



CITY COUNCIL

August 16, 2021

1. Call to Order - 7:00 P.M. – City Council Chambers
2. Recitation - Pledge of Allegiance to the Flag of the United States of America
3. Roll Call
4. Public Hearing
 - (a) Public hearing and receipt of comments on the establishment of an Obsolete Property Rehabilitation Act (OPRA) District for Property Tax ID #: 52-19-06-226-024, commonly known as 316 and 318 East Lake Street and possible
 - (b) Public hearing and receipt of comments on an Obsolete Property Rehabilitation Act (OPRA) Exemption Certificate Application received from Howard Property Partners LLC for Property Tax ID #: 52-19-06-226-024, commonly known as 316 and 318 East Lake Street
5. Consent Agenda – Adoption of a proposed resolution that would confirm approval of the following:
 - (a) August 2, 2021 regular session City Council meeting minutes
 - (b) Acknowledge receipt of a report concerning certain administrative transactions since August 2, 2021
6. Miscellaneous Public Comments
7. City Manager Updates
8. Appointments – Consideration of appointments to the Planning Commission
9. Old Business
 - (a) Adoption of a proposed resolution that would establish an Obsolete Property Rehabilitation Act (OPRA) District for Property Tax ID # 52-19-06-226-024, commonly known as 316 and 318 East Lake Street
 - (b) Adoption of a proposed resolution that would support an Obsolete Property Rehabilitation Exemption Certificate Application for Property Tax ID # 52-19-06-226-024, commonly known as 316 and 318 East Lake Street
 - (c) Consideration to approve a draft letter of support regarding a countywide transportation system

10. New Business

- (a) Adoption of a proposed resolution that would approve the 2021-2023 FOPLC Public Safety Lieutenants Contract
- (b) Consideration to approve the MERS Health Care Savings Program Participation Agreement required by MERS and adoption of a resolution authorizing execution of the agreement establishing the plan as provided in the Public Safety Lieutenant's 2021-2023 collective bargaining agreement
- (c) Adoption of a proposed resolution that would confirm designations of a voting representative and an alternate to the September 22 annual meeting of the Michigan Municipal League

11. City Council Comments

12. Adjournment

You may join the meeting remotely

Join Zoom Meeting: <https://us02web.zoom.us/j/86564332744>

Dial by Phone: 888-788-0099 US Toll-free

Meeting ID: Meeting ID: 865 6433 2744

Persons with disabilities who require assistance in order to participate in the electronic public meeting should contact the City Clerk at the earliest opportunity by emailing aterry@petoskey.us or by calling 231-347-2500 to request assistance.

According to the Attorney General, interrupting a public meeting in Michigan with hate speech or profanity could result in criminal charges under several State statutes relating to Fraudulent Access to a Computer or Network (MCL 752.797) and/or Malicious Use of Electronics Communication (MCL 750.540).

According to the US Attorney for Eastern Michigan, Federal charges may include disrupting a public meeting, computer intrusion, using a computer to commit a crime, hate crimes, fraud, or transmitting threatening communications.

Public meetings are being monitored and violations of statutes will be prosecuted.



City of Petoskey

Agenda Memo

BOARD: City Council

MEETING DATE: August 16, 2021

PREPARED: August 12, 2021

AGENDA SUBJECT: Public Hearing with Discussion and Potential Approval of a Resolution Establishing an Obsolete Property Rehabilitation Act (OPRA) District for Property Tax ID # 52-19-06-226-024, Commonly Known as 316 and 318 East Lake Street

RECOMMENDATION: That the City Council hold a public hearing and adoption of the proposed enclosed resolution

Background At the July 19, 2021 Council meeting, Councilmembers made a motion to schedule a public hearing to solicit comments on the potential establishment of an Obsolete Property Rehabilitation Act (OPRA) District for Property Tax ID # 52-19-06-226-024, commonly known as 316 and 318 East Lake Street. As of Thursday afternoon, August 12 at 2:00 P.M.. City staff has received one written comment from Ben Slocum-see enclosed email. Any further comments will be brought to City Council at the meeting.

Per OPRA regulations, City staff sent out public hearing notices to the property owner of 316 and 318 East Lake Street, Emmet County, North Central Michigan College, Greenwood Cemetery, Petoskey School District and Char/EM ISD seeking comment at the August 16, 2021 Council meeting. The City also notified the community of the public hearing through our website and posted a public hearing notice at City Hall. Per the directive of City Council, City staff sent out mail notices to all property owners within the DDA District. City staff has also sent out email notices to downtown businesss and property owners per City Council.

See two informational enclosures from the Michigan Economic Development Corporation (MEDC): 1) Obsolete Property Rehabilitation Act (OPRA); and 2) Core Communities that qualify for OPRA that includes the City of Petoskey. We have also included OPRA Act 146 of 2000.

Action That City Council hold a public hearing. City Council may approve the enclosed resolution establishing an Obsolete Property Rehabilitation Act (OPRA) District for Property Tax ID # 52-19-06-226-024, commonly known as 316 and 318 East Lake Street at this meeting.

The following information was included in the July 19 City Council packet.

Background The City has received an Obsolete Property Rehabilitation Act (OPRA) application (see enclosed) from Tom Johnson working on behalf of Howard Properties LLC. The Obsolete Property Rehabilitation Act (OPRA) allows for an abatement of local taxes for up to 12 years to assist in the redevelopment of older buildings in which a facility is contaminated, blighted or functionally obsolete. The goal is to rehabilitate older buildings into vibrant commercial and mixed-use projects.

The application requests the City consider the establishment of an OPRA District for a six-year tax abatement for 316 and 318 East Lake Street to renovate the properties. The second and third stories of the buildings have been vacant for an estimated 90 years. Approval of the tax abatement is needed as a local match for Howard Properties LLC to qualify for an estimated \$925,000 Community Revitalization Program (CRP) Grant through MEDC.

The properties are also included as priority redevelopment sites per the City Council approved Redevelopment Ready Communities (RRC) Economic Development Strategy. See informational sheet from the RRC Economic Strategy document.

Project Summary/Property History Howard Property Partners, LLC owns 316 and 318 East Lake Street, two connected historic buildings in Petoskey's Gaslight District that share hallways on the upper floors. Currently the bottom floor serves as retail space.

The building, which was known as the National Hotel, was constructed by Francis X. Schluttenhofer, in 1881. From 1915 until 1949, J.F. and T.A. Bremmeyr operated the Franklin Hotel. A specialty gift shop called "In The Woods" was located here by Shirley Hill from the 1970s to 2001.

Howard Property Partners, LLC plans to renovate the entire building to make it a sound historic structure for many decades to come. The project will commence with foundational work, replacing the old cedar support posts with modern masonry foundation materials. Façade and exterior improvements will be made on the outside, new insulation will be added to the walls and roof. An elevator shaft and stairwell will be installed. Six new apartment units will be created on the second and third floors. The third floor, which only occupies 25% of the building footprint, will be expanded to the full 3,700 square feet. Upon completion, the total building size will be 11,080 s.f., spread out over three floors. The building is one of the few left made of wood and balloon style construction.

This type of construction will not properly support modern apartments on the upper floors; therefore, a steel support system will be installed to improve the building's strength and structural integrity. The total renovation cost is estimated at \$1,861,301.

The total renovation and development costs are expected to far exceed the value of the property. Howard Property Partners, LLC has approached MEDC and completed an application for a Community Revitalization Grant in the amount of \$925,000. This grant program also requires a local match. The recommendation by MEDC is to have a minimum match of approximately 10%. The local match proposed includes a façade improvement grant approved by the DMB for \$10,000 in 2019 and the OPRA tax abatement being requested which is estimated at \$14,019 per year for six years (total of \$84,114). Adding the \$10,000 façade grant with the \$84,114 tax abatement totals \$94,114, or approximately 10.2% of the \$925,000 MEDC grant.

Financial Calculations If approved by City Council, the property taxes for the rehabilitated property will be based on the previous year's (prior to rehabilitation) taxable value. The taxable value is then frozen for the duration of the exemption. After six years, the City and other taxing entities would realize the full increase of taxable value for the property. The Internal Rate of Return (IRR) with the tax abatement and \$925,000 MEDC grant shows a negative IRR of -1.1% but a positive return on investment of 4.5%, making the project financially feasible. Both Dan Leonard from MEDC and City Treasurer Al Terry concur with Mr. Johnson's IRR calculations.

Financial Summary of an OPRA tax exemption for 316/318 East Lake Street

2020 Taxable Value (before building renovation):	\$ 234,739
Current local taxes* (to all taxing jurisdictions):	\$ 12,489
Estimated cost of building renovation:	\$ 1,861,301
Anticipated additional taxable value after renovations that add six (6) residential units **	\$ 480,000
Projected additional taxes* (to all taxing jurisdictions)	\$ 25,539
Less school operating and state education taxes***	<u>\$ 11,520</u>
Annual OPRA tax exemption	\$ 14,019

*Total local mills= 53.2068

**Based on estimated value from City Assessor

***School operating and state education mills=24

Building Obsolescence

Per a December, 2014 Inspection Report by the Emmet County Building Department, various building issues were identified that make the properties uninhabitable for occupancy that include the following:

- Dilapidated interior floor, wall and ceiling finishes;
- Many second and third floor rooms lack electrical, lighting, plumbing and restroom facilities, heat and ventilation, approved means of egress, fire safety;
- Moisture penetration from roof leakage;
- Aspects of the third floor has questionable structural repairs;
- Current room areas are too small to be considered useable as small apartments.

The properties have been identified as “*unsafe for occupancy in its current condition*” by the Emmet County Building Department and “*suffers in excess of 50% functional obsolescence*” according to the City Assessor. See enclosed correspondence from both the Emmet County Building Department as well as a letter dated June 30, 2021 from Bob Englebrecht, City Assessor.







Process of Approving an Obsolete Property Rehabilitation District Tax Exemption

The local government legislative body may establish an OPRA District on its own initiative or upon a written request filed by the owners of the property. In this case, we have a written request from Howard Properties LLC to create an OPRA District for a six-year duration.

Two resolutions would need to be approved by Council: 1) Resolution creating the OPRA District; and 2) Resolution approving an OPRA Exemption Certificate Application. Before consideration of approving the two resolutions, a Public Hearing would need to be scheduled to solicit comment for each resolution.

If Council desires to move forward with holding the Public Hearings, staff recommends scheduling these two hearings at a future Council meeting. (The earliest date a Public Hearing could be scheduled is at our next meeting on August 2, 2021.) Both the resolution creating the OPRA District and the resolution approving the OPRA Application can be scheduled at the same meeting but must be considered separately.

If Council approves moving forward with the Public Hearings, notices will be sent to Emmet County, North Central Michigan College, Greenwood Cemetery, Petoskey School District and Char/EM ISD seeking comment. Following the Public Hearing, the legislative body of the local government unit may establish an OPRA District by resolution. The resolution must set forth a finding and determination that the District meets all requirements of the OPRA program.

Action (previous for July 19, 2021) The second and third stories of these two properties have remained vacant for over 90 years and have major building code issues that require substantial investment to create downtown apartments. Per the Building Inspection Report, the property requires significant repairs and is “unsafe for occupancy” in its current condition.

With major structural issues and building safety issues, the interior of these two properties will need to be gutted to create six downtown apartments. As stated above, the Internal Rate of Return (IRR) on renovating the properties is in the negative without MEDC grant funding and the City’s tax abatement for 6 years. Combining State funding of \$925,000 with a relatively short-term tax abatement creates a project that is financially feasible while increasing the number of downtown rental units. From staff’s perspective, the tax abatement is a short-term sacrifice for a long-term benefit and a critical investment in downtown properties that have been vacant for decades.

MEDC is offering a \$925,000 Community Revitalization program (CRP) Grant contingent upon the City approving a six-year OPRA tax abatement at \$14,019 per year, or \$84,114 total. After this six-year abatement, the City and other taxing units will realize additional tax dollars that may not have been available without both State and local incentives. The properties are included as a priority redevelopment site per the City Council approved Redevelopment Ready Communities (RRC) Economic Development Strategy.

If Council chooses to move forward to the next step, a motion could be made to “*schedule a Public Hearing for the City Council meeting on _____, 2021 to solicit comments on the potential establishment of an Obsolete Property Rehabilitation Act District for 316 and 318 East Lake Street.*”

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Enclosures



**RESOLUTION TO ESTABLISH AN OBSOLETE PROPERTY
REHABILITATION DISTRICT**

Minutes of a regular meeting of the City Council of the City of Petoskey, held on _____, 2021, at 101 East Lake Street in City Hall at 7:00 P.M.

PRESENT:

ABSENT:

The following preamble and resolution were offered by _____, and supported by _____.

**Resolution # _____
Establishing an Obsolete Property Rehabilitation (OPRA) District for
Howard Property Partners LLC**

WHEREAS, pursuant to PA 146 of 2000, the City of Petoskey has the authority to establish "Obsolete Property Rehabilitation Districts" within the City; and

WHEREAS, Howard Property Partners LLC has filed a written request with the Clerk of the City of Petoskey requesting the establishment of the Obsolete Property Rehabilitation District for Property Tax ID # 52-19-06-226-024, commonly known as 316 and 318 East Lake Street located in the City of Petoskey hereinafter described; and

WHEREAS, the City Council of the City of Petoskey determined that the district meets the requirements set forth in section 3(1) of PA 146 of 2000; and

WHEREAS, written notice has been given by mail to all owners of real property located within the proposed district and by public posting of the hearing on the City's website as well as posted at City Hall on the establishment of the proposed district; and

WHEREAS, on August 16, 2021 a public hearing was held and all residents and taxpayers of the City of Petoskey were afforded an opportunity to be heard thereon; and

WHEREAS, establishment of the District shall be contingent upon the two properties receiving a Community Revitalization Program grant through the Michigan Economic Development Corporation (MEDC); and

WHEREAS, the City Council deems it to be in the public interest of the City of Petoskey to establish the Obsolete Property Rehabilitation District as proposed:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Petoskey that the following described parcel(s) of land situated in the City of Petoskey, Emmet County, and State of Michigan, to wit:

Legal Description:

SHAW & MC MILLAN'S ADDITION W 1/2 OF LOT 4 &
COM AT NE COR OF LOT 5, TH W 25.22', TH S
138' TO A PT 23.95' W OF SE COR OF LOT 5, TH
E 23.95' TO SE COR OF LOT 5, TH N TO POB ALL
IN BLK 8 SECTION 6, T34N, R5W.

be and here is established as an Obsolete Property Rehabilitation District pursuant to the provisions of PA 146 of 2000, Property Tax ID # 52-19-06-226-024, to be known as 316 and 318 East Lake Street Obsolete Property Rehabilitation District No.1. and that the establishment of the District shall be contingent upon the two properties receiving a Community Revitalization Program grant through the Michigan Economic Development Corporation (MEDC).

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Council of the City of Petoskey, County of Emmet, Michigan at a regular meeting held on _____, 2021.

Alan Terry, City Clerk



OBSELETE PROPERTY REHABILITATION ACT (OPRA)

The Obsolete Property Rehabilitation Act (OPRA), Public Act 146 of 2000, provides for a tax incentive to encourage the redevelopment of obsolete buildings. A new exemption will not be granted after December 31, 2026, but an exemption then in effect will continue until the certificate expires. The tax incentive is designed to assist in the redevelopment of older buildings in which a facility is contaminated, blighted or functionally obsolete. The goal is to rehabilitate older buildings into vibrant commercial and mixed-use projects.

Note: This document is offered as a general guide only. The legislation should be reviewed by local officials.

WHO IS ELIGIBLE?

OPRA tax abatements may be given for those eligible projects that take place on an obsolete property and result in a commercial or mixed-use building project located in only the qualified local units of government.

HOW DOES IT WORK?

A community essentially freezes the existing taxable value on a designated facility for up to 12 years. Additionally, the state treasurer may approve reductions of half of the school operating and state education taxes for a period not to exceed six years for 25 applications annually for rehabilitated facilities. By freezing the taxable value, it provides an incentive for the developer to make significant improvements to a building without increasing the property taxes on the building.

WHAT IS THE PROCESS?

Note: The following steps are offered as general guidelines only and the legislation should be reviewed by local officials prior to starting the designation process.

Local government process to designate an Obsolete Property Rehabilitation District (OPRD)

1. The governing body of a qualified local unit of government, by resolution, may designate one or more OPRDs within that local governmental unit. The OPRD may consist of one or more parcels or tracts of land that is characterized by obsolete commercial or obsolete commercial housing property.
2. The qualified local unit of government may establish an OPRD on its own initiative or upon a written request by at least 50 percent of the owners of the property within the proposed OPRD.
3. Written notice of a public hearing is provided by certified mail to all owners of all real property within the proposed district.
4. The governing body holds a public hearing with a public notice required not less than 10 days or more than 30 days prior to the date of the hearing.

5. The governing body adopts a resolution establishing the district and the determination that it meets the requirements under the legislation.

Owner/developer process for obtaining an OPRA certificate

1. An owner of an obsolete property within the district files an application for an OPRA certificate with the clerk of the local government that includes the details of the project.
2. Once a completed application is received, the clerk must notify the assessor and each taxing unit that levies property taxes (e.g., county, community college, library, etc.).
3. The governing body holds a public hearing prior to acting on the resolution regarding the certificate.
4. Within 60 days of receipt of application, the local unit of government shall by resolution approve or disapprove the application for the certification for up to 12 years. The public hearings for the district and the exemption certificate may be held on the same day, but with individual public hearings.
5. Once approved locally, the application and resolution must be sent to the State Tax Commission (STC). The STC has 60 days to approve or disapprove the request. To apply for the abatement of school millage, the developer must make note of this on the application form. The STC is responsible for final approval and issuance of all OPRA certificates.

WHY WOULD A COMMUNITY WANT TO OFFER AN OBSELETE PROPERTY TAX REHABILITATION TAX ABATEMENT?

The OPRA incentive is used to encourage the redevelopment of blighted buildings. In many cases, this could be an abandoned, multi-story industrial building that is now more suited for commercial or residential rental units. To the developer, the advantage is savings on property taxes. The tax incentives essentially freeze the local property taxes for up to 12 years, exempting from local property tax all real property improvements. In addition, the state treasurer has the ability to exempt one-half of the school millage for up to six years on 25 projects per year.

SUPPORTING STATUTES

P.A. 146 of 2000: Obsolete Property Rehabilitation Act

CONTACT INFORMATION

For more information contact the Community Assistance Team specialist assigned to your territory or visit www.mplace.org.

