reading of Zoning Ordinance Amendment No. 356 Re: Title of Position

10-07-21-06

Moved by Lambert, seconded by Porter that Zoning Ordinance amendment #356 regarding change of title and which reads as follows be placed on the next agenda for possible adoption:

CITY OF PERRY ORDAINS:

The City of Perry Zoning Ordinance No. 356, Section 17.06(E) (1) (2) (a) (b) (3) is amended and the below cited paragraph shall be inserted in its stead as follows,

SECTION 17.06. ENFORCEMENT.

...

E. The City Council, the Ordinance Enforcement Officer, or their duly authorized representative(s) are hereby charged with the duty of enforcing the Ordinance and are hereby empowered to commence and pursue any and all necessary and appropriate actions and/or proceedings in the District Court or Circuit Court of Shiawassee County, Michigan, or any other Court having jurisdiction, to restrain and/or prevent any noncompliance with or violation of any of the provisions of this Ordinance, and to correct, remedy and/or abate the noncompliance or violation. And it is further provided that any person aggrieved or adversely affected by this noncompliance or violation may institute suit and/or join the City of Perry in the suit to abate the same.

1. Definitions. As used in this Section, "Authorized local official" means a police officer or the Ordinance Enforcement Officer, whose is hereby legally authorized to issue municipal civil infraction citations.

2. Procedure to Enforce Zoning Violations:

a. Initial Identification of a zoning ordinance violation. The Ordinance Enforcement Officer shall meet with any individual(s) responsible for a violation of this Ordinance to educate and inform them of the infraction. The alleged violator shall have a minimum of 3 business days to take corrective action evidenced in writing with agreement of the Ordinance Enforcement to correct the alleged violation. If corrected timely, no further action will be taken.

b. Written Notice. If violation is not addressed based on the initial discussion with the Ordinance Enforcement Officer, the Ordinance Enforcement Officer will document the situation using an Ordinance Violation Notification Form approved by the City Council for the City of Perry and present a copy to the individual responsible for the infraction. The notification shall specify the violation and provide that the violation must be addressed within 3 business days or a municipal civil infraction citation may be issued.

3. Municipal Civil Infraction. Any violation or failure to comply with the zoning requirements herein is a municipal civil infraction. An Authorized local official, including the Ordinance Enforcement Officer may issue a municipal civil infraction citation upon personally witnessing a violation. The Ordinance Enforcement Officer may also issue a citation to a person if, based upon investigation of a complaint by someone who allegedly witnessed the person violate an ordinance, a violation of which is a municipal civil infraction, the official has reasonable cause to believe that the person is responsible for a municipal civil infraction and if the City Attorney approves in writing the issuance of the citation.

All other provisions of said Ordinance not inconsistent with the above amendments remain in full force and effect.

Carried, all yes.

Mayor's Appointments

The Mayor made the appointment of Leland Scott as the Ordinance Enforcement Officer.

10-07-21-07

Moved by Wallace, seconded by Galbavi that we approve the Mayor's appointment of Leland Scott as City of Perry Ordinance Enforcement Officer. Carried, all yes.

The Mayor appointed Nick Jones to the Planning Commission for a term expiring January 2022.

10-07-21-08

Moved by Porter, seconded by Lambert that we accept the Mayor's appointment of Nick Jones to the Planning Commission for a term expiring January 2022. Carried, all yes.

Possible Approval of SEDP Membership

Mayor was asked to reach out to SEDP and ask for an invoice reflecting the next level membership with the SEDP. No action taken.

Set Halloween Hours

10-07-21-09

Moved by Porter, seconded by Wallace that Trick or Treat hours in the City of Perry will be from 6pm to 8pm on October 31, 2021. Carried, all yes.

Discussion Re: 2013 Public Act 270 Compliance

Clerk reported. No action taken.

Possible Approval of Resignation

10-07-21-10

Moved by Lambert, seconded by Wallace that we accept the resignation of Kellie Willson from Planning Commission with regret. Carried, all yes.

ANY OTHER BUSINESS THAT MAY COME BEFORE COUNCIL:

PUBLIC COMMENT-None.

Mayor shared a proposal for exterior lighting at the Macqueen House. Mayor is going to inquire about a resolution from the City Attorney regarding Mayor approving bills due to meeting cancelled.

ITEMS FOR NEXT AGENDA

1. Possible Adoption of Zoning Ordinance Amendment No. 356 Re: Title of Position
2. Possible Approval of SEDP Membership
3. Discussion/Possible Approval of Grant Writer Agreement
4. Possible Approval Re: 2013 Public Act 270 Compliance
5. Proposal for Exterior Lighting at the Macqueen House

ADJOURNMENT: 9:30 P.M.

Susan J. Hammond, Mayor

Susan J. Hammond, Mayor

Date

10/12/2021

Devin Miller

Devin Miller, Clerk

Date

10/12/2021