

CITY OF PERRY REGULAR COUNCIL MEETING
PERRY COMMUNITY BUILDING

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REGULAR CITY COUNCIL MEETING HELD IN COUNCIL CHAMBERS ON
NOVEMBER 18, 2021

INVOCATION PRESENTED BY PASTOR DEANNA SHAW FROM SHAFTSBURG
COMMUNITY BIBLE CHURCH

PRESENT: COUNCILMEMBERS, RANDY COFFEY, MIKE CONNELL,
LARRY LAMBERT, BOB PORTER AND STEVE WALLACE;
MAYOR, SUSAN HAMMOND AND CITY CLERK, DEVIN MILLER

ABSENT: COUNCILMEMBER, MINDY GALBAVI

ALSO PRESENT: STUDIO 130, ALEX MALLOY

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

APPROVAL OF AGENDA:

11-18-21-01

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

READING AND APPROVAL OF THE MINUTES:

11-18-21-02

Moved by Porter, seconded by Lambert that we suspend the rules,
waive the reading and approve the minutes from the November 4,
2021 regular meeting. Carried, all yes.

COMMENTS FROM THE PUBLIC:

None.

COMMUNICATIONS:

Flyer was read regarding Christmas Fantasy Saturday,
December 11, 2021 @ 5:15pm to 8:00pm.

MAYOR REPORTS:

Mayor reported the following:

- Grant application has been submitted towards water tower
renovations.
- Reminder that the Christmas lighting contest will be judged
on Tuesday, December 7th @ 7pm.
- Reminder that the Stuff the Hummer event will take place
Saturday, December 4th 10am to 2pm @ Carl's Supermarket.

- Met with Huntington bank to talk over some concerns due to the transition from TCF to Huntington bank.

COMMITTEE REPORTS:

Lambert reported for the following committees:

- Planning Commission are beginning to update the Master Plan and will be looking into the MEDC for the city to consider.
- Finance and Ordinance will be meeting to discuss the ORV ordinance and review city charter.
- Business Affairs & Technology are still moving forward for the website renovations.

PRESENTATION AND APPROVAL OF THE BILLS:

11-18-21-03

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

OLD BUSINESS:

None.

NEW BUSINESS:

Possible Adoption of Resolution to Appoint Street Administrator

11-18-21-04

Moved by Lambert, seconded by Coffey that we accept and approve the following resolution:

WHEREAS, Section 13(9) of Act 51, Public Acts of 1951 provided that each incorporated city and village to which funds are returned under the provisions of this section, that, "the responsibility for street improvements, maintenance, and traffic operations work, and the development, construction, or repair of off-street parking facilities and construction or repair of street lighting shall be coordinated by a single administrator to be designated by the governing body who shall be responsible for and shall represent the municipality in transactions with the State Transportation Department pursuant to this act."

THEREFORE, BE IT RESOLVED, that this Honorable Body designate Meggen Galbreath as the single Street Administrator for the City of Perry in all transactions with the State Transportation Department as provided in Section 13 of the Act. Carried, all yes.

Mayor's Appointments

Mayor appointed Meggen Galbreath to the Perry Building Authority for a term to expire May of 2023 and to the International Trade

Corridor, as Alternate Representative, for a term to expire January 1, 2023.

11-18-21-05

Moved by Connell, seconded by Wallace to approve the Mayor's appointments of Meggen Galbreath to the Perry Building Authority for a term expiring May of 2023 and also to International Trade Corridor, as Alternate Representative, for a term to expire January 1, 2023. Carried, all yes.

Possible Approval of Interior Renovations to the Perry District Library

Discussion.

11-18-21-06

Moved by Lambert, seconded by Porter that the city approve the following proposal for interior renovations to the Perry District Library, with the stipulation that all financial responsibility for said repairs shall be the responsibility of the Community District Library Board of Trustees, the D.P.W. Superintendent shall approve any deviation from the contract and that the contractor shall furnish adequate proof of liability insurance and workers compensation insurance prior to commencing work on the project.