MICHIGAN ECONOMIC DEVELOPMENT CORPORATION

CORE COMMUNITIES

In June of 2000, the State of Michigan initiated an effort to spur private development in its urban communities and traditional centers of commerce. The incentives, unique to Core Communities, target critical needs of older communities through new housing development, redevelopment of obsolete facilities and development of contaminated properties.

The Core Communities designation provides the community with three economic development tools:

Brownfield Redevelopment Incentives

Core Communities have the ability to use brownfield tools not only on contaminated property, but blighted and functionally obsolete sites as well. In addition, the tax increment financing component can pay for demolition, site preparation, public infrastructure and lead and asbestos abatement, as well as environmental remediation.

Neighborhood Enterprise Zones

This program provides property tax incentives for new home construction and home rehabilitation. For new home construction, instead of the full millage rate, the new home

is taxed at half of the statewide average. For rehabilitation projects, the assessment is frozen at preimprovement levels. Each of these abatements can be approved for six to 15 years. Land is not abated.

Obsolete Property Rehabilitation Exemption

Available only in Core Communities, this incentive is designed to assist in the redevelopment of contaminated, blighted and functionally obsolete properties. The goal is to convert these underutilized buildings into vibrant commercial and/or commercial housing opportunities. The incentive offers the community the ability to freeze local property taxes at the pre-development level for up to 12 years. The developer can also apply to the State Treasurer to freeze half of the state education millage for up to six years. Land is not abated.

CONTACT INFORMATION

For more information on Core Communities and the unique incentives available in those areas, contact the Michigan Economic Development Corporation customer contact center at 517-373-9808.

QUALIFIED LOCAL GOVERNMENTAL UNITS

OBSOLETE PROPERTY REHABILITATION ACT (OPRA) PA 146 OF 2000, AS AMENDED

Section 2(k) of the act gives the qualifications which must be met in order for a local unit to be a qualified local governmental unit. There are separate qualifications for cities, townships and villages.

TOWNSHIPS

Benton Charter Twp.
(*Berrien County*)
Bridgeport Twp.
(*Saginaw County*)
Buena Vista Charter Twp.
(*Saginaw County*)
Genesee Twp.
(*Genesee County*)
Leoni Twp. (*Jackson County*)
Mt. Morris Charter Twp.
(*Genesee County*)
Redford Charter Twp.
(*Wayne County*)
Royal Oak Charter Twp.
(*Oakland County*)

VILLAGES

Baldwin
Lake County

CITIES

Adrian
Albion
Allegan
Alma
Alpena
Ann Arbor
Bad Axe
Bangor
Battle Creek
Bay City
Benton Harbor
Bessemer
Big Rapids
Bronson
Buchanan
Burton
Cadillac
Caro
Carson City
Caspian
Center Line
Charlevoix
Charlotte
Cheboygan
Coldwater
Coleman
Corunna
Crystal Falls
Dearborn
Dearborn Heights
Detroit
Dowagiac

MICHIGAN ECONOMIC DEVELOPMENT CORPORATION

CITIES *continued*

Durand	Holland	Menominee	Saginaw
East Lansing	Houghton	Midland	St. Ignace
Eastpointe	Howell	Monroe	St. Johns
Ecorse	Inkster	Montrose	St. Joseph
Escanaba	Ionia	Mt. Clemens	St. Louis
Ferndale	Iron Mountain	Mt. Morris	Sandusky
Flint	Iron River	Mt. Pleasant	Sault Ste. Marie
Frankfort	Ironwood	Munising	Southfield
Gaastra	Ishpeming	Muskegon	Standish
Gaylord	Ithaca	Muskegon Hts.	Stanton
Gibraltar	Jackson	Niles	Sturgis
Gladstone	Kalamazoo	Norton Shores	Tawas City
Gladwin	Kingsford	Norway	Taylor
Grand Haven	Lake City	Oak Park	Three Rivers
Grand Rapids	Lansing	Olivet	Trenton
Grayling	Lapeer	Omer	Traverse City
Hamtramck	Lincoln Park	Onaway	Vassar
Harbor Beach	Livonia	Owosso	Wakefield
Harper Woods	Ludington	Petoskey	Warren
Harrison	Madison Heights	Pinconning	Wayne
Harrisville	Manistee	Pontiac	West Branch
Hart	Manistique	Port Huron	White Cloud
Hartford	Marine City	Portage	Whittemore
Hastings	Marquette	Reading	Wyandotte
Hazel Park	Marshall	Reed City	Wyoming
Highland Park	Mason	River Rouge	Ypsilanti
Hillsdale	Melvindale	Rogers City	

148 TOTAL QUALIFYING COMMUNITIES

Adopted by the State Tax Commission on August 23, 2016.

OBSOLETE PROPERTY REHABILITATION ACT
Act 146 of 2000

AN ACT to provide for the establishment of obsolete property rehabilitation districts in certain local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of certain local government officials; and to provide penalties.

History: 2000, Act 146, Imd. Eff. June 6, 2000.

The People of the State of Michigan enact:

125.2781 Short title.

Sec. 1. This act shall be known and may be cited as the "obsolete property rehabilitation act".

History: 2000, Act 146, Imd. Eff. June 6, 2000.

125.2782 Definitions.

Sec. 2. As used in this act:

(a) "Commercial housing property" means that portion of real property not occupied by an owner of that real property that is classified as residential real property under section 34c of the general property tax act, 1893 PA 206, MCL 211.34c, is a multiple-unit dwelling, or is a dwelling unit in a multiple-purpose structure, used for residential purposes. Commercial housing property also includes a building or group of contiguous buildings previously used for industrial purposes that will be converted to a multiple-unit dwelling or dwelling unit in a multiple-purpose structure, used for residential purposes.

(b) "Commercial property" means land improvements classified by law for general ad valorem tax purposes as real property including buildings and improvements assessable as real property pursuant to sections 8(d) and 14(6) of the general property tax act, 1893 PA 206, MCL 211.8 and 211.14, the primary purpose and use of which is the operation of a commercial business enterprise. Commercial property shall also include facilities related to a commercial business enterprise under the same ownership at that location, including, but not limited to, office, engineering, research and development, warehousing, parts distribution, retail sales, and other commercial activities. Commercial property also includes a building or group of contiguous buildings previously used for industrial purposes that will be converted to the operation of a commercial business enterprise or a multiple-unit dwelling or a dwelling unit in a multiple-purpose structure, used for residential purposes. Commercial property does not include any of the following:

(i) Land.

(ii) Property of a public utility.

(c) "Commission" means the state tax commission created by 1927 PA 360, MCL 209.101 to 209.107.

(d) "Department" means the department of treasury.

(e) "Facility", except as otherwise provided in this act, means a building or group of contiguous buildings.

(f) "Functionally obsolete" means that term as defined in section 2 of the brownfield redevelopment financing act, 1996 PA 381, MCL 125.2652.

(g) "Obsolete properties tax" means the specific tax levied under this act.

(h) "Obsolete property" means commercial property or commercial housing property, that is 1 or more of the following:

(i) Blighted, as that term is defined in section 2 of the brownfield redevelopment financing act, 1996 PA 381, MCL 125.2652.

(ii) A facility as that term is defined under section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101.

(iii) Functionally obsolete.

(i) "Obsolete property rehabilitation district" means an area of a qualified local governmental unit established as provided in section 3. Only those properties within the district meeting the definition of "obsolete property" are eligible for an exemption certificate issued pursuant to section 6.

(j) "Obsolete property rehabilitation exemption certificate" or "certificate" means the certificate issued pursuant to section 6.

(k) "Qualified local governmental unit" means 1 or more of the following:

(i) A city with a median family income of 150% or less of the statewide median family income as reported in the 1990 federal decennial census that meets 1 or more of the following criteria:

(A) Contains or has within its borders an eligible distressed area as that term is defined in section 11(u)(ii)

and (iii) of the state housing development authority act of 1966, 1966 PA 346, MCL 125.1411.

(B) Is contiguous to a city with a population of 500,000 or more.

(C) Has a population of 10,000 or more that is located outside of an urbanized area as delineated by the United States bureau of the census.

(D) Is the central city of a metropolitan area designated by the United States office of management and budget.

(E) Has a population of 100,000 or more that is located in a county with a population of 2,000,000 or more according to the 1990 federal decennial census.

(ii) A township with a median family income of 150% or less of the statewide median family income as reported in the 1990 federal decennial census that meets 1 or more of the following criteria:

(A) Is contiguous to a city with a population of 500,000 or more.

(B) All of the following:

(I) Contains or has within its borders an eligible distressed area as that term is defined in section 11(u)(ii) of the state housing development authority act of 1966, 1966 PA 346, MCL 125.1411.

(II) Has a population of 10,000 or more.

(iii) A village with a population of 500 or more as reported in the 1990 federal decennial census located in an area designated as a rural enterprise community before 1998 under title XIII of the omnibus budget reconciliation act of 1993, Public Law 103-66, 107 Stat. 416.

(iv) A city that meets all of the following criteria:

(A) Has a population of more than 20,000 or less than 5,000 and is located in a county with a population of 2,000,000 or more according to the 1990 federal decennial census.

(B) As of January 1, 2000, has an overall increase in the state equalized valuation of real and personal property of less than 65% of the statewide average increase since 1972 as determined for the designation of eligible distressed areas under section 11(u)(ii)(B) of the state housing development authority act of 1966, 1966 PA 346, MCL 125.1411.

(l) "Rehabilitation" means changes to obsolete property other than replacement that are required to restore or modify the property, together with all appurtenances, to an economically efficient condition. Rehabilitation includes major renovation and modification including, but not necessarily limited to, the improvement of floor loads, correction of deficient or excessive height, new or improved fixed building equipment, including heating, ventilation, and lighting, reducing multistory facilities to 1 or 2 stories, adding additional stories to a facility or adding additional space on the same floor level not to exceed 100% of the existing floor space on that floor level, improved structural support including foundations, improved roof structure and cover, floor replacement, improved wall placement, improved exterior and interior appearance of buildings, and other physical changes required to restore or change the obsolete property to an economically efficient condition. Rehabilitation shall not include improvements aggregating less than 10% of the true cash value of the property at commencement of the rehabilitation of the obsolete property.

(m) "Rehabilitated facility" means a commercial property or commercial housing property that has undergone rehabilitation or is in the process of being rehabilitated, including rehabilitation that changes the intended use of the building. A rehabilitated facility does not include property that is to be used as a professional sports stadium. A rehabilitated facility does not include property that is to be used as a casino. As used in this subdivision, "casino" means a casino or a parking lot, hotel, motel, or retail store owned or operated by a casino, an affiliate, or an affiliated company, regulated by this state pursuant to the Michigan gaming control and revenue act, the Initiated Law of 1996, MCL 432.201 to 432.226.

(n) "Taxable value" means the value determined under section 27a of the general property tax act, 1893 PA 206, MCL 211.27a.

History: 2000, Act 146, Imd. Eff. June 6, 2000;—Am. 2006, Act 70, Imd. Eff. Mar. 20, 2006.

125.2783 Obsolete property rehabilitation districts; creation; conditions; filing written request; notice and hearing; finding and determination.

Sec. 3. (1) A qualified local governmental unit, by resolution of its legislative body, may establish 1 or more obsolete property rehabilitation districts that may consist of 1 or more parcels or tracts of land or a portion of a parcel or tract of land, if at the time the resolution is adopted, the parcel or tract of land or portion of a parcel or tract of land within the district is either of the following:

(a) Obsolete property in an area characterized by obsolete commercial property or commercial housing property.

(b) Commercial property that is obsolete property that was owned by a qualified local governmental unit on the effective date of this act, and subsequently conveyed to a private owner.

(2) The legislative body of a qualified local governmental unit may establish an obsolete property

rehabilitation district on its own initiative or upon a written request filed by the owner or owners of property comprising at least 50% of all taxable value of the property located within a proposed obsolete property rehabilitation district. The written request must be filed with the clerk of the qualified local governmental unit.

(3) Before adopting a resolution establishing an obsolete property rehabilitation district, the legislative body shall give written notice by certified mail to the owners of all real property within the proposed obsolete property rehabilitation district and shall afford an opportunity for a hearing on the establishment of the obsolete property rehabilitation district at which any of those owners and any other resident or taxpayer of the qualified local governmental unit may appear and be heard. The legislative body shall give public notice of the hearing not less than 10 days or more than 30 days before the date of the hearing.

(4) The legislative body of the qualified local governmental unit, in its resolution establishing an obsolete property rehabilitation district, shall set forth a finding and determination that the district meets the requirements set forth in subsection (1).

History: 2000, Act 146, Imd. Eff. June 6, 2000.

125.2784 Obsolete property rehabilitation exemption certificate; application; filing; contents; hearing; determination of taxable value.

Sec. 4. (1) If an obsolete property rehabilitation district is established under section 3, the owner of obsolete property may file an application for an obsolete property rehabilitation exemption certificate with the clerk of the qualified local governmental unit that established the obsolete property rehabilitation district. The application shall be filed in the manner and form prescribed by the commission. The application shall contain or be accompanied by a general description of the obsolete facility and a general description of the proposed use of the rehabilitated facility, the general nature and extent of the rehabilitation to be undertaken, a descriptive list of the fixed building equipment that will be a part of the rehabilitated facility, a time schedule for undertaking and completing the rehabilitation of the facility, a statement of the economic advantages expected from the exemption, including the number of jobs to be retained or created as a result of rehabilitating the facility, including expected construction employment, and information relating to the requirements in section 8.

(2) Upon receipt of an application for an obsolete property rehabilitation exemption certificate, the clerk of the qualified local governmental unit shall notify in writing the assessor of the local tax collecting unit in which the obsolete facility is located, and the legislative body of each taxing unit that levies ad valorem property taxes in the qualified local governmental unit in which the obsolete facility is located. Before acting upon the application, the legislative body of the qualified local governmental unit shall hold a public hearing on the application and give public notice to the applicant, the assessor, a representative of the affected taxing units, and the general public. The hearing on each application shall be held separately from the hearing on the establishment of the obsolete property rehabilitation district.

(3) Upon receipt of an application for an obsolete property rehabilitation exemption certificate for a facility located on property that was owned by a qualified local governmental unit on the effective date of this act, and subsequently conveyed to a private owner, the clerk of the qualified local governmental unit, in addition to the other requirements of this section, shall request the assessor of the local tax collecting unit in which the facility is located to determine the taxable value of the property. This determination shall be made prior to the hearing on the application for an obsolete property rehabilitation exemption certificate held pursuant to subsection (2).

History: 2000, Act 146, Imd. Eff. June 6, 2000.

125.2785 Approval or disapproval of resolution; forward copies.

Sec. 5. The legislative body of the qualified local governmental unit, not more than 60 days after receipt of the application by the clerk, shall by resolution either approve or disapprove the application for an obsolete property rehabilitation exemption certificate in accordance with section 8 and the other provisions of this act. The clerk shall retain the original of the application and resolution. If approved, the clerk shall forward a copy of the application and resolution to the commission. If disapproved, the reasons shall be set forth in writing in the resolution, and the clerk shall send, by certified mail, a copy of the resolution to the applicant and to the assessor. A resolution is not effective unless approved by the commission as provided in section 6.

History: 2000, Act 146, Imd. Eff. June 6, 2000.

125.2786 Approval or disapproval of resolution by commission; certificate; issuance; form; contents; effective date; filing; maintenance of record of certificates; copy; discovery of error or mistake in application; amended application; failure to forward approved

application; duties of commission.

Sec. 6. (1) Not more than 60 days after receipt of a copy of the application and resolution adopted under section 5, the commission shall approve or disapprove the resolution.

(2) Following approval of the application by the legislative body of the qualified local governmental unit and the commission, the commission shall issue to the applicant an obsolete property rehabilitation exemption certificate in the form the commission determines, which shall contain all of the following:

(a) A legal description of the real property on which the obsolete facility is located.

(b) A statement that unless revoked as provided in this act the certificate shall remain in force for the period stated in the certificate.

(c) A statement of the taxable value of the obsolete property, separately stated for real and personal property, for the tax year immediately preceding the effective date of the certificate after deducting the taxable value of the land and personal property other than personal property assessed pursuant to sections 8(d) and 14(6) of the general property tax act, 1893 PA 206, MCL 211.8 and 211.14.

(d) A statement of the period of time authorized by the legislative body of the qualified local governmental unit within which the rehabilitation shall be completed.

(e) If the period of time authorized by the legislative body of the qualified local governmental unit pursuant to subdivision (d) is less than 12 years, the exemption certificate shall contain the factors, criteria, and objectives, as determined by the resolution of the qualified local governmental unit, necessary for extending the period of time, if any.

(3) Except as otherwise provided in this section, the effective date of the certificate is the December 31 immediately following the date of issuance of the certificate.

(4) The commission shall file with the clerk of the qualified local governmental unit a copy of the obsolete property rehabilitation exemption certificate, and the commission shall maintain a record of all certificates filed. The commission shall also send, by certified mail, a copy of the obsolete property rehabilitation exemption certificate to the applicant and the assessor of the local tax collecting unit in which the obsolete property is located.

(5) Notwithstanding any other provision of this act, if a qualified local governmental unit passed a resolution approving an application for an obsolete property rehabilitation exemption certificate on November 5, 2008 for a rehabilitated facility located in an obsolete property rehabilitation district established on January 29, 2003 with rehabilitation commencing on July 24, 2007, the effective date of the certificate shall be December 31, 2008.

(6) If an error or mistake in an application for an obsolete property rehabilitation exemption certificate is discovered after the legislative body of the qualified local governmental unit has approved the application or after the commission has issued a certificate for the application, an applicant may submit an amended application in the same manner as an original application under section 4 that corrects the error or mistake. Pursuant to sections 5 and 6, the legislative body of the qualified local governmental unit and the commission may approve or deny the amended application. If the commission previously issued a certificate for the original application and approves an amended application under this subsection, the commission shall issue an amended certificate for the amended application pursuant to section 6 with the same effective date as the original certificate.

(7) If the clerk of the qualified local governmental unit failed to forward an application that was approved by the legislative body of the qualified local governmental unit before October 1 of that year to the commission before October 1 but filed the application before March 30 of the immediately succeeding year and the commission approves the application, notwithstanding any other provision of this act, the certificate shall be considered to be issued on December 31 in the year in which the qualified local governmental unit approved the application.

(8) Beginning October 1, 2013, the commission shall do all of the following for each obsolete property rehabilitation exemption certificate approved or disapproved by the commission under subsection (6) or (7):

(a) Notify the office of the member of the house of representatives of this state and the office of the senator of this state, who represent the geographic area in which the property covered by the application for a certificate is located, that an application for a certificate has been approved or disapproved under subsection (6) or (7).

(b) Publish on its website a copy of the certificate if approved, or a copy of the denial notice if disapproved, under subsection (6) or (7) and whatever additional information the commission considers appropriate regarding the application.

History: 2000, Act 146, Imd. Eff. June 6, 2000;—Am. 2010, Act 137, Imd. Eff. Aug. 4, 2010;—Am. 2011, Act 272, Imd. Eff. Dec. 19, 2011;—Am. 2013, Act 115, Imd. Eff. Sept. 24, 2013.

125.2787 Issuance of certificate; tax exemption; time period; limitation; commencement; extension; review.

Sec. 7. (1) A rehabilitated facility for which an obsolete property rehabilitation exemption certificate is in effect, but not the land on which the rehabilitated facility is located, or personal property other than personal property assessed pursuant to sections 8(d) and 14(6) of the general property tax act, 1893 PA 206, MCL 211.8 and 211.14, for the period on and after the effective date of the certificate and continuing so long as the obsolete property rehabilitation exemption certificate is in force, is exempt from ad valorem property taxes collected under the general property tax act, 1893 PA 206, MCL 211.1 to 211.157.

(2) Unless earlier revoked as provided in section 12, an obsolete property rehabilitation exemption certificate shall remain in force and effect for a period to be determined by the legislative body of the qualified local governmental unit. The certificate may be issued for a period of at least 1 year, but not to exceed 12 years. If the number of years determined is less than 12, the certificate may be subject to review by the legislative body of the qualified local governmental unit and the certificate may be extended. The total amount of time determined for the certificate including any extensions shall not exceed 12 years after the completion of the rehabilitated facility. The certificate shall commence with its effective date and end on the December 31 immediately following the last day of the number of years determined. The date of issuance of a certificate of occupancy, if required by appropriate authority, shall be the date of completion of the rehabilitated facility.

(3) If the number of years determined by the legislative body of the qualified local governmental unit for the period a certificate remains in force is less than 12 years, the review of the certificate for the purpose of determining an extension shall be based upon factors, criteria, and objectives that shall be placed in writing, determined and approved at the time the certificate is approved by resolution of the legislative body of the qualified local governmental unit and sent, by certified mail, to the applicant, the assessor of the local tax collecting unit in which the obsolete property is located, and the commission.

History: 2000, Act 146, Imd. Eff. June 6, 2000.

125.2788 Taxable value of property proposed to be exempt; application; limitation; separate finding by legislative body of qualified local governmental unit; statement; requirements for approval of application; effective date of certificate.

Sec. 8. (1) If the taxable value of the property proposed to be exempt pursuant to an application under consideration, considered together with the aggregate taxable value of property exempt under certificates previously granted and currently in force under this act or under 1974 PA 198, MCL 207.551 to 207.572, exceeds 5% of the taxable value of the qualified local governmental unit, the legislative body of the qualified local governmental unit shall make a separate finding and shall include a statement in its resolution approving the application that exceeding that amount shall not have the effect of substantially impeding the operation of the qualified local governmental unit or impairing the financial soundness of an affected taxing unit.

(2) The legislative body of the qualified local governmental unit shall not approve an application for an obsolete property exemption certificate unless the applicant complies with all of the following requirements:

(a) Except as otherwise provided in subsection (3), the commencement of the rehabilitation of the facility does not occur before the establishment of the obsolete property rehabilitation district.

(b) The application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of this act and that shall be situated within an obsolete property rehabilitation district established in a qualified local governmental unit eligible under this act to establish such a district.

(c) Completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate have the reasonable likelihood to, increase commercial activity, create employment, retain employment, prevent a loss of employment, revitalize urban areas, or increase the number of residents in the community in which the facility is situated.

(d) The applicant states, in writing, that the rehabilitation of the facility would not be undertaken without the applicant's receipt of the exemption certificate.

(e) The applicant is not delinquent in the payment of any taxes related to the facility.

(3) The legislative body of a qualified local governmental unit may approve an application for an obsolete property exemption certificate if the commencement of the rehabilitation of the facility occurs before the establishment of the obsolete property rehabilitation district and if 1 or more of the following are met:

(a) All of the following are met:

(i) The building permit for the rehabilitation of the facility was obtained in October 2002.

(ii) The obsolete property rehabilitation district was created in April 2002.

(iii) The rehabilitation of the facility included adding additional stories to the facility.

- (b) All of the following are met:
 - (i) Emergency or temporary repairs or improvements were made before the establishment of the obsolete property rehabilitation district.
 - (ii) The obsolete property rehabilitation district was created in January 2006.
 - (iii) The facility is located in a city with a population of more than 20,500 and less than 27,000 and is located in a county with a population of more than 95,000 and less than 105,000.
- (c) All of the following are met:
 - (i) Roof repairs or improvements were completed in March 2006 before the establishment of the obsolete property rehabilitation district.
 - (ii) The obsolete property rehabilitation district was created in April 2006.
 - (iii) The application was submitted to the qualified local governmental unit in April 2006.
 - (iv) The facility is located in a city with a population of more than 10,800 and less than 11,100 and is located in a county with a population of more than 39,000 and less than 42,000.
- (d) All of the following are met:
 - (i) The building permit for the rehabilitation of the facility was obtained in September 2010.
 - (ii) The obsolete property rehabilitation district was created in October 2012.
 - (iii) The rehabilitation of the facility included renovation of the entire interior building structure and mold removal.
- (e) All of the following are met:
 - (i) Roof repairs or improvements began before the establishment of the obsolete property rehabilitation district.
 - (ii) The application for the facility was submitted to the qualified local governmental unit in January 2010.
 - (iii) The qualified local governmental unit established the district in June 2010 and approved the certificate in October 2010.
 - (iv) The facility is located in a city with a population of more than 600,000 and is located in a county with a population of more than 1,800,000, according to the most recent decennial census.
- (4) Notwithstanding any other provisions of this act, for any certificate issued as a result of the enactment of the amendatory act that added subsection (3)(a), (b), and (c), the effective date of the certificate shall be December 31, 2006.
- (5) Notwithstanding any other provisions of this act, for any certificate issued as a result of the enactment of the amendatory act that added subsection (3)(d), the effective date of the certificate shall be December 31, 2011.
- (6) Notwithstanding any other provisions of this act, for any certificate issued as a result of the enactment of the amendatory act that added subsection (3)(e), the effective date of the certificate shall be December 31, 2010.

History: 2000, Act 146, Imd. Eff. June 6, 2000;—Am. 2006, Act 667, Imd. Eff. Jan. 10, 2007;—Am. 2008, Act 504, Imd. Eff. Jan. 13, 2009;—Am. 2013, Act 265, Eff. Mar. 14, 2014.

125.2789 Value and taxable value of property; annual determination.

Sec. 9. The assessor of each qualified local governmental unit in which there is a rehabilitated facility with respect to which 1 or more obsolete property rehabilitation exemption certificates have been issued and are in force shall determine annually as of December 31 the value and taxable value, both for real and personal property, of each rehabilitated facility separately, having the benefit of a certificate and upon receipt of notice of the filing of an application for the issuance of a certificate, shall determine and furnish to the local legislative body the value and the taxable value of the property to which the application pertains and other information as may be necessary to permit the local legislative body to make the determinations required by section 8(2).

History: 2000, Act 146, Imd. Eff. June 6, 2000.

125.2790 Obsolete properties tax; amount; collection, disbursement, and assessment; payment; copy of disbursement amount; form; property located in renaissance zone; exemption of rehabilitated facility of qualified start-up business from tax collection; resolution; "qualified start-up business" defined.

Sec. 10. (1) There is levied upon every owner of a rehabilitated facility to which an obsolete property rehabilitation exemption certificate is issued a specific tax to be known as the obsolete properties tax.

(2) The amount of the obsolete properties tax, in each year, shall be determined by adding the results of both of the following calculations:

(a) Multiplying the total mills levied as ad valorem taxes for that year by all taxing units within which the

rehabilitated facility is located by the taxable value of the real and personal property of the obsolete property on the December 31 immediately preceding the effective date of the obsolete property rehabilitation exemption certificate after deducting the taxable valuation of the land and of personal property other than personal property assessed pursuant to sections 8(d) and 14(6) of the general property tax act, 1893 PA 206, MCL 211.8 and 211.14, for the tax year immediately preceding the effective date of the obsolete property rehabilitation exemption certificate.

(b) Multiplying the mills levied for school operating purposes for that year under the revised school code, 1976 PA 451, MCL 380.1 to 380.1852, and the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, by the taxable value of the real and personal property of the rehabilitated facility, after deducting all of the following:

(i) The taxable value of the land and of the personal property other than personal property assessed pursuant to sections 8(d) and 14(6) of the general property tax act, 1893 PA 206, MCL 211.8 and 211.14.

(ii) The taxable value used to calculate the tax under subdivision (a).

(3) The obsolete properties tax shall be collected, disbursed, and assessed in accordance with this act.

(4) The obsolete properties tax is an annual tax, payable at the same times, in the same installments, and to the same officer or officers as taxes imposed under the general property tax act, 1893 PA 206, MCL 211.1 to 211.155, are payable. Except as otherwise provided in this section, the officer or officers shall disburse the obsolete properties tax payments received by the officer or officers each year to and among this state, cities, school districts, counties, and authorities, at the same times and in the same proportions as required by law for the disbursement of taxes collected under the general property tax act, 1893 PA 206, MCL 211.1 to 211.155.

(5) For intermediate school districts receiving state aid under sections 56, 62, and 81 of the state school aid act of 1979, 1979 PA 94, MCL 388.1656, 388.1662, and 388.1681, of the amount of obsolete property tax that would otherwise be disbursed to an intermediate school district, all or a portion, to be determined on the basis of the tax rates being utilized to compute the amount of state aid, shall be paid to the state treasury to the credit of the state school aid fund established by section 11 of article IX of the state constitution of 1963.

(6) The amount of obsolete property tax described in subsection (2)(a) that would otherwise be disbursed to a local school district for school operating purposes, and all of the amount described in subsection (2)(b), shall be paid instead to the state treasury and credited to the state school aid fund established by section 11 of article IX of the state constitution of 1963.

(7) The officer or officers shall send a copy of the amount of disbursement made to each unit under this section to the commission on a form provided by the commission.

(8) A rehabilitated facility located in a renaissance zone under the Michigan renaissance zone act, 1996 PA 376, MCL 125.2681 to 125.2696, is exempt from the obsolete properties tax levied under this act to the extent and for the duration provided pursuant to the Michigan renaissance zone act, 1996 PA 376, MCL 125.2681 to 125.2696, except for that portion of the obsolete properties tax attributable to a special assessment or a tax described in section 7ff(2) of the general property tax act, 1893 PA 206, MCL 211.7ff. The obsolete properties tax calculated under this subsection shall be disbursed proportionately to the taxing unit or units that levied the special assessment or the tax described in section 7ff(2) of the general property tax act, 1893 PA 206, MCL 211.7ff.

(9) Upon application for an exemption under this subsection by a qualified start-up business, the governing body of a local tax collecting unit may adopt a resolution to exempt a rehabilitated facility of a qualified start-up business from the collection of the obsolete properties tax levied under this act in the same manner and under the same terms and conditions as provided for the exemption in section 7hh of the general property tax act, 1893 PA 206, MCL 211.7hh. The clerk of the local tax collecting unit shall notify in writing the assessor of the local tax collecting unit and the legislative body of each taxing unit that levies ad valorem property taxes in the local tax collecting unit. Before acting on the resolution, the governing body of the local tax collecting unit shall afford the assessor and a representative of the affected taxing units an opportunity for a hearing. If a resolution authorizing the exemption is adopted in the same manner as provided in section 7hh of the general property tax act, 1893 PA 206, MCL 211.7hh, the rehabilitated facility owned or operated by a qualified start-up business is exempt from the obsolete properties tax levied under this act, except for that portion of the obsolete properties tax attributable to a special assessment or a tax described in section 7ff(2) of the general property tax act, 1893 PA 206, MCL 211.7ff, for the year in which the resolution is adopted. A qualified start-up business is not eligible for an exemption under this subsection for more than 5 years. A qualified start-up business may receive the exemption under this subsection in nonconsecutive years. The obsolete properties tax calculated under this subsection shall be disbursed proportionately to the taxing unit or units that levied the special assessment or the tax described in section 7ff(2) of the general property tax act, 1893 PA 206, MCL 211.7ff. As used in this subsection, "qualified start-up business" means that term as defined in section 31a of the single business tax act, 1975 PA 228, MCL 208.31a, or in section 415 of the

Michigan business tax act, 2007 PA 36, MCL 208.1415.

History: 2000, Act 146, Imd. Eff. June 6, 2000;—Am. 2004, Act 251, Imd. Eff. July 23, 2004;—Am. 2007, Act 193, Imd. Eff. Dec. 21, 2007.

125.2791 Lien; proceedings.

Sec. 11. The amount of the tax applicable to real property, until paid, is a lien upon the real property to which the certificate is applicable. Proceedings upon the lien as provided by law for the foreclosure in the circuit court of mortgage liens upon real property may commence only upon the filing by the appropriate collecting officer of a certificate of nonpayment of the obsolete properties tax applicable to real property, together with an affidavit of proof of service of the certificate of nonpayment upon the owner of the facility by certified mail, with the register of deeds of the county in which the property is situated.

History: 2000, Act 146, Imd. Eff. June 6, 2000.

125.2792 Revocation of certificate; findings; request for revocation or reinstatement of certificate.

Sec. 12. (1) The legislative body of the qualified local governmental unit may, by resolution, revoke the obsolete property rehabilitation exemption certificate of a facility if it finds that the completion of rehabilitation of the facility has not occurred within the time authorized by the legislative body in the exemption certificate or a duly authorized extension of that time, or that the holder of the obsolete property exemption certificate has not proceeded in good faith with the operation of the rehabilitated facility in a manner consistent with the purposes of this act and in the absence of circumstances that are beyond the control of the holder of the exemption certificate.

(2) Upon receipt of a request by certified mail to the legislative body of the qualified local governmental unit by the holder of an obsolete property rehabilitation exemption certificate requesting revocation of the certificate, the legislative body of the qualified local governmental unit may, by resolution, revoke the certificate.

(3) Upon the written request of the holder of a revoked obsolete property rehabilitation exemption certificate to the legislative body of the qualified local governmental unit and the commission or upon the application of a subsequent owner to the legislative body of the qualified local governmental unit to transfer the revoked obsolete property rehabilitation exemption certificate to a subsequent owner, and the submission to the commission of a resolution of concurrence by the legislative body of the qualified local governmental unit in which the facility is located, and if the facility continues to qualify under this act, the commission may reinstate a revoked obsolete property rehabilitation exemption certificate for the holder or a subsequent owner that has applied for the transfer.

History: 2000, Act 146, Imd. Eff. June 6, 2000;—Am. 2018, Act 251, Imd. Eff. June 28, 2018.

125.2793 Transfer and assignment of certificate.

Sec. 13. An obsolete property rehabilitation exemption certificate may be transferred and assigned by the holder of the certificate to a new owner of the rehabilitated facility if the qualified local governmental unit approves the transfer after application by the new owner.

History: 2000, Act 146, Imd. Eff. June 6, 2000.

125.2794 Report to commission.

Sec. 14. Not later than October 15 each year, each qualified local governmental unit granting an obsolete property rehabilitation exemption shall report to the commission on the status of each exemption. The report must include the current value of the property to which the exemption pertains, the value on which the obsolete property rehabilitation tax is based, a current estimate of the number of jobs retained or created by the exemption, and a current estimate of the number of new residents occupying commercial housing property units covered by the exemption.

History: 2000, Act 146, Imd. Eff. June 6, 2000.

125.2795 Report to legislative committees.

Sec. 15. (1) The department annually shall prepare and submit to the committees of the house of representatives and senate responsible for tax policy and economic development issues a report on the utilization of obsolete property rehabilitation districts, based on the information filed with the commission.

(2) After this act has been in effect for 3 years, the department shall prepare and submit to the committees of the house of representatives and senate responsible for tax policy and economic development issues an economic analysis of the costs and benefits of this act in the 3 qualified local governmental units in which it has been most heavily utilized.

History: 2000, Act 146, Imd. Eff. June 6, 2000.

125.2796 Exemption after December 31, 2026.

Sec. 16. A new exemption shall not be granted under this act after December 31, 2026, but an exemption then in effect shall continue until the expiration of the exemption certificate.

History: 2000, Act 146, Imd. Eff. June 6, 2000;—Am. 2010, Act 137, Imd. Eff. Aug. 4, 2010;—Am. 2016, Act 222, Imd. Eff. June 23, 2016.

125.2797 Exclusions; limitation.

Sec. 17. (1) Within 60 days after the granting of an obsolete property rehabilitation exemption certificate under section 6 for a rehabilitated facility, the state treasurer may, for a period not to exceed 6 years, exclude up to 1/2 of the number of mills levied for school operating purposes under the revised school code, 1976 PA 451, MCL 380.1 to 380.1852, and under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, from the specific tax calculation on the facility under section 10(2)(b) if the state treasurer determines that reducing the number of mills used to calculate the specific tax under section 10(2)(b) is necessary to reduce unemployment, promote economic growth, and increase capital investment in qualified local governmental units.

(2) The state treasurer shall not grant more than 25 exclusions under this section each year.

History: 2000, Act 146, Imd. Eff. June 6, 2000.

Sarah Bek

From: Ben Slocum <ben@beardsbrewery.com>
Sent: Thursday, July 29, 2021 3:55 PM
To: CityManager
Subject: Written Comment: Notice of Public Hearing on Proposed Obsolete Property Rehabilitation Act (OPRA) District

Hi Rob,

I support this move by the city to help redevelop upper floors downtown. I hope this becomes a program that other property owners see as a value and pursue to help ease the housing burden in the area.

Cheers,

Ben

Benjamin K. Slocum
Managing Partner
Beards Brewery LLC

RECEIVED

JUL 29 2021

CITY OF PETOSKEY
CITY MANAGER

SB

Application for Obsolete Property Rehabilitation Exemption Certificate

Issued under authority of Public Act 146 of 2000, as amended.