1. Contract dated 08/23/2021, from Cody Construction
Carried, all yes.

Possible Approval of Exterior Renovations to the Perry District Library

11-18-21-07

Moved by Wallace, seconded by Lambert that we approve the proposal as written from Cody Construction, for a amount not to exceed \$24,000.00 and give Supt. of DPW authorization to sign said agreement. Carried, all yes.

Discussion/Possible Adoption of Personnel Policy Amendments

Discussion.

11-18-21-08

Moved by Lambert, seconded by Porter that we approve the following amendments to the Personnel Policy for the City of Perry employees except for those covered by a master contract, which is negotiated with a recognized union or labor group and with the understanding that this policy will be effective, December 1, 2021:

E. Paid Sick Leave:

1. After six (6) months of employment, Full-time Employees will be credited with 48 hours of sick leave. Thereafter, sick leave time shall accumulate eight hours per month for full time employees with a maximum accumulation of four hundred eighty (480) hours.
 - a) Full-time employees who have the maximum

accumulated, will be paid for half of the unused earned sick hours for the year on the first pay of December of each year. This payment may be received by check or to defer payment into your 457 plan. If no authorization has been directed by employee, the sick time overage will defer to a paper check.

2. Part-time Employees (as defined in Section B-2 of this policy) shall receive no sick leave.
5. An employee who is ill or injured and who expects to be off work must notify their supervisor as promptly as practicable under the circumstances, but in any event, no later than one (1) hour prior to the beginning of a shift on the date of absence from work. At the discretion of the Mayor, failure to notify appropriately may result in denial of a claim for paid sick time.
11. Employee who has at least fifteen (15) years of Full-time service shall be paid 25% of accumulated sick, only when he has given two weeks' notice in writing of his intention to leave the employment of the City.

Carried, all yes.

Employee Agreements

Discussion.

11-18-21-09

Moved by Lambert, seconded by Porter that we accept and approve the following resolution:

WHEREAS, the City of Perry has amended the City Personnel Policy and,

WHEREAS, the amendments to sick leave maximum accumulation will require a transition period for specific existing employees.

THEREFORE, the City of Perry does hereby ratify the Employment Agreements between the City and Kyle Bawks, Dori Boertman, Devin Miller, Eric Smith and John Souder and shall be effective December 1, 2021.

FURTHER, this Resolution is non precedent binding in regard to existing and future employees hired by the City. Carried, all yes.

Possible Adoption of Resolution Concerning Charter Amendments

Discussion.

11-18-21-10

Moved by Wallace, seconded by Connell that we accept and approve

the following resolution:

WHEREAS the electors for the City have passed the Initiatory Petition to amend the City Charter allowing for medical marihuana facilities, to assist medical marihuana patients with critical medical conditions, and to create a City Department of Medical Marihuana with local regulatory authority;

AND WHEREAS the City has received a written opinion from the Michigan Attorney General's Office finding that the Charter Amendment is unlawful being in violation of the Michigan Home Rule City Act;

AND WHEREAS the City is desirous to avoid the needless waste of taxpayer money on implementing an unlawful Charter Amendment;

THEREFORE IT IS RESOLVED THAT the City hereby authorizes the City Attorney to proceed with any and all necessary litigation or court action requesting a finding that the passed Charter Amendment is unlawful and therefore void and of no force or effect. Carried, all yes.

Discussion of Ordinance Amendment Re: Medical Marihuana

11-18-21-11

Moved by Lambert, seconded by Connell that we refer to the finance and ordinance committee assignment to establish a proposed ordinance revision involving the establishment of medical marihuana dispensary within the city limits of Perry and come back as a committee with a recommendation in a very timely manner. Carried, all yes.

11-18-21-12

Moved by Wallace, seconded by Connell that we send to the planning commission a request to look at appropriate area for zoning for medical marihuana dispensary. Carried, all yes.

PUBLIC COMMENT:

None.

ADJOURNMENT: 8:08 P.M.



Susan J. Hammond, Mayor Date 11/24/2021



Devin Miller, Clerk Date 11-24-2021