This application should be filed after the district is established. This project will not receive tax benefits until approved by the State Tax Commission. Applications received after October 31 may not be acted upon in the current year. This application is subject to audit by the State Tax Commission.

INSTRUCTIONS: File the completed application and the required attachments with the clerk of the local government unit. (The State Tax Commission requires two copies of the Application and attachments. The original is retained by the clerk.) See State Tax Commission Bulletin 9 of 2000 for more information about the Obsolete Property Rehabilitation Exemption. The following must be provided to the local government unit as attachments to this application: (a) General description of the obsolete facility (year built, original use, most recent use, number of stories, square footage); (b) General description of the proposed use of the rehabilitated facility, (c) Description of the general nature and extent of the rehabilitation to be undertaken, (d) A descriptive list of the fixed building equipment that will be a part of the rehabilitated facility, (e) A time schedule for undertaking and completing the rehabilitation of the facility, (f) A statement of the economic advantages expected from the exemption. A statement from the assessor of the local unit of government, describing the required obsolescence has been met for this building, is required with each application. Rehabilitation may commence after establishment of district.


Applicant (Company) Name (applicant must be the OWNER of the facility) Howard Property Partners, LLC								
Company Mailing Address (Number and Street, P.O. Box, City, State, ZIP Code) 320 Howard Street, Suite 202, Petoskey, MI, 49770								
Location of obsolete facility (Number and Street, City, State, ZIP Code) 316 and 318 Lake Street, Petoskey, MI, 49770								
City, Township, Village (Indicate which) City of Petoskey		County Emmet						
Date of Commencement of Rehabilitation (mm/dd/yyyy) 09/07/2021	Planned date of Completion of Rehabilitation (mm/dd/yyyy) 11/07/2022	School District where facility is located (include school code) Petoskey 24070						
Estimated Cost of Rehabilitation \$1,861,301.00		Number of years exemption requested 6						
Attach legal description of obsolete property on separate sheet.								
Expected Project Outcomes (Check all that apply) <table border="0"><tr><td><input checked="" type="checkbox"/> Increase commercial activity</td><td><input type="checkbox"/> Retain employment</td><td><input type="checkbox"/> Revitalize urban areas</td></tr><tr><td><input checked="" type="checkbox"/> Create employment</td><td><input type="checkbox"/> Prevent a loss of employment</td><td><input checked="" type="checkbox"/> Increase number of residents in the community in which the facility is situated</td></tr></table>			<input checked="" type="checkbox"/> Increase commercial activity	<input type="checkbox"/> Retain employment	<input type="checkbox"/> Revitalize urban areas	<input checked="" type="checkbox"/> Create employment	<input type="checkbox"/> Prevent a loss of employment	<input checked="" type="checkbox"/> Increase number of residents in the community in which the facility is situated
<input checked="" type="checkbox"/> Increase commercial activity	<input type="checkbox"/> Retain employment	<input type="checkbox"/> Revitalize urban areas						
<input checked="" type="checkbox"/> Create employment	<input type="checkbox"/> Prevent a loss of employment	<input checked="" type="checkbox"/> Increase number of residents in the community in which the facility is situated						
Indicate the number of jobs to be retained or created as a result of rehabilitating the facility, including expected construction employment. 16								
<input type="checkbox"/> Each year, the State Treasurer may approve 25 additional reductions of half the school operating and state education taxes for a period not to exceed six years. Check the box at left if you wish to be considered for this exclusion.								

APPLICANT CERTIFICATION

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all of the information is truly descriptive of the property for which this application is being submitted. Further, the undersigned is aware that, if any statement or information provided is untrue, the exemption provided by Public Act 146 of 2000 may be in jeopardy.

The applicant certifies that this application relates to a rehabilitation program that, when completed, constitutes a rehabilitated facility, as defined by Public Act 146 of 2000, as amended, and that the rehabilitation of the facility would not be undertaken without the applicant's receipt of the exemption certificate.

It is further certified that the undersigned is familiar with the provisions of Public Act 146 of 2000, as amended, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Obsolete Property Rehabilitation Exemption Certificate by the State Tax Commission.

Name of Company Officer (No authorized agents) Bob Berg	Telephone Number (231) 216-7190	Fax Number
Mailing Address 320 Howard Street, Suite 202, Petoskey, MI 49770	E-mail Address rberg@charlevoixequitypartners.com	
Signature of Company Officer (no authorized agents) 	Title President	

LOCAL GOVERNMENT UNIT CLERK CERTIFICATION

The Clerk must also complete Parts 1, 2 and 4 on page 2. Part 3 is to be completed by the Assessor.

Signature	Date Application Received	
FOR STATE TAX COMMISSION USE		
Application Number	Date Received	LUCI Code

LOCAL GOVERNMENT ACTION		
<p>This section is to be completed by the clerk of the local governing unit before submitting the application to the State Tax Commission. Include a copy of the resolution which approves the application and instruction items (a) through (f) on page 1, and a separate statement of obsolescence from the assessor of record with the State Assessor's Board. All sections must be completed in order to process.</p>		
PART 1: ACTION TAKEN		
Action Date _____		
<input type="checkbox"/> Exemption Approved for _____ Years, ending December 30, _____ (not to exceed 12 years) <input type="checkbox"/> Denied		
Date District Established _____	LUCI Code _____	School Code _____
PART 2: RESOLUTIONS (the following statements must be included in resolutions approving)		
<p>A statement that the local unit is a Qualified Local Governmental Unit.</p> <p>A statement that the Obsolete Property Rehabilitation District was legally established including the date established and the date of hearing as provided by section 3 of Public Act 146 of 2000.</p> <p>A statement indicating whether the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) exceeds 5% of the total taxable value of the unit.</p> <p>A statement of the factors, criteria and objectives, if any, necessary for extending the exemption, when the certificate is for less than 12 years.</p> <p>A statement that a public hearing was held on the application as provided by section 4(2) of Public Act 146 of 2000 including the date of the hearing.</p> <p>A statement that the applicant is not delinquent in any taxes related to the facility.</p> <p>If it exceeds 5% (see above), a statement that exceeding 5% will not have the effect of substantially impeding the operation of the Qualified Local Governmental Unit or of impairing the financial soundness of an affected taxing unit.</p> <p>A statement that all of the items described under "Instructions" (a) through (f) of the Application for Obsolete Property Rehabilitation Exemption Certificate have been provided to the Qualified Local Governmental Unit by the applicant.</p>	<p>A statement that the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000.</p> <p>A statement that the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District.</p> <p>A statement that the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in a Qualified Local Governmental Unit eligible under Public Act 146 of 2000 to establish such a district.</p> <p>A statement that completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, retain employment, prevent a loss of employment, revitalize urban areas, or increase the number of residents in the community in which the facility is situated. The statement should indicate which of these the rehabilitation is likely to result in.</p> <p>A statement that the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(l) of Public Act 146 of 2000.</p> <p>A statement of the period of time authorized by the Qualified Local Governmental Unit for completion of the rehabilitation.</p>	
PART 3: ASSESSOR RECOMMENDATIONS		
Provide the Taxable Value and State Equalized Value of the Obsolete Property, as provided in Public Act 146 of 2000, as amended, for the tax year immediately preceding the effective date of the certificate (December 31 of the year approved by the STC)		
Building Taxable Value	Building State Equalized Value	
\$	\$	
Name of Government Unit _____	Date of Action Application _____	Date of Statement of Obsolescence _____
PART 4: CLERK CERTIFICATION		
The undersigned clerk certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way. Further, the undersigned is aware that if any information provided is untrue, the exemption provided by Public Act of 2000 may be in jeopardy.		
Name of Clerk _____	Telephone Number _____	
Clerk Mailing Address _____		
Mailing Address _____		
Telephone Number _____	Fax Number _____	E-mail Address _____
Clerk Signature _____		Date _____

For faster service, email completed application and attachments to PTE@michigan.gov. An additional submission option is to mail the completed application and attachments to Michigan Department of Treasury, State Tax Commission, PO Box 30471, Lansing, MI 48909. If you have any questions, call 517-335-7491.

316 and 318 E Lake Street OPRA Application Attachments

The following must be provided to the local government unit as attachments to this application:

(a) General description of the obsolete facility (year built, original use, most recent use, number of stories, square footage)

The first building on this site, known as the Lake Street House, was completed in 1877. Later it was called the Farmer's Home, catering to farmers and laborers. That building burned to the ground with three adjacent buildings in 1880. Renamed the National Hotel by Conrad Zoll, the present building was erected by a farmer, Francis X. Schluttenhofer, in 1881. From 1915 until 1949, J.F. and T.A. Bremmeyr operated here as the Franklin Hotel. A specialty gift shop called In The Woods was located here by Shirley Hill from the 1970s to 2001.

The building is three stories high. It is one of the few wood construction buildings left downtown. The building is of balloon style construction and has cedar posts holding up part of the foundation. The first floor of the building is 3,680 square feet in size. Its current use is retail and is in good condition. The second floor is 3,700 square feet and needs substantial rehabilitation. It has not been used in over 70 years. The third floor is approximately 926 square feet. It has also not been used in over 70 years and needs substantial rehabilitation. As part of the project the third floor will be expanded to fill the total 3,700 square foot print.

(b) General description of the proposed use of the rehabilitated facility

The first floor of the building will continue to be used for retail purposes. The second and third floors will be renovated for use as 6 next new apartment units.

(c) Description of the general nature and extent of the rehabilitation to be undertaken

The cedar posts will be replaced with a modern masonry foundation. The balloon construction will not properly support the weight of modern apartments therefore structural steel will be added to create extra strength to support the second and third floors. Additional footings will be added to support the elevators shaft and new stairwell. Extra sealants will be added to the first floor to prevent any potential odors from adjacent buildings to permeate through the walls. Exterior and façade improvements will be made.

The second and third floors will be completely renovated to accommodate 6 new apartment units. All new electrical, plumbing, heating, and cooling will be installed. Roof repairs will be made and new sidewall and roof insulation will be provided. All new interiors will be built. An elevator will be installed to serve the second and third floors.

(d) A descriptive list of the fixed building equipment that will be a part of the rehabilitated facility

A new elevator will be installed. The new apartments will be furnished with modern appliances.

(e) A time schedule for undertaking and completing the rehabilitation of the facility

Rehabilitation work is planned to begin on September 7, 2021 and be completed by November 7, 2022.

(f) A statement of the economic advantages expected from the exemption

The City of Petoskey's April 19, 2021 Economic Development Strategic plan specifically identifies 316 and 318 Lake Street as being a redevelopment priority site. The plan notes that "Preservation of the historic structure to the greatest extent possible, while making structural improvements and adding upper story residential units is the desired redevelopment outcome."

The rehabilitation improvements will help to preserve the building for many decades to come as well as adding much needed structural integrity. This will help to accommodate retail businesses and jobs on the first floor and 6 new apartment units on the second and third floors. The apartments will supply much needed workforce housing. The apartment residents will add additional economic support to downtown businesses.

Attach legal description of obsolete property on separate sheet.

Legal Description:

SHAW & MC MILLAN'S ADDITION W 1/2 OF LOT 4 &
COM AT NE COR OF LOT 5, TH W 25.22', TH S
138' TO A PT 23.95' W OF SE COR OF LOT 5, TH
E 23.95' TO SE COR OF LOT 5, TH N TO POB ALL
IN BLK 8 SECTION 6, T34N, R5W.



City of Petoskey

Agenda Memo

BOARD: City Council

MEETING DATE: August 16, 2021

PREPARED: August 12, 2021

AGENDA SUBJECT: Public Hearing with Discussion and Potential Approval of a Resolution in Support of an Obsolete Property Rehabilitation Exemption Certificate Application for Property Tax ID # 52-19-06-226-024, Commonly Known as 316 and 318 East Lake Street

RECOMMENDATION: That the City Council hold a public hearing and adoption of enclosed proposed resolution

Background At the July 19, 2021 Council meeting, Councilmembers made a motion to schedule a public hearing to solicit comments on the potential approval of a resolution in support of an Obsolete Property Rehabilitation Exemption Certificate Application for Property Tax ID # 52-19-06-226-024, commonly known as 316 and 318 East Lake Street. As of Thursday afternoon, August 12 at 2:00 P.M., City staff has received one written comment from Ben Slocum-see enclosed email. Any further comments will be brought to City Council at the meeting.

Per OPRA regulations, City Staff sent out public hearing notices to the property owner of Property Tax ID # 52-19-06-226-024, commonly known as 316 and 318 East Lake Street, Emmet County, North Central Michigan College, Greenwood Cemetery, Petoskey School District and Char/EM ISD seeking comment at the August 16, 2021 Council meeting. The City also notified the community of the public hearing through our website and posted a public hearing notice at City Hall. Per the directive of City Council, City staff sent out mail notices to all property owners within the DDA District. City staff has also sent out email notices to downtown businesses and property owners per City Council.

Action Hold a Public Hearing. City Council may approve the enclosed resolution in support of an Obsolete Property Rehabilitation Exemption Certificate application for Property Tax ID # 52-19-06-226-024, commonly known as 316 and 318 East Lake Street.

The following information was included in the July 19 City Council packet.

Establishing an Obsolete Property Rehabilitation Act (OPRA) District and approving an Exemption Certificate Application is a three-step process:

First Step - Schedule two Public Hearings regarding the potential establishment of the OPRA District and potential approval of an Exemption Certificate Application;

Second Step - Consider potential approval of a resolution creating the OPRA District;

Third Step - Passage of a resolution approving an OPRA Exemption Certificate Application.

Before considering approval of the two resolutions, separate Public Hearings would need to be scheduled and held to solicit comment.

If Council desires to move forward with holding the Public Hearings, staff recommends scheduling these hearings at a future Council meeting, the earliest date being August 2, 2021. Consideration of approving the resolution creating the OPRA District and the resolution approving the OPRA Exemption Certificate Application can be scheduled at the same meeting but must be considered separately.

If directed by City Council, Public Hearing notices will be sent to Emmet County, North Central Michigan College, Greenwood Cemetery, Petoskey School District and Char/EM ISD seeking comment at future Council meeting. The City will notify the community of the Public Hearing through our website and post a Public Hearing notice at City Hall.

Following the first Public Hearing, City Council may then choose to establish an OPRA District by resolution. Upon completion of the second Public Hearing, the City Council may consider a resolution approving of the Exemption Certificate Application. This agenda item is discuss the OPRA Exemption Certificate Application proposal and possibly set a date for a future Public Hearing.

See enclosed draft resolution as well as the OPRA Exemption Certificate Application.

Action (previous for July 19, 2021) If Council desires to move forward with setting a Public Hearing, a motion could be made to *“set a Public Hearing on _____ (date) to consider approval of an Obsolete Property Rehabilitation Exemption Certificate Application for 316 and 318 East Lake Street.”*

rs
Enclosures

Application for Obsolete Property Rehabilitation Exemption Certificate

Issued under authority of Public Act 146 of 2000, as amended.

This application should be filed after the district is established. This project will not receive tax benefits until approved by the State Tax Commission. Applications received after October 31 may not be acted upon in the current year. This application is subject to audit by the State Tax Commission.

INSTRUCTIONS: File the completed application and the required attachments with the clerk of the local government unit. (The State Tax Commission requires two copies of the Application and attachments. The original is retained by the clerk.) See State Tax Commission Bulletin 9 of 2000 for more information about the Obsolete Property Rehabilitation Exemption. The following must be provided to the local government unit as attachments to this application: (a) General description of the obsolete facility (year built, original use, most recent use, number of stories, square footage); (b) General description of the proposed use of the rehabilitated facility, (c) Description of the general nature and extent of the rehabilitation to be undertaken, (d) A descriptive list of the fixed building equipment that will be a part of the rehabilitated facility, (e) A time schedule for undertaking and completing the rehabilitation of the facility, (f) A statement of the economic advantages expected from the exemption. A statement from the assessor of the local unit of government, describing the required obsolescence has been met for this building, is required with each application. Rehabilitation may commence after establishment of district.


Applicant (Company) Name (applicant must be the OWNER of the facility) Howard Property Partners, LLC								
Company Mailing Address (Number and Street, P.O. Box, City, State, ZIP Code) 320 Howard Street, Suite 202, Petoskey, MI, 49770								
Location of obsolete facility (Number and Street, City, State, ZIP Code) 316 and 318 Lake Street, Petoskey, MI, 49770								
City, Township, Village (Indicate which) City of Petoskey		County Emmet						
Date of Commencement of Rehabilitation (mm/dd/yyyy) 09/07/2021	Planned date of Completion of Rehabilitation (mm/dd/yyyy) 11/07/2022	School District where facility is located (include school code) Petoskey 24070						
Estimated Cost of Rehabilitation \$1,861,301.00		Number of years exemption requested 6						
Attach legal description of obsolete property on separate sheet.								
Expected Project Outcomes (Check all that apply) <table border="0"><tr><td><input checked="" type="checkbox"/> Increase commercial activity</td><td><input type="checkbox"/> Retain employment</td><td><input type="checkbox"/> Revitalize urban areas</td></tr><tr><td><input checked="" type="checkbox"/> Create employment</td><td><input type="checkbox"/> Prevent a loss of employment</td><td><input checked="" type="checkbox"/> Increase number of residents in the community in which the facility is situated</td></tr></table>			<input checked="" type="checkbox"/> Increase commercial activity	<input type="checkbox"/> Retain employment	<input type="checkbox"/> Revitalize urban areas	<input checked="" type="checkbox"/> Create employment	<input type="checkbox"/> Prevent a loss of employment	<input checked="" type="checkbox"/> Increase number of residents in the community in which the facility is situated
<input checked="" type="checkbox"/> Increase commercial activity	<input type="checkbox"/> Retain employment	<input type="checkbox"/> Revitalize urban areas						
<input checked="" type="checkbox"/> Create employment	<input type="checkbox"/> Prevent a loss of employment	<input checked="" type="checkbox"/> Increase number of residents in the community in which the facility is situated						
Indicate the number of jobs to be retained or created as a result of rehabilitating the facility, including expected construction employment. 16								
<input type="checkbox"/> Each year, the State Treasurer may approve 25 additional reductions of half the school operating and state education taxes for a period not to exceed six years. Check the box at left if you wish to be considered for this exclusion.								

APPLICANT CERTIFICATION

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all of the information is truly descriptive of the property for which this application is being submitted. Further, the undersigned is aware that, if any statement or information provided is untrue, the exemption provided by Public Act 146 of 2000 may be in jeopardy.

The applicant certifies that this application relates to a rehabilitation program that, when completed, constitutes a rehabilitated facility, as defined by Public Act 146 of 2000, as amended, and that the rehabilitation of the facility would not be undertaken without the applicant's receipt of the exemption certificate.

It is further certified that the undersigned is familiar with the provisions of Public Act 146 of 2000, as amended, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Obsolete Property Rehabilitation Exemption Certificate by the State Tax Commission.

Name of Company Officer (No authorized agents) Bob Berg	Telephone Number (231) 216-7190	Fax Number
Mailing Address 320 Howard Street, Suite 202, Petoskey, MI 49770	E-mail Address rberg@charlevoixequitypartners.com	
Signature of Company Officer (no authorized agents) 	Title President	

LOCAL GOVERNMENT UNIT CLERK CERTIFICATION

The Clerk must also complete Parts 1, 2 and 4 on page 2. Part 3 is to be completed by the Assessor.

Signature	Date Application Received	
FOR STATE TAX COMMISSION USE		
Application Number	Date Received	LUCI Code

LOCAL GOVERNMENT ACTION		
<p>This section is to be completed by the clerk of the local governing unit before submitting the application to the State Tax Commission. Include a copy of the resolution which approves the application and instruction items (a) through (f) on page 1, and a separate statement of obsolescence from the assessor of record with the State Assessor's Board. All sections must be completed in order to process.</p>		
PART 1: ACTION TAKEN		
Action Date _____		
<input type="checkbox"/> Exemption Approved for _____ Years, ending December 30, _____ (not to exceed 12 years) <input type="checkbox"/> Denied		
Date District Established _____	LUCI Code _____	School Code _____
PART 2: RESOLUTIONS (the following statements must be included in resolutions approving)		
<p>A statement that the local unit is a Qualified Local Governmental Unit.</p> <p>A statement that the Obsolete Property Rehabilitation District was legally established including the date established and the date of hearing as provided by section 3 of Public Act 146 of 2000.</p> <p>A statement indicating whether the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) exceeds 5% of the total taxable value of the unit.</p> <p>A statement of the factors, criteria and objectives, if any, necessary for extending the exemption, when the certificate is for less than 12 years.</p> <p>A statement that a public hearing was held on the application as provided by section 4(2) of Public Act 146 of 2000 including the date of the hearing.</p> <p>A statement that the applicant is not delinquent in any taxes related to the facility.</p> <p>If it exceeds 5% (see above), a statement that exceeding 5% will not have the effect of substantially impeding the operation of the Qualified Local Governmental Unit or of impairing the financial soundness of an affected taxing unit.</p> <p>A statement that all of the items described under "Instructions" (a) through (f) of the Application for Obsolete Property Rehabilitation Exemption Certificate have been provided to the Qualified Local Governmental Unit by the applicant.</p>	<p>A statement that the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000.</p> <p>A statement that the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District.</p> <p>A statement that the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in a Qualified Local Governmental Unit eligible under Public Act 146 of 2000 to establish such a district.</p> <p>A statement that completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, retain employment, prevent a loss of employment, revitalize urban areas, or increase the number of residents in the community in which the facility is situated. The statement should indicate which of these the rehabilitation is likely to result in.</p> <p>A statement that the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(l) of Public Act 146 of 2000.</p> <p>A statement of the period of time authorized by the Qualified Local Governmental Unit for completion of the rehabilitation.</p>	
PART 3: ASSESSOR RECOMMENDATIONS		
Provide the Taxable Value and State Equalized Value of the Obsolete Property, as provided in Public Act 146 of 2000, as amended, for the tax year immediately preceding the effective date of the certificate (December 31 of the year approved by the STC)		
Building Taxable Value	Building State Equalized Value	
\$	\$	
Name of Government Unit _____	Date of Action Application _____	Date of Statement of Obsolescence _____
PART 4: CLERK CERTIFICATION		
The undersigned clerk certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way. Further, the undersigned is aware that if any information provided is untrue, the exemption provided by Public Act of 2000 may be in jeopardy.		
Name of Clerk _____	Telephone Number _____	
Clerk Mailing Address _____		
Mailing Address _____		
Telephone Number _____	Fax Number _____	E-mail Address _____
Clerk Signature _____		Date _____

For faster service, email completed application and attachments to PTE@michigan.gov. An additional submission option is to mail the completed application and attachments to Michigan Department of Treasury, State Tax Commission, PO Box 30471, Lansing, MI 48909. If you have any questions, call 517-335-7491.

316 and 318 E Lake Street OPRA Application Attachments

The following must be provided to the local government unit as attachments to this application:

(a) General description of the obsolete facility (year built, original use, most recent use, number of stories, square footage)

The first building on this site, known as the Lake Street House, was completed in 1877. Later it was called the Farmer's Home, catering to farmers and laborers. That building burned to the ground with three adjacent buildings in 1880. Renamed the National Hotel by Conrad Zoll, the present building was erected by a farmer, Francis X. Schluttenhofer, in 1881. From 1915 until 1949, J.F. and T.A. Bremmeyr operated here as the Franklin Hotel. A specialty gift shop called In The Woods was located here by Shirley Hill from the 1970s to 2001.

The building is three stories high. It is one of the few wood construction buildings left downtown. The building is of balloon style construction and has cedar posts holding up part of the foundation. The first floor of the building is 3,680 square feet in size. Its current use is retail and is in good condition. The second floor is 3,700 square feet and needs substantial rehabilitation. It has not been used in over 70 years. The third floor is approximately 926 square feet. It has also not been used in over 70 years and needs substantial rehabilitation. As part of the project the third floor will be expanded to fill the total 3,700 square foot print.

(b) General description of the proposed use of the rehabilitated facility

The first floor of the building will continue to be used for retail purposes. The second and third floors will be renovated for use as 6 next new apartment units.

(c) Description of the general nature and extent of the rehabilitation to be undertaken

The cedar posts will be replaced with a modern masonry foundation. The balloon construction will not properly support the weight of modern apartments therefore structural steel will be added to create extra strength to support the second and third floors. Additional footings will be added to support the elevators shaft and new stairwell. Extra sealants will be added to the first floor to prevent any potential odors from adjacent buildings to permeate through the walls. Exterior and façade improvements will be made.

The second and third floors will be completely renovated to accommodate 6 new apartment units. All new electrical, plumbing, heating, and cooling will be installed. Roof repairs will be made and new sidewall and roof insulation will be provided. All new interiors will be built. An elevator will be installed to serve the second and third floors.

(d) A descriptive list of the fixed building equipment that will be a part of the rehabilitated facility

A new elevator will be installed. The new apartments will be furnished with modern appliances.

(e) A time schedule for undertaking and completing the rehabilitation of the facility

Rehabilitation work is planned to begin on September 7, 2021 and be completed by November 7, 2022.

(f) A statement of the economic advantages expected from the exemption

The City of Petoskey's April 19, 2021 Economic Development Strategic plan specifically identifies 316 and 318 Lake Street as being a redevelopment priority site. The plan notes that "Preservation of the historic structure to the greatest extent possible, while making structural improvements and adding upper story residential units is the desired redevelopment outcome."

The rehabilitation improvements will help to preserve the building for many decades to come as well as adding much needed structural integrity. This will help to accommodate retail businesses and jobs on the first floor and 6 new apartment units on the second and third floors. The apartments will supply much needed workforce housing. The apartment residents will add additional economic support to downtown businesses.

Attach legal description of obsolete property on separate sheet.

Legal Description:

SHAW & MC MILLAN'S ADDITION W 1/2 OF LOT 4 &
COM AT NE COR OF LOT 5, TH W 25.22', TH S
138' TO A PT 23.95' W OF SE COR OF LOT 5, TH
E 23.95' TO SE COR OF LOT 5, TH N TO POB ALL
IN BLK 8 SECTION 6, T34N, R5W.



**RESOLUTION TO APPROVE AN OBSOLETE PROPERTY REHABILITATION
EXEMPTION CERTIFICATE APPLICATION
PA 146 OF 2000 AS AMENDED**

Minutes of a regular meeting of the City Council of the City of Petoskey, held on _____ 2021, at 101 Lake Street in City Hall at 7:00 p.m.

PRESENT:

ABSENT:

The following preamble and resolution were offered by _____, and supported by _____.

Resolution # _____

Approving Obsolete Property Rehabilitation Exemption Certificate Application for Howard Properties LLC, Property Tax ID # 52-19-06-226-024, commonly known as 316 and 318 East Lake Street.

WHEREAS, pursuant to PA 146 of 2000, the City of Petoskey is a Qualified Local Governmental Unit eligible to establish one or more Obsolete Property Rehabilitation Districts; and

WHEREAS, the City of Petoskey legally established the Obsolete Property Rehabilitation District, Property Tax ID # 52-19-06-226-024, known as 316 and 318 East Lake Street Obsolete Property Rehabilitation District No.1 on _____, 2021, after a public hearing held on August 16, 2021; and

WHEREAS, the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) does not exceed 5% of the total taxable value of the City of Petoskey; and

WHEREAS, the application was approved at a public hearing as provided by section 4(2) of Public Act 146 of 2000 on _____, 2021; and

WHEREAS, Howard Properties LLC is not delinquent in any taxes related to the facility; and

WHEREAS, the application was approved for less than 12 years and exemption certificate will not be extended in the future; and

WHEREAS, the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000; and

WHEREAS, the applicant, Howard Properties LLC, has provided answers to all required questions under the application instructions to the City of Petoskey; and

WHEREAS, the City Council requires that rehabilitation of the facility shall be completed within two years of issuance of a Petoskey Zoning Permit by the City Planner; and

WHEREAS, the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District; and

WHEREAS, the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in the City of Petoskey eligible under Public Act 146 of 2000 to establish such a district; and

WHEREAS, completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, revitalize urban areas, and increase the number of residents in the community in which the facility is situated; and

WHEREAS, the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(l) of Public Act 146 of 2000; and

WHEREAS, approval of the Exemption Certificate Application shall be contingent upon the two properties receiving a Community Revitalization Program grant through the Michigan Economic Development Corporation (MEDC):

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Petoskey

Howard Properties LLC is granted an Obsolete Property Rehabilitation Exemption for Property Tax ID # 52-19-06-226-024, for the real property, excluding land, located in an Obsolete Property Rehabilitation District known as 316 and 318 East Lake Street Obsolete Property Rehabilitation District No.1 at 316 and 318 East Lake Street for a period of six (6) years, beginning December 31, 2021 and ending December 31, 2027, pursuant to the provisions of PA 146 of 2000, as amended, and that the approval of the Exemption Certificate Application shall be contingent upon the two properties receiving a Community Revitalization Program grant through the Michigan Economic Development Corporation (MEDC).

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Council of the City of Petoskey, County of Emmet, Michigan at a regular meeting held on _____, 2021 .

Alan Terry, City Clerk

Sarah Bek

From: Ben Slocum <ben@beardsbrewery.com>
Sent: Thursday, July 29, 2021 3:55 PM
To: CityManager
Subject: Written Comment: Notice of Public Hearing on Proposed Obsolete Property Rehabilitation Act (OPRA) District

Hi Rob,

I support this move by the city to help redevelop upper floors downtown. I hope this becomes a program that other property owners see as a value and pursue to help ease the housing burden in the area.

Cheers,

Ben

Benjamin K. Slocum
Managing Partner
Beards Brewery LLC

RECEIVED

JUL 29 2021

CITY OF PETOSKEY
CITY MANAGER

SB



City of Petoskey

Agenda Memo

BOARD: City Council

MEETING DATE: August 16, 2021

PREPARED: August 12, 2021

AGENDA SUBJECT: Consent Agenda Resolution

RECOMMENDATION: That the City Council approve this proposed resolution

The City Council will be asked to adopt a resolution that would approve the following consent agenda items:

- (1) Draft minutes of the August 2, 2021 regular session City Council meeting; and
- (2) Acknowledge receipt of a report from the City Manager concerning all checks that have been issued since August 2, 2021 for contract and vendor claims at \$2,098,515.06, intergovernmental claims at \$803,438.12, and the August 5 payroll at \$236,240.30 for a total of \$3,138,193.48.

sb
Enclosures



CITY COUNCIL

August 2, 2021

A regular meeting of the City of Petoskey City Council was held in the City Hall Council Chambers, Petoskey, Michigan, on Monday, August 2, 2021. This meeting was called to order at 7:00 P.M.; then, after a recitation of the Pledge of Allegiance to the Flag of the United States of America, a roll call then determined that the following were

Present: John Murphy, Mayor
Kate Marshall, City Councilmember
Derek Shiels, City Councilmember
Lindsey Walker, City Councilmember

Absent: Brian Wagner, City Councilmember

Also in attendance were City Manager Rob Straebel, Clerk-Treasurer Alan Terry, City Planner Amy Tweeten and Executive Assistant Sarah Bek.

Consent Agenda - Resolution No. 19567

Following introduction of the consent agenda for this meeting of August 2, 2021, City Councilmember Shiels moved that, seconded by City Councilmember Marshall adoption of the following resolution:

BE IT RESOLVED that the City Council does and hereby confirms that the draft minutes of the July 19, 2021 regular session City Council meeting be and are hereby approved as amended; and

BE IT RESOLVED that receipt by the City Council of a report concerning all checks that had been issued since June 21, 2021 for contract and vendor claims at \$2,236,579.56, intergovernmental claims at \$698,435.04, and the July 22 payroll at \$247,553.91, for a total of \$3,182,568.51 be and is hereby acknowledged.

Said resolution was adopted by the following vote:

AYES: Marshall, Shiels, Walker, Murphy (4)
NAYS: None (0)

Hear Public Comment

Mayor Murphy asked for public comments and there were no comments.

Hear City Manager Updates

The City Manager reviewed that a multi-municipal utility scale solar project has loosely been proposed to the Traverse City Light and Power Board and staff will attend a meeting to further discuss the potential construction of a utility-scale solar project in Northern Michigan; that the Accounts Payable Clerk resigned as of July 28 and the Receptionist Clerk took over the position and the City is looking to fill the Receptionist Clerk position with applications due August 10; that very few qualified candidates have applied for the Clerk-Treasurer position and the application deadline has been extended until August 6; that City staff reached out to Ben Ide with Hahn Development on their proposed development, Lofts at Lumber Square, and Mr. Ide stated they still have a purchase agreement in place and will revise their plans in the coming months and discuss what role the City may play in a future housing project; that staff has completed a first draft of the 2022-2027 Capital Improvement Plan that will be discussed at the August Planning Commission; that last week the Clerk's Office received a petition to place on the November ballot a vote on whether registered voters would allow recreational marijuana facilities in the community and that the City Attorney reviewed the proposed ordinance and petition and that it complies with the technical requirements of Michigan Election Law and the substance of the proposed amendments does not conflict with applicable law; that the Public Safety Department is again hosting the annual Public Safety Citizen's Academy starting September 8 from 6:30 P.M. to 9:30 P.M.; that the Planning Commission discussed a proposed illuminated donor sign on the north side of the hospital surgery building and voiced several concerns and hospital officials asked the Commission to postpone decision until revisions to their sign proposal could be made; that the 80' Iron Belle-Bear River clear span pedestrian bridge is open to the public with a ribbon cutting ceremony with all project partners scheduled for Thursday, August 5 at 10:00 A.M.; and reviewed Greenwood Road reconstruction project updates.

City Councilmembers inquired if the PILOT Ordinance was specific to the Lofts at Lumber Square and if there is a deadline within the ordinance and inquired on the years the Capital Improvement Plan covers and if the projects in the CIP are also included in the 2022 Budget.

Approve Board and Commission Appointment – Resolution No. 19568

Mayor Murphy reviewed that City Council consider the following appointment.

City Councilmember Marshall moved that, seconded by City Councilmember Walker adoption of the following resolution:

BE IT RESOLVED that the City Council does and hereby approves the reappointment of Rob Straebel, City Manager, to the Building Authority Board of Commissioners ending July 2024.

Said resolution was adopted by the following vote:

AYES: Marshall, Shiels, Walker, Murphy (4)

NAYS: None (0)

Adopt Ordinance 782 Zoning Ordinance Amendment Creating a New Section XXXIII C – College District – Resolution No. 19569

The City Planner briefly reviewed the uses included in the new zoning district that all currently exist on the campus with the exception of an amphitheater and medical clinic identified as a potential development in the 10-15 year timeframe, the intent of which would be a training facility and consistent with the education purposes of a community college; reviewed district standards including setbacks, building heights, maximum parking and the requirement for a master sign plan approved by the Planning Commission; and that at the July 15 meeting the Planning Commission recommended that the profile section showing max 45' height above road elevation graphic be added to the ordinance language for clarification on building height calculation which was made to page three of the ordinance.

City Councilmembers discussed the medical clinic provisions and other ancillary uses on the campus; discussed building heights; and applauded joint efforts of everyone to see this ordinance to fruition.

Dr. Finley, North Central Michigan College President, commented that the medical facility would be a potential future educational facility for the nursing program.

City Councilmember Marshall moved that, seconded by City Councilmember Shiels adoption of the following ordinance:

ORDINANCE NO. 782

AN ORDINANCE TO CREATE ARTICLE XXXIII C COLLEGE DISTRICT AND TO AMEND ARTICLE IV OF THE CITY OF PETOSKEY ZONING ORDINANCE, APPENDIX A TO THE PETOSKEY CODE OF ORDINANCES.

WHEREAS, it is a goal of the City of Petoskey Master Plan to guide development and redevelopment in a manner that will maintain high quality living and working environments for current and future residents; and

WHEREAS, the zoning ordinance currently lists colleges as a special condition use is the R-1 Single Family District with specific conditions; and

WHEREAS, the Petoskey Planning Commission has determined that having a zoning district specific to the uses common to a college is more appropriate to the needs of North Central Michigan College and provides community predictability regarding the future of the campus; and

WHEREAS, the C College District is designed to plan for and enable future growth of the college in Petoskey that is compatible with existing facilities and adjacent properties through the requirement of a Master Site Facilities Plan; and

WHEREAS, the C College District is consistent with the Future Land Use Map of the Petoskey Master Plan that shows these areas as Public/Quasi Public and Parks and Open Space; and

WHEREAS, The Petoskey Planning Commission held a public hearing on the proposed ordinance on June 17, 2021 and recommends to City Council that the C College District be created.

Now therefore be it resolved that the City of Petoskey ordains:

1. Article 33 (XXXIII) of the Zoning Ordinance of the City of Petoskey shall be created to read as follows:

ARTICLE XXXIII – C- COLLEGE DISTRICT

Section 3300. – Intent.

The College District is established to accommodate the unique development requirements of a large educational institution comprised of multiple buildings and a variety of related and complementary uses within an integrated campus setting. Through the creation of this specialized zoning district, the City recognizes the valuable contribution that higher education makes to the social and economic vitality of the community. Nevertheless, it is incumbent on the City to ensure that existing and future development within the district remains compatible with surrounding land uses and contributes in a positive way to the desired character of the broader community.

Any development or construction in this district requires consistency with a current Master Site and Facilities Plan approved by the Planning Commission. This plan shall include current and anticipated uses for a minimum of 15 years, indicate adjacent property uses sufficiently to identify potential impacts created by the plan, and shall conform to the requirements of Section 3305.

Section 3301. – District permitted uses.

In the C- College District, no building or land shall be used except for one or more of the following specified uses unless otherwise provided elsewhere in this article.

Use	C District
Administrative, business, and faculty offices	P
Classrooms and lecture halls	P
Laboratories and research facilities	P
Public assembly	P
Libraries	P
Athletic facilities	P
Natural areas and parks	P
Dormitories	P
Multiple family dwellings	P
Alternative energy sources building-mounted	P
Food service	P
Child care facilities	P
Retail consistent with educational mission	P
Medical clinic	P
Accessory uses customarily incident to any of the above permitted uses	P
Outdoor performance facility/amphitheater	P*
Temporary driver certification course	P*
Heating and electrical generating plant	P*

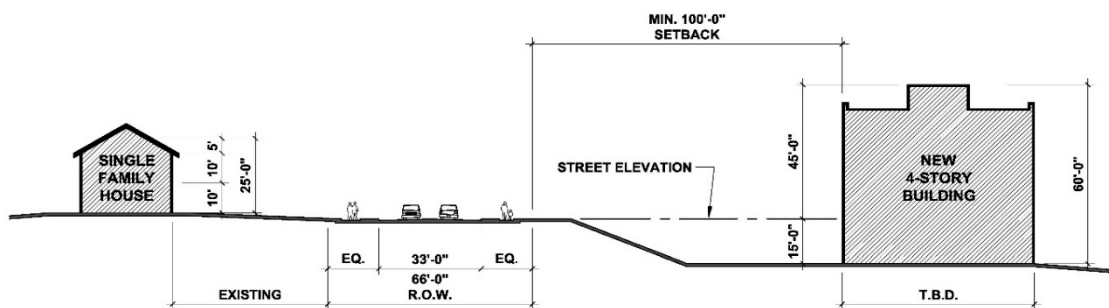
P=Permitted

*Use is permitted, subject to additional requirements specified in Section 3303

Section 3302 – District standards.

	C-District
Maximum height	35 feet
Maximum height - dormitory	60 feet with no more than 45 feet above adjacent section of Howard or Atkins Street grades (Figure 3302.1 below)
Setbacks from property line abutting or across street from a residential district Buildings 35 feet or less Buildings over 35 feet	60 Feet 100 Feet
Surface parking (maximum)	1,097
Signs	Must be approved by the Planning Commission through a Master Sign Plan pursuant to requirements of Section 3303(6).

Figure 3302.1



**PROFILE SECTION SHOWING
MAX 45' HT. ABOVE ROAD ELEV.**

SCALE: 3/32" = 1'-0"

Section 3303. – Additional requirements.

- (1) All roof-mounted equipment, including satellite dishes and other communication equipment, HVAC, and solar panels shall be screened by a parapet or similar architectural feature. Screening shall incorporate exterior building materials similar or complementary to those of the building on which the equipment is located.
- (2) Outdoor storage or loading areas shall be screened in accordance with the requirements of Section 2602 (5), as follows:
 - (a) Any storage or loading area facing or visible to a residential zoning district shall meet the requirements for an opaque screen.
 - (b) Any storage or loading area located on the interior of the campus or not facing or visible to a residential zoning district shall meet the requirements for a semi-opaque screen.
- (3) Outdoor performance facility/amphitheater
 - (a) All parts of an outdoor performance venue, including stage and seating areas, shall be at least 500 feet from any residential district and 100 feet from any public street.
 - (b) Lighting shall be oriented toward the interior of the campus and shall not be directed outward toward any residential district or public street and shall not be illuminated when not in use.
 - (c) Amplified sound shall be permitted; provided, sound levels at the district boundaries shall not exceed 60 dB(A) or ambient levels, whichever is greater.
 - (d) Events, including practices, shall not commence before 10:00 AM and must conclude no later than 10:00 PM.
- (4) Temporary driver certification course
 - (a) The driver certification course shall be limited to parking lots within the campus.
 - (b) The certification course shall not be located within 300 feet of any residence.
 - (c) Use of the course shall not commence before 9:00 AM and must conclude by 5:00 PM. No activity shall be permitted on weekends or holidays.
- (5) Heating and electrical generating plant
 - (a) The facility shall be an accessory use for the sole purpose of serving buildings and uses within the college campus.
 - (b) Facilities shall not use coal to generate power.
 - (c) All power generating equipment, not including solar panels, shall be located within a building which shall be designed and built to prevent objectionable noise impacts upon surrounding property.
 - (d) The building housing generating equipment shall be at least 500 feet from any residential zoning district.
- (6) Master Sign Plan Requirements

A Master Sign Plan shall include an inventory of all existing exterior signs with photos or illustrations of each sign type and also include information on the number, size, location, and illumination method of all exterior signs in the C-College District. This includes entrance, directional/wayfinding, kiosks, parking lot, and exterior building signs. In addition proposed new exterior signs shall be illustrated and include the number, size, location, illumination method, materials and landscaping for freestanding signs.

Section 3304 – Procedure for all master site and facilities plans.

- (1) *Pre-application conference.* Before submitting a Master Site and Facilities Plan (MSFP), an applicant shall meet with the city planner to review the proposed plan, this city zoning ordinance, and the city master plan. A preliminary presentation to the planning commission may also be desirable prior to formally submitting an application.

- (2) *Application.* An application for approval of a MSFP and, if applicable, a rezoning shall be submitted to the city planner not less than 21 calendar days before the date on which such plan is to be introduced to the planning commission.
- (3) *Official review.* The city planner shall circulate the MSFP to the departments of public works and public safety to provide comment to the planning commission.
- (4) *Referral.* After staff review and determination that the submittal requirements for the MSFP have been met, the application shall be referred to the planning commission for review, along with the formal rezoning request to the College District, if applicable.
- (5) *Public hearing and review.* The planning commission shall conduct a public hearing, notification of which shall be as required by the Michigan Zoning Enabling Act, MCL 125.3103.
- (6) *Actions.* If the planning commission determines that the MSFP satisfies the standards of Section 3306, the Plan shall be approved. In addition, if a rezoning request has been submitted, the planning commission shall make a recommendation to the city council regarding rezoning the property to the College District in accordance with the procedural requirements of the Michigan Zoning Enabling Act.
- (7) *Plan Compliance.* After approval of a MSFP, the land to which it pertains shall be developed and used only as authorized and described in that Plan. Following approval of the MSFP, no zoning permit or building permit shall be issued for building additions that are not consistent with the approved MSFP. New buildings or additions that increase a building size more than 30 percent shall be reviewed by the Planning Commission pursuant to Section 3307. Additions less than 30 percent may be administratively approved if required standards in Section 3307 are met.
- (8) *Amendment standards and procedures.* It is recognized that the MSFP is a long-range vision and changes or adjustments to an approved Plan may be initiated by the applicant. The city planner shall determine which category of plan revision applies to the request. In the event an applicant wishes to appeal a determination that a proposed change is a major change, the Board of Zoning Appeals shall hear that appeal.
 - (a) *Minor change.* A modification from the MSFP involving the adjustment in orientation or precise location of a building; modification or extension of utilities; location of walkways, roads, or parking areas; a reconfiguration of a designated open space area that does not alter the general size or function of that area; the change of building use from one permitted use to another; phasing or timing of a planned improvement; modification of landscaping or screening that remains consistent with the ordinance intent; and similar alterations may be approved by the city planner.
 - (b) *Major change.* A deviation from or amendment to a MSFP involving an increase in the number of access points to perimeter public streets; a new building; the relocation of a building to a different site; an increase in a building footprint by more than 30 percent; and significant reduction in any designated open space area shall require approval by the planning commission.

Section 3305 – Master site facilities plan content

The MSFP shall be drawn to scale and include the following:

- (1) The property owner and applicant/preparer name and address;
- (2) An analysis of existing site conditions;
- (3) An assessment of current facilities;
- (4) Future enrollment projections;
- (5) Existing and proposed private and public streets and access points to the existing public street network;
- (6) Natural features such as topography, boundaries of regulated wetlands, 100-year flood plain elevations, and water features such as lakes, rivers, creeks, springs, etc.;
- (7) Location of existing and proposed buildings and their sizes, including three dimensional representations;
- (8) A general storm water management plan;
- (9) A general circulation plan for pedestrians, cyclists and motorists;
- (10) A general parking plan, taking into account parking requirements established in section 1704; and
- (11) Strategic goals for plan implementation in five-year increments.

Section 3306 – Master site facilities plan review standards

The planning commission shall review the MSFP and rezoning request according to the following standards:

- (1) Existing or planned public facilities such as streets, sanitary sewers, storm sewers, and similar facilities shall be adequate for the proposed development.
- (2) Perimeter setbacks shall be provided for physical development.
- (3) Height, bulk, and character of structures shall be considered with regard to scenic views and the relationship of proposed structures to existing structures within 300 feet of the College District.
- (4) Vehicular, pedestrian, and non-motorized circulation allowing safe, convenient and well-defined circulation within the site and to the site shall be provided.
- (5) Off-street parking is designed to reduce light pollution and storm water runoff.
- (6) Natural, historical, scenic, open space and architectural features of the property in the district shall be preserved, protected, created or enhanced whenever possible.

Section 3307 – Site plan approval

Once a MSFP has been approved, no new building shall be constructed without first obtaining site plan approval subject to Section 1716 of the Zoning Ordinance and the following development standards. Those uses identified as special condition uses in Section 3301 will also be required to meet the standards of Sections 1717 and 1718.

- (1) *Buildings.* In reviewing building facades and features, the following shall be considered:
 - (a) Exterior materials should be of a finished appearance and quality construction. The use of corrugated metal, concrete block, sheet metal, and colored plastic or fiberglass shall be limited. Such factors as whether the building is an accessory structure, the adequacy of the setback and screening, and any impact upon street view and view from nearby residential buildings shall be considered in evaluating building materials.
 - (b) To the extent practical, buildings shall be situated to fit the existing site rather than imposed on the landscape in a manner that requires significant alteration of site grades. However, this standard may be waived where it is demonstrated that significant alteration of grades would:
 - i. result in preservation and protection of a scenic view or other significant natural or manmade resource, or
 - ii. result in an improved site layout and function without adversely impacting significant resources.
 - (c) Building walls facing a perimeter street shall have no less than 30 percent fenestration.
- (2) *Open space and site landscaping.*
 - (a) All areas of the site not occupied by buildings, parking, streets, pathways, plazas, or similar developed features shall be landscaped in character with the adjoining campus or retained in a natural state.
 - (b) In conjunction with any new building or building addition, foundation plantings consisting of a combination of shrubs, ground cover, and flower beds shall be installed. Plantings of shrubs, flowers, and trees shall also be used to highlight driveway ingress points and building entrances. Such vegetation should be clustered for adequate scale and visual interest.
 - (c) Existing vegetation that is healthy and suitable for landscaping objectives shall remain undisturbed. Existing trees five inches in diameter or greater should be retained to the extent possible. These requirements may be waived or modified where it is determined that proposed new landscaping and/or an improved site layout warrants a modification.
 - (d) Landscaping shall be irrigated and maintained.
- (3) *Parking, circulation, and loading.*
 - (a) New loading/unloading areas shall not face or be visible from any residential district and, shall be screened so as not to be visible from any neighboring residential properties. Where existing loading areas do not meet this requirement, they may remain; provided any addition or exterior renovation to the building served by such loading area should incorporate a screen wall and/or evergreen landscaping at the loading area to buffer the view from adjoining perimeter streets and neighboring residential property.
 - (b) Surface parking, driveways, and other circulation features shall be designed to follow the natural topographic contour lines of the site to reduce long views down parking aisles and to allow drainage to function naturally.

- (c) New parking areas shall only be accessed from an interior circulation system within the campus.
- (d) New or expanded parking lots located within 40 feet of a perimeter public street right-of-way shall be effectively screened by a wall, shrubs, berms, and/or evergreen trees along any side facing that street, unless due to topography, existing vegetation, or other feature the parking area is not visible from the street. No element used for such screening shall be less than 42 inches high. Screening devices meeting this height requirement may also be required where a new or expanded parking lot is determined to be near enough to an adjacent property or properties that the lot must be screened to mitigate impacts of noise, light, and visibility upon the neighbor(s).
- (e) If used, screening walls shall be constructed of durable, weather-resistant materials compatible with building finishes on the site. Visual relief should be added with landscaping bands or clusters to soften the appearance of the wall. The finished side of the screen shall face outward toward the adjoining property or a perimeter street.
- (f) Parking lot interior landscaping shall consist of a minimum of seven percent of the total parking area, and a ratio of one (1) canopy tree per eight (8) parking spaces. Landscaping island shall be a minimum of 80 square feet in area, and a minimum of eight (8) feet in width.
- (g) Parking areas and driveway shall have a minimum of eight (8) feet of landscaped area separating the pavement edge from any property line, except where two or more adjacent properties have a written agreement or easement for a shared driveway access.
- (h) Sidewalks shall be installed to interconnect buildings and parking areas and to permit safe pedestrian movement along the perimeter public street frontage.
- (i) Parking structures shall be permitted, subject to the following standards:
 - i. The design of all above-grade parking structures shall relate to the context of the area. Exterior walls of parking structures shall be designed with materials, colors, and architectural treatment in a manner that provides visual compatibility with adjacent buildings and environment.
 - ii. Freestanding parking structures shall have no blank walls and shall be designed to limit the visibility of interior ramps and prevent outside glare from interior lighting.

(4) *Perimeter screening.*

- (a) Any new building or addition located within 80 feet of a perimeter public street shall provide a visual foreground to soften and minimize its visual impact on surrounding properties. Such screening shall consist of a combination of deciduous and evergreen trees. Berms, walls, and/or fences may be included as part of the screen to add variety and interest or where topographic conditions would make their use more effective. In the case of a wall or fence, the finished side shall face outward toward the adjoining property or a perimeter street.
 - (b) All new buildings and additions shall be designed in context and scale to be compatible with existing campus facilities and the surrounding uses. Consideration shall be given to building materials, height, and articulation of walls.
2. Appendix A, Article IV, Section 402 of the Petoskey Code of Ordinances is amended to remove the following as a special condition use:
5. Colleges, universities and other such institutions of higher learning, public and private, offering courses in general, technical, or religious education and not operated for profit, subject to the following conditions:
- a. Any use permitted herein shall be developed only on sites of at least 40 acres in area.
 - b. All access to said site shall be directly from a principal or minor arterial.
 - c. No building shall be closer than 80 feet to any property line.
3. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.
4. This Ordinance shall take effect fifteen (15) days following its enactment and shall be published once within seven (7) days after its enactment as provided by Charter.

Said ordinance was adopted by the following vote:

AYES: Marshall, Shiels, Walker, Murphy (4)

NAYS: None (0)

Hear Presentation on Possible Establishment of a Transit Authority and Letter of Support

The City Manager reviewed that Councilmember Shiels and Councilmember Walker asked for a presentation from the Petoskey-Harbor Springs Area Community Foundation and the Petoskey Regional Chamber of Commerce 14-member Work Group regarding their proposal to develop a comprehensive, county-wide transit system; that the proposal to form a Transit Authority was presented to Emmet County on June 24 with Commissioners continuing to consider the proposal with a decision anticipated in the next two months; and that the Work Group representatives were asking the City to consider submitting a letter of support encouraging Emmet County Commissioners to establish the Transit Authority and to place a county-wide millage on an upcoming ballot.

Nikki DeVitt, Kassia Perpich and Jessyca Stoepker, representatives from the Chamber, PHSACF and Work Group, gave a presentation on the proposed Emmet Transit Authority (ETA); that members have been researching since last November on a potential authority; that the ETA would develop and run the transit system, while the County Commissioners would have input into this, the ETA would be separate; that once formed, the ETA would be expected to put a transit millage on the ballot for voter approval; that it is proposed that a millage would occur in 2022 and is estimated at .30 mills; reviewed study on transportation and costs to live in the area; and reviewed the advantages of having public transit and a transit authority in the community.

City Councilmembers thanked the representatives for the detailed report; inquired on the long-term financing and how it would work; discussed whether or not the City should be taking a position on the issue and if so, what the City's position should include; reviewed what other units have been approached and what units will be hearing this presentation.

Presenters reviewed the potential for an operating millage, which would be supplemented with State and Federal funding, noting that MDOT funding has been a stable revenue source for many years.

City Councilmembers concurred to discuss and review a draft letter of support at their next meeting prepared by City staff encouraging the County Commissioners to explore and possibly develop a regional transportation concept.

Approve Redevelopment Liquor License for Clurichaun Enterprises LLC – Resolution No. 19570

The City Manager reviewed that the City received a redevelopment liquor license application from Clurichaun Enterprises LLC proposing a new bar/retail outlet for 406 East Lake Street; that on July 20 the Downtown Management Board recommended by a 6-0 vote that City Council approve the redevelopment liquor license; and that the application submitted information showing compliance with the ordinance requirements.

Scott Neal, owner of Clurichaun Enterprises LLC, discussed their business plan of opening a bar and boutique; that no Class C licenses were available in escrow; that the boutique will be located in the front space and basement and a 1920s speak easy bar concept in the rear space; and that he and his wife are entrepreneurs and sold three businesses with alcohol in Indiana and Ohio prior to moving to Petoskey.

City Councilmembers discussed the separate access to the bar and boutique and available food options.

City Councilmember Walker moved that, seconded by City Councilmember Shiels adoption of the following resolution:

WHEREAS, in 2011 the City of Petoskey established a Redevelopment Area under P.A. 501 of 2006 for purposes of fostering existing and new restaurants, entertainment or recreation establishments within Petoskey's Downtown Development Authority district; and

WHEREAS, Clurichaun Enterprises LLC, 918 Howard Street, has applied with the City of Petoskey for a Redevelopment Liquor License; and

WHEREAS, the Downtown Management Board reviewed and recommended the granting of a Redevelopment License for Clurichaun Enterprises LLC because it will encourage economic growth and activity within downtown, particularly in evening hours, and is in keeping with the downtown Master Plan; and

WHEREAS, the City's Department of Public Safety staff has completed investigations that are required to be performed by local governmental units under provisions of the Michigan Liquor Control Act; and

WHEREAS, the Department of Public Safety staff has reported to the City Manager that, based upon findings of the Department's investigations, the City Manager could recommend that the City Council confirm the City's approval of the application by Clurichaun Enterprises LLC for a new Redevelopment Liquor License located at 406 East Lake Street:

NOW, THEREFORE, BE IT RESOLVED that the City Manager be and is hereby directed to report to the Michigan Department of Labor and Economic Growth's Liquor Control Commission, upon forms that have been provided by the Liquor Control Commission, confirmation of the City Council's approval of the application by Clurichaun Enterprises LLC, for a new Redevelopment Liquor License located at 406 East Lake Street.

Said resolution was adopted by the following vote:

AYES: Marshall, Shiels, Walker, Murphy (4)

NAYS: None (0)

Approve MDOT Annual Permit Signature Designation – Resolution No. 19571

The City Manager reviewed that the City regularly performs maintenance and repair work within the MDOT right-of-way; that MDOT requires the City obtain a general right-of-way permit for performing these routine and emergency repairs within the State right-of-way; that MDOT updated language in the resolution; and that the resolution would authorize six City employees to enter permit applications through the MDOT online system on behalf of the City and its contractors as requested by MDOT.

City Councilmember Marshall moved that, seconded by City Councilmember Shiels to approve the resolution provided by MDOT authorizing six City employees to apply for MDOT right-of-way permits.

Said resolution was adopted by the following vote:

AYES: Marshall, Shiels, Walker, Murphy (4)

NAYS: None (0)

Council Comments

Mayor Murphy asked for City Council comments and City Councilmember Walker commented on the letter received from a Wolverine resident concerning slower traffic speeds due to the islands on East Mitchell Street and that it is contrary to why the City installed the medians and that Petoskey Little League 14U All Stars are State Champions and there will be a celebration and parade on Wednesday. City Councilmember Shiels commented that he heard from a constituent regarding the City newsletter and the "noreply" email designation may not be easy for citizens to identify the newsletter and asked staff to look in to matter. Mayor Murphy thanked Mr. Koontz, Emmet County Commissioner, for attending the meeting and values Council discussions and that they should take time to make some decisions.

There being no further business to come before the City Council, this August 2, 2021, meeting of the City Council adjourned at 8:50 P.M.

John Murphy, Mayor

Alan Terry, Clerk-Treasurer

GL Period	Check Issue Date	Check Number	Payee	Invoice GL Account	Check Amount
08/21	08/04/2021	93986	All-Phase Electric Supply	101-773-775.000	16.14
08/21	08/04/2021	93987	Applied Pavement Markings	592-025-343.000	598.80
08/21	08/04/2021	93987	Applied Pavement Markings	202-477-802.000	10,320.20
08/21	08/04/2021	93987	Applied Pavement Markings	203-477-802.000	5,233.20
08/21	08/04/2021	93987	Applied Pavement Markings	101-770-802.000	1,974.00
08/21	08/04/2021	93987	Applied Pavement Markings	101-789-802.000	423.20
08/21	08/04/2021	93987	Applied Pavement Markings	514-587-802.000	2,302.40
08/21	08/04/2021	93987	Applied Pavement Markings	582-593-930.000	117.80
08/21	08/04/2021	93988	AT&T	101-172-850.000	130.69
08/21	08/04/2021	93988	AT&T	101-201-850.000	69.70
08/21	08/04/2021	93988	AT&T	101-208-850.000	43.56
08/21	08/04/2021	93988	AT&T	101-257-850.000	43.56
08/21	08/04/2021	93988	AT&T	101-215-850.000	34.85
08/21	08/04/2021	93988	AT&T	101-345-850.000	95.84
08/21	08/04/2021	93988	AT&T	582-593-850.000	34.85
08/21	08/04/2021	93988	AT&T	592-549-850.000	52.28
08/21	08/04/2021	93988	AT&T	592-560-850.000	52.28
08/21	08/04/2021	93988	AT&T	592-558-920.000	655.51
08/21	08/04/2021	93988	AT&T	592-555-920.000	329.49
08/21	08/04/2021	93988	AT&T	101-400-850.000	43.56
08/21	08/04/2021	93988	AT&T	101-756-850.000	52.28
08/21	08/04/2021	93988	AT&T	101-441-850.000	78.41
08/21	08/04/2021	93988	AT&T	204-481-850.000	26.14
08/21	08/04/2021	93988	AT&T	204-481-850.000	26.14
08/21	08/04/2021	93988	AT&T	582-588-850.000	87.13
08/21	08/04/2021	93988	AT&T	592-560-850.000	78.88
08/21	08/04/2021	93988	AT&T	592-560-850.000	85.73
08/21	08/04/2021	93988	AT&T	592-558-920.000	82.61
08/21	08/04/2021	93988	AT&T	592-538-850.000	78.88
08/21	08/04/2021	93988	AT&T	592-538-850.000	78.88
08/21	08/04/2021	93989	Atchison Paper & Supply	271-790-752.000	462.74
08/21	08/04/2021	93989	Atchison Paper & Supply	271-790-751.000	93.12
08/21	08/04/2021	93990	Barta, Lee	101-756-808.120	160.00
08/21	08/04/2021	93991	Beckett & Raeder Inc.	582-588-802.000	290.00
08/21	08/04/2021	93992	Benchmark Engineering Inc.	204-481-802.000	355.00
08/21	08/04/2021	93992	Benchmark Engineering Inc.	592-549-802.000	355.00
08/21	08/04/2021	93992	Benchmark Engineering Inc.	592-560-802.000	354.00
08/21	08/04/2021	93993	Char-Em United Way	701-000-230.800	51.50
08/21	08/04/2021	93994	CITY TREAS. FOR UTILITY BILLS	101-265-920.000	1,831.83
08/21	08/04/2021	93994	CITY TREAS. FOR UTILITY BILLS	101-268-920.000	2,050.04
08/21	08/04/2021	93994	CITY TREAS. FOR UTILITY BILLS	101-345-920.000	4,072.42
08/21	08/04/2021	93994	CITY TREAS. FOR UTILITY BILLS	101-345-920.100	1,497.77
08/21	08/04/2021	93994	CITY TREAS. FOR UTILITY BILLS	101-754-920.000	412.66
08/21	08/04/2021	93994	CITY TREAS. FOR UTILITY BILLS	101-770-920.000	11,212.07
08/21	08/04/2021	93994	CITY TREAS. FOR UTILITY BILLS	582-586-920.000	37.26
08/21	08/04/2021	93994	CITY TREAS. FOR UTILITY BILLS	582-593-920.000	1,511.08
08/21	08/04/2021	93994	CITY TREAS. FOR UTILITY BILLS	592-538-920.000	17,505.38
08/21	08/04/2021	93994	CITY TREAS. FOR UTILITY BILLS	592-542-920.000	37.26
08/21	08/04/2021	93994	CITY TREAS. FOR UTILITY BILLS	592-551-920.000	14,095.41
08/21	08/04/2021	93994	CITY TREAS. FOR UTILITY BILLS	592-555-920.000	1,094.39
08/21	08/04/2021	93994	CITY TREAS. FOR UTILITY BILLS	101-773-920.000	4,467.55
08/21	08/04/2021	93994	CITY TREAS. FOR UTILITY BILLS	101-789-920.000	3,007.83
08/21	08/04/2021	93994	CITY TREAS. FOR UTILITY BILLS	204-448-920.000	2,800.00
08/21	08/04/2021	93994	CITY TREAS. FOR UTILITY BILLS	271-790-920.000	3,982.21
08/21	08/04/2021	93994	CITY TREAS. FOR UTILITY BILLS	514-587-802.100	49.34
08/21	08/04/2021	93994	CITY TREAS. FOR UTILITY BILLS	514-587-920.000	520.36

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08/21	08/04/2021	93995	Clemens, Tom	101-756-808.120	120.00
08/21	08/04/2021	93996	Cook, Jerald P	101-756-808.120	240.00
08/21	08/04/2021	93997	Davey Resource Group Inc.	204-470-802.000	1,250.00
08/21	08/04/2021	93997	Davey Resource Group Inc.	101-770-802.100	1,250.00
08/21	08/04/2021	93998	Drader, Darold Gene	101-756-808.120	40.00
08/21	08/04/2021	93999	EMMET AUTO	661-598-786.000	319.95
08/21	08/04/2021	94000	Emmet County Treasurer	703-040-222.220	289,438.14
08/21	08/04/2021	94000	Emmet County Treasurer	703-040-222.220	18,851.39
08/21	08/04/2021	94000	Emmet County Treasurer	703-040-228.220	376,063.76
08/21	08/04/2021	94001	Emmet Plumbing & Heating Inc.	101-770-802.000	240.60
08/21	08/04/2021	94001	Emmet Plumbing & Heating Inc.	101-770-802.000	1,239.82
08/21	08/04/2021	94001	Emmet Plumbing & Heating Inc.	101-265-802.000	258.57
08/21	08/04/2021	94002	Englebrecht, Robert	101-257-802.100	3,750.00
08/21	08/04/2021	94003	Etna Supply	592-010-111.000	582.00
08/21	08/04/2021	94003	Etna Supply	592-545-775.000	7.20
08/21	08/04/2021	94003	Etna Supply	592-010-111.000	500.00
08/21	08/04/2021	94003	Etna Supply	592-546-775.000	170.00
08/21	08/04/2021	94003	Etna Supply	592-546-775.000	106.12
08/21	08/04/2021	94004	Five Star Screen Printing Plus	101-756-808.120	620.00
08/21	08/04/2021	94004	Five Star Screen Printing Plus	101-756-808.120	714.00
08/21	08/04/2021	94004	Five Star Screen Printing Plus	101-770-767.000	48.00
08/21	08/04/2021	94005	FMW Construction	582-584-802.000	397.72
08/21	08/04/2021	94006	Francis, Gary	101-756-808.120	240.00
08/21	08/04/2021	94007	Fraternal Order of Police	701-000-230.400	946.00
08/21	08/04/2021	94008	Gibby's Garage	101-770-802.000	68.00
08/21	08/04/2021	94008	Gibby's Garage	582-593-930.000	34.00
08/21	08/04/2021	94008	Gibby's Garage	661-598-931.000	102.00
08/21	08/04/2021	94008	Gibby's Garage	661-598-932.000	476.00
08/21	08/04/2021	94008	Gibby's Garage	582-593-930.000	68.00
08/21	08/04/2021	94008	Gibby's Garage	661-598-931.000	374.00
08/21	08/04/2021	94008	Gibby's Garage	661-598-932.000	850.00
08/21	08/04/2021	94008	Gibby's Garage	582-593-930.000	102.00
08/21	08/04/2021	94008	Gibby's Garage	661-598-931.000	136.00
08/21	08/04/2021	94008	Gibby's Garage	661-598-932.000	442.00
08/21	08/04/2021	94009	Gordon Food Service	101-756-808.010	76.24
08/21	08/04/2021	94009	Gordon Food Service	661-598-751.000	12.66
08/21	08/04/2021	94009	Gordon Food Service	204-481-751.000	12.66
08/21	08/04/2021	94009	Gordon Food Service	582-588-751.000	12.66
08/21	08/04/2021	94009	Gordon Food Service	582-593-751.000	12.66
08/21	08/04/2021	94009	Gordon Food Service	592-549-751.000	12.66
08/21	08/04/2021	94009	Gordon Food Service	592-560-751.000	12.66
08/21	08/04/2021	94009	Gordon Food Service	101-756-808.010	54.16
08/21	08/04/2021	94009	Gordon Food Service	101-756-808.010	45.95
08/21	08/04/2021	94009	Gordon Food Service	101-789-775.000	27.96
08/21	08/04/2021	94009	Gordon Food Service	101-756-808.010	28.96
08/21	08/04/2021	94010	Grangood, Daniel Wilhelm	101-756-808.120	240.00
08/21	08/04/2021	94011	Great Lakes Pipe & Supply	101-770-775.000	242.80
08/21	08/04/2021	94012	Hamlin, Wilce S	101-756-808.120	480.00
08/21	08/04/2021	94013	HARBOR FENCE COMPANY	101-770-934.000	1,880.00
08/21	08/04/2021	94014	Hyde Services LLC	661-598-931.000	65.36
08/21	08/04/2021	94015	Keyper Systems	101-345-775.000	40.45
08/21	08/04/2021	94016	Lowery Underground Service	101-770-802.000	935.00
08/21	08/04/2021	94016	Lowery Underground Service	582-020-360.000	14,246.50
08/21	08/04/2021	94016	Lowery Underground Service	582-598-802.000	7,523.00
08/21	08/04/2021	94017	Lynn Auto Parts Inc.	661-010-111.000	9.60
08/21	08/04/2021	94017	Lynn Auto Parts Inc.	661-598-932.000	137.17

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08/21	08/04/2021	94017	Lynn Auto Parts Inc.	661-598-932.000	36.99
08/21	08/04/2021	94017	Lynn Auto Parts Inc.	661-010-111.000	14.92
08/21	08/04/2021	94017	Lynn Auto Parts Inc.	101-770-775.000	6.89
08/21	08/04/2021	94017	Lynn Auto Parts Inc.	661-598-785.000	38.72
08/21	08/04/2021	94017	Lynn Auto Parts Inc.	661-598-785.000	14.01
08/21	08/04/2021	94017	Lynn Auto Parts Inc.	661-598-785.000	35.55
08/21	08/04/2021	94017	Lynn Auto Parts Inc.	661-598-785.000	6.20
08/21	08/04/2021	94017	Lynn Auto Parts Inc.	661-598-785.000	52.14
08/21	08/04/2021	94017	Lynn Auto Parts Inc.	661-598-932.000	64.97
08/21	08/04/2021	94017	Lynn Auto Parts Inc.	661-598-932.000	6.83
08/21	08/04/2021	94017	Lynn Auto Parts Inc.	661-598-932.000	4.12
08/21	08/04/2021	94017	Lynn Auto Parts Inc.	661-598-932.000	15.73
08/21	08/04/2021	94017	Lynn Auto Parts Inc.	661-598-932.000	76.23
08/21	08/04/2021	94018	Malec, Joe	101-756-808.120	80.00
08/21	08/04/2021	94019	Malec, Steve	101-756-808.120	40.00
08/21	08/04/2021	94020	Michigan Pure Ice	101-789-775.000	41.40
08/21	08/04/2021	94020	Michigan Pure Ice	101-789-775.000	109.25
08/21	08/04/2021	94021	Michigan State Fireman's Assoc.	101-345-912.000	119.63
08/21	08/04/2021	94022	OLSTROM EXCAVATING & PAVING	203-451-802.000	5,761.00
08/21	08/04/2021	94023	Peerless-Midwest Inc.	592-020-342.000	89,998.57
08/21	08/04/2021	94024	Petoskey Parts Plus	661-598-932.000	139.06
08/21	08/04/2021	94024	Petoskey Parts Plus	661-598-932.000	50.00-
08/21	08/04/2021	94025	Petoskey Public Schools	703-040-236.220	767,160.32
08/21	08/04/2021	94025	Petoskey Public Schools	703-040-237.220	91,133.15
08/21	08/04/2021	94025	Petoskey Public Schools	703-040-237.220	60,795.25
08/21	08/04/2021	94026	Power Line Supply	582-010-111.000	2,240.00
08/21	08/04/2021	94026	Power Line Supply	582-588-785.000	84.00
08/21	08/04/2021	94026	Power Line Supply	204-481-767.000	22.00
08/21	08/04/2021	94026	Power Line Supply	582-010-111.000	135.50
08/21	08/04/2021	94026	Power Line Supply	582-592-775.000	295.00
08/21	08/04/2021	94027	Quadient Finance USA Inc.	101-172-751.000	200.00
08/21	08/04/2021	94027	Quadient Finance USA Inc.	101-201-751.000	200.00
08/21	08/04/2021	94027	Quadient Finance USA Inc.	101-208-751.000	250.00
08/21	08/04/2021	94027	Quadient Finance USA Inc.	101-257-751.000	100.00
08/21	08/04/2021	94027	Quadient Finance USA Inc.	101-215-751.000	150.00
08/21	08/04/2021	94027	Quadient Finance USA Inc.	101-345-751.000	475.00
08/21	08/04/2021	94027	Quadient Finance USA Inc.	514-587-802.100	50.00
08/21	08/04/2021	94027	Quadient Finance USA Inc.	271-790-751.000	50.00
08/21	08/04/2021	94027	Quadient Finance USA Inc.	101-400-751.000	225.00
08/21	08/04/2021	94027	Quadient Finance USA Inc.	101-441-751.000	375.00
08/21	08/04/2021	94027	Quadient Finance USA Inc.	101-770-751.000	100.00
08/21	08/04/2021	94027	Quadient Finance USA Inc.	101-773-775.000	75.00
08/21	08/04/2021	94027	Quadient Finance USA Inc.	101-756-751.000	175.00
08/21	08/04/2021	94027	Quadient Finance USA Inc.	101-789-751.000	75.00
08/21	08/04/2021	94028	Rieth-Riley Construction Co	592-545-775.000	136.01
08/21	08/04/2021	94028	Rieth-Riley Construction Co	202-469-775.000	136.01
08/21	08/04/2021	94029	Royal Tire	661-598-932.000	25.00
08/21	08/04/2021	94030	SiteOne Landscape Supply	101-770-775.000	31.46
08/21	08/04/2021	94030	SiteOne Landscape Supply	101-770-802.100	29.44
08/21	08/04/2021	94030	SiteOne Landscape Supply	101-754-775.000	47.21
08/21	08/04/2021	94030	SiteOne Landscape Supply	101-770-775.000	13.76
08/21	08/04/2021	94030	SiteOne Landscape Supply	101-756-778.000	576.60
08/21	08/04/2021	94030	SiteOne Landscape Supply	101-770-775.000	5.03
08/21	08/04/2021	94030	SiteOne Landscape Supply	101-754-775.000	47.21
08/21	08/04/2021	94030	SiteOne Landscape Supply	101-756-778.000	768.66
08/21	08/04/2021	94030	SiteOne Landscape Supply	101-754-775.000	46.29

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08/21	08/04/2021	94030	SiteOne Landscape Supply	101-756-778.000	240.18-
08/21	08/04/2021	94031	Smith, Edward J	101-756-808.120	120.00
08/21	08/04/2021	94032	TEAMSTERS LOCAL #214	701-000-230.400	1,157.00
08/21	08/04/2021	94033	Thompson, Brenda	101-756-808.120	120.00
08/21	08/04/2021	94034	Trace Analytical Laboratories LLC	592-553-802.000	839.00
08/21	08/04/2021	94034	Trace Analytical Laboratories LLC	592-553-802.000	737.00
08/21	08/04/2021	94034	Trace Analytical Laboratories LLC	592-553-802.000	431.20
08/21	08/04/2021	94034	Trace Analytical Laboratories LLC	592-553-802.000	32.00
08/21	08/04/2021	94035	Walters Sharpening Service Inc.	661-598-931.000	77.78
08/21	08/04/2021	94035	Walters Sharpening Service Inc.	661-598-931.000	60.00
08/21	08/04/2021	94036	Wcisel, David	101-756-808.120	320.00
08/21	08/04/2021	94037	Weston, Chris	101-756-808.120	160.00
08/21	08/11/2021	94047	Abel Electronics Inc.	101-268-970.000	11,302.50
08/21	08/11/2021	94048	Alliance Entertainment	271-790-761.000	243.19
08/21	08/11/2021	94048	Alliance Entertainment	271-790-761.000	259.44
08/21	08/11/2021	94048	Alliance Entertainment	271-790-761.000	141.96
08/21	08/11/2021	94048	Alliance Entertainment	271-790-761.100	128.16
08/21	08/11/2021	94049	All-Phase Electric Supply	582-586-775.000	19.10
08/21	08/11/2021	94049	All-Phase Electric Supply	582-586-775.000	58.82
08/21	08/11/2021	94050	American Digital Memories LLC	271-790-762.000	496.95
08/21	08/11/2021	94051	AT&T	582-593-850.000	127.80
08/21	08/11/2021	94052	Avineon	592-549-802.000	700.00
08/21	08/11/2021	94053	Ballard's Plumbing & Heating	592-554-802.000	903.32
08/21	08/11/2021	94054	Beckett & Raeder Inc.	514-587-802.000	4,171.00
08/21	08/11/2021	94054	Beckett & Raeder Inc.	514-587-802.000	4,845.00
08/21	08/11/2021	94055	Blarney Castle Oil Co.	101-789-772.000	7,706.77
08/21	08/11/2021	94055	Blarney Castle Oil Co.	101-789-772.000	7,918.29
08/21	08/11/2021	94055	Blarney Castle Oil Co.	101-789-772.000	5,713.11
08/21	08/11/2021	94055	Blarney Castle Oil Co.	101-789-772.000	6,262.54
08/21	08/11/2021	94056	BOYNE CITY TIRE & BRAKE	661-598-932.000	674.00
08/21	08/11/2021	94057	Bradford Master Dry Cleaners	101-345-775.000	405.15
08/21	08/11/2021	94058	CITY TREAS. FOR UTILITY BILLS	101-770-920.000	19.80
08/21	08/11/2021	94059	Collias-Glaser, Hellene Kay	271-790-802.000	300.00
08/21	08/11/2021	94060	Complete Paint & Supplies	101-770-775.000	5.99
08/21	08/11/2021	94061	Cook, Jerald P	101-756-808.120	80.00
08/21	08/11/2021	94062	Creative Graphics by Eva	271-790-958.100	210.00
08/21	08/11/2021	94063	Dearborn Life Insurance Co	701-000-230.190	2,050.33
08/21	08/11/2021	94063	Dearborn Life Insurance Co	101-172-724.000	19.16
08/21	08/11/2021	94063	Dearborn Life Insurance Co	101-201-724.000	44.89
08/21	08/11/2021	94063	Dearborn Life Insurance Co	101-208-724.000	19.16
08/21	08/11/2021	94063	Dearborn Life Insurance Co	101-215-724.000	21.35
08/21	08/11/2021	94063	Dearborn Life Insurance Co	514-587-724.000	51.93
08/21	08/11/2021	94063	Dearborn Life Insurance Co	582-588-724.000	44.55
08/21	08/11/2021	94063	Dearborn Life Insurance Co	592-549-724.000	54.88
08/21	08/11/2021	94063	Dearborn Life Insurance Co	592-560-724.000	20.60
08/21	08/11/2021	94063	Dearborn Life Insurance Co	101-756-724.000	16.29
08/21	08/11/2021	94063	Dearborn Life Insurance Co	101-770-724.000	35.45
08/21	08/11/2021	94063	Dearborn Life Insurance Co	101-773-724.000	5.75
08/21	08/11/2021	94063	Dearborn Life Insurance Co	101-789-724.000	10.54
08/21	08/11/2021	94063	Dearborn Life Insurance Co	204-481-724.000	66.24
08/21	08/11/2021	94063	Dearborn Life Insurance Co	271-790-724.000	78.83
08/21	08/11/2021	94063	Dearborn Life Insurance Co	101-265-724.000	4.79
08/21	08/11/2021	94063	Dearborn Life Insurance Co	101-268-724.000	11.98
08/21	08/11/2021	94063	Dearborn Life Insurance Co	101-345-724.000	486.67
08/21	08/11/2021	94063	Dearborn Life Insurance Co	101-400-724.000	11.50
08/21	08/11/2021	94063	Dearborn Life Insurance Co	101-441-724.000	32.57

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08/21	08/11/2021	94063	Dearborn Life Insurance Co	101-754-724.000	5.27
08/21	08/11/2021	94063	Dearborn Life Insurance Co	701-000-230.190	2,188.26
08/21	08/11/2021	94063	Dearborn Life Insurance Co	101-172-724.000	19.16
08/21	08/11/2021	94063	Dearborn Life Insurance Co	101-201-724.000	44.89
08/21	08/11/2021	94063	Dearborn Life Insurance Co	101-208-724.000	19.16
08/21	08/11/2021	94063	Dearborn Life Insurance Co	101-215-724.000	21.35
08/21	08/11/2021	94063	Dearborn Life Insurance Co	101-265-724.000	4.79
08/21	08/11/2021	94063	Dearborn Life Insurance Co	582-588-724.000	73.29
08/21	08/11/2021	94063	Dearborn Life Insurance Co	592-549-724.000	54.88
08/21	08/11/2021	94063	Dearborn Life Insurance Co	592-560-724.000	20.60
08/21	08/11/2021	94063	Dearborn Life Insurance Co	101-770-724.000	35.45
08/21	08/11/2021	94063	Dearborn Life Insurance Co	101-773-724.000	5.75
08/21	08/11/2021	94063	Dearborn Life Insurance Co	101-789-724.000	10.54
08/21	08/11/2021	94063	Dearborn Life Insurance Co	204-481-724.000	66.24
08/21	08/11/2021	94063	Dearborn Life Insurance Co	271-790-724.000	126.73
08/21	08/11/2021	94063	Dearborn Life Insurance Co	514-587-724.000	32.77
08/21	08/11/2021	94063	Dearborn Life Insurance Co	101-268-724.000	11.98
08/21	08/11/2021	94063	Dearborn Life Insurance Co	101-345-724.000	505.82
08/21	08/11/2021	94063	Dearborn Life Insurance Co	101-400-724.000	11.50
08/21	08/11/2021	94063	Dearborn Life Insurance Co	101-441-724.000	32.57
08/21	08/11/2021	94063	Dearborn Life Insurance Co	101-754-724.000	5.27
08/21	08/11/2021	94063	Dearborn Life Insurance Co	101-756-724.000	16.29
08/21	08/11/2021	94064	Demco	271-790-751.000	305.84
08/21	08/11/2021	94065	Derrer Oil Co.	661-598-759.000	1,929.29
08/21	08/11/2021	94065	Derrer Oil Co.	661-598-759.000	2,649.81
08/21	08/11/2021	94066	Dinon Law PLLC	101-266-802.000	892.50
08/21	08/11/2021	94067	Drader, Darold Gene	101-756-808.120	40.00
08/21	08/11/2021	94068	Drost Landscape	204-470-802.000	1,879.86
08/21	08/11/2021	94068	Drost Landscape	101-770-802.100	1,560.62
08/21	08/11/2021	94069	Dubois-Cooper Associates Inc.	592-558-775.000	2,093.00
08/21	08/11/2021	94070	Ducastel, Barbara	271-790-802.000	660.00
08/21	08/11/2021	94071	Dunn's Business Solutions	101-172-751.000	9.84
08/21	08/11/2021	94071	Dunn's Business Solutions	101-201-751.000	9.84
08/21	08/11/2021	94071	Dunn's Business Solutions	101-208-751.000	6.89
08/21	08/11/2021	94071	Dunn's Business Solutions	101-257-751.000	4.92
08/21	08/11/2021	94071	Dunn's Business Solutions	101-215-751.000	5.90
08/21	08/11/2021	94071	Dunn's Business Solutions	101-345-751.000	25.58
08/21	08/11/2021	94071	Dunn's Business Solutions	101-400-751.000	4.92
08/21	08/11/2021	94071	Dunn's Business Solutions	101-441-751.000	14.76
08/21	08/11/2021	94071	Dunn's Business Solutions	101-770-751.000	2.95
08/21	08/11/2021	94071	Dunn's Business Solutions	101-773-775.000	.98
08/21	08/11/2021	94071	Dunn's Business Solutions	101-756-751.000	9.84
08/21	08/11/2021	94071	Dunn's Business Solutions	101-789-751.000	1.95
08/21	08/11/2021	94072	Factor Systems LLC	101-208-803.000	3,671.54
08/21	08/11/2021	94073	Gale/Cengage Learning	271-790-760.000	113.56
08/21	08/11/2021	94073	Gale/Cengage Learning	271-790-760.000	27.19
08/21	08/11/2021	94073	Gale/Cengage Learning	271-790-760.000	29.59
08/21	08/11/2021	94074	Grangood, Daniel Wilhelm	101-756-808.120	80.00
08/21	08/11/2021	94075	Green, Dennis	101-756-808.140	394.80
08/21	08/11/2021	94076	Gruher's Farm Supply Inc.	101-756-808.010	13.98
08/21	08/11/2021	94077	Hamlin, Wilce S	101-756-808.120	80.00
08/21	08/11/2021	94078	Harrell's LLC	101-770-802.000	813.75
08/21	08/11/2021	94079	Haviland Products Company	592-551-783.000	10,008.00
08/21	08/11/2021	94079	Haviland Products Company	592-551-783.000	6,916.69
08/21	08/11/2021	94079	Haviland Products Company	592-551-783.000	5,350.04-
08/21	08/11/2021	94080	Himebauch, Kelly L	271-790-802.000	420.00

GL Period	Check Issue Date	Check Number	Payee	Invoice GL Account	Check Amount
08/21	08/11/2021	94081	IR Electric Motor Service	592-554-802.000	1,743.84
08/21	08/11/2021	94082	Jakeway, Patricia	271-790-802.000	690.00
08/21	08/11/2021	94083	KARR, ADRIAN	101-345-912.000	90.10
08/21	08/11/2021	94084	Kendall Electric Inc.	592-542-775.000	24.29
08/21	08/11/2021	94084	Kendall Electric Inc.	592-555-775.000	123.04
08/21	08/11/2021	94084	Kendall Electric Inc.	592-558-775.000	123.03
08/21	08/11/2021	94085	Klingelsmith, Kendall	101-770-767.000	84.80
08/21	08/11/2021	94086	Knickerbocker, Lynsa	271-790-802.000	510.00
08/21	08/11/2021	94087	LAKE AREA COLLISION INC.	661-020-142.000	4,141.57
08/21	08/11/2021	94088	MacDonald Garber Broadcasting	248-540-882.120	750.00
08/21	08/11/2021	94088	MacDonald Garber Broadcasting	248-540-882.120	850.00
08/21	08/11/2021	94089	McCardel Culligan	101-770-802.000	8.00
08/21	08/11/2021	94089	McCardel Culligan	514-587-802.100	8.00
08/21	08/11/2021	94089	McCardel Culligan	592-554-802.000	60.00
08/21	08/11/2021	94089	McCardel Culligan	101-770-802.000	25.25
08/21	08/11/2021	94089	McCardel Culligan	101-770-802.000	18.50
08/21	08/11/2021	94089	McCardel Culligan	514-587-802.100	33.75
08/21	08/11/2021	94090	Michigan Department of Treasury	101-090-644.060	372.39
08/21	08/11/2021	94091	Michigan Municipal League	101-215-802.000	78.96
08/21	08/11/2021	94092	Michigan Officeways Inc.	271-790-751.000	115.44
08/21	08/11/2021	94093	Michigan Pure Ice	101-789-775.000	69.00
08/21	08/11/2021	94093	Michigan Pure Ice	101-789-775.000	31.05
08/21	08/11/2021	94093	Michigan Pure Ice	101-789-775.000	77.05
08/21	08/11/2021	94093	Michigan Pure Ice	101-789-775.000	57.50
08/21	08/11/2021	94094	Midwest Tape	271-790-761.000	29.99
08/21	08/11/2021	94094	Midwest Tape	271-790-761.000	39.99
08/21	08/11/2021	94094	Midwest Tape	271-790-761.000	139.96
08/21	08/11/2021	94094	Midwest Tape	271-790-761.000	39.99
08/21	08/11/2021	94095	Mitchell Graphics Inc.	271-790-905.000	88.00
08/21	08/11/2021	94095	Mitchell Graphics Inc.	271-790-751.000	122.00
08/21	08/11/2021	94096	mParks	101-756-915.000	120.00
08/21	08/11/2021	94097	Nixon, Delbert	248-540-882.120	225.00
08/21	08/11/2021	94098	North Central Laboratories	592-553-775.000	4,337.89
08/21	08/11/2021	94099	North Country IT	271-790-802.000	386.00
08/21	08/11/2021	94100	North Country Publishing Corp.	248-739-880.200	225.00
08/21	08/11/2021	94100	North Country Publishing Corp.	248-540-882.120	175.00
08/21	08/11/2021	94100	North Country Publishing Corp.	248-540-882.120	175.00
08/21	08/11/2021	94100	North Country Publishing Corp.	248-540-882.120	325.00
08/21	08/11/2021	94101	Northern A-1 Environmental Services	592-555-802.000	1,746.50
08/21	08/11/2021	94102	OLSTROM EXCAVATING & PAVING	582-020-360.000	7,443.00
08/21	08/11/2021	94103	P.C. Lawn Care	101-345-802.100	550.00
08/21	08/11/2021	94103	P.C. Lawn Care	202-467-802.000	117.50
08/21	08/11/2021	94103	P.C. Lawn Care	582-586-802.000	348.75
08/21	08/11/2021	94103	P.C. Lawn Care	592-537-802.000	1,146.25
08/21	08/11/2021	94103	P.C. Lawn Care	592-543-802.000	240.00
08/21	08/11/2021	94103	P.C. Lawn Care	592-554-802.000	580.00
08/21	08/11/2021	94103	P.C. Lawn Care	592-558-802.000	1,275.00
08/21	08/11/2021	94104	Petoskey Rotary Club	101-345-915.000	78.00
08/21	08/11/2021	94104	Petoskey Rotary Club	101-756-880.000	309.00
08/21	08/11/2021	94105	Plunkett Cooney	101-266-802.000	621.00
08/21	08/11/2021	94105	Plunkett Cooney	101-266-802.000	1,712.50
08/21	08/11/2021	94105	Plunkett Cooney	101-266-802.000	950.00
08/21	08/11/2021	94105	Plunkett Cooney	101-257-802.000	572.50
08/21	08/11/2021	94105	Plunkett Cooney	101-266-802.000	5,726.13
08/21	08/11/2021	94106	Police and Firemen's Insurance	701-000-230.185	379.38
08/21	08/11/2021	94107	Power Line Supply	582-586-775.000	71.00

GL Period	Check Issue Date	Check Number	Payee	Invoice GL Account	Check Amount
08/21	08/11/2021	94107	Power Line Supply	582-010-111.000	681.30
08/21	08/11/2021	94107	Power Line Supply	582-010-111.000	6,248.40
08/21	08/11/2021	94108	Preston Feather	101-754-775.000	19.56
08/21	08/11/2021	94108	Preston Feather	101-770-775.000	121.99
08/21	08/11/2021	94108	Preston Feather	101-770-775.000	31.26
08/21	08/11/2021	94108	Preston Feather	661-598-785.000	39.14
08/21	08/11/2021	94108	Preston Feather	661-598-785.000	20.97-
08/21	08/11/2021	94108	Preston Feather	661-598-785.000	11.97
08/21	08/11/2021	94108	Preston Feather	101-770-775.000	44.40
08/21	08/11/2021	94108	Preston Feather	101-770-931.000	15.98
08/21	08/11/2021	94108	Preston Feather	101-789-775.000	373.67
08/21	08/11/2021	94108	Preston Feather	101-770-775.000	535.40
08/21	08/11/2021	94108	Preston Feather	101-268-930.000	28.76
08/21	08/11/2021	94108	Preston Feather	101-770-775.000	133.85-
08/21	08/11/2021	94108	Preston Feather	582-586-775.000	10.99
08/21	08/11/2021	94108	Preston Feather	101-789-775.000	39.38
08/21	08/11/2021	94108	Preston Feather	592-554-775.000	13.38
08/21	08/11/2021	94108	Preston Feather	204-444-775.000	11.23
08/21	08/11/2021	94109	Proclean North	592-554-802.000	786.50
08/21	08/11/2021	94110	R.W. MERCER CO INC.	101-789-802.000	317.50
08/21	08/11/2021	94111	RESCO	582-010-111.000	296.40
08/21	08/11/2021	94112	Root Mechanical LLC	592-558-802.000	12,594.00
08/21	08/11/2021	94112	Root Mechanical LLC	592-558-802.000	2,280.00
08/21	08/11/2021	94113	Schultz, David	101-345-912.000	90.10
08/21	08/11/2021	94114	Skip's Petoskey Glass Inc.	514-587-802.100	115.00
08/21	08/11/2021	94115	Solutions Electric Inc.	582-020-360.000	1,899.10
08/21	08/11/2021	94116	Standard Electric Company	582-588-785.000	136.75
08/21	08/11/2021	94116	Standard Electric Company	582-010-111.000	8,384.45
08/21	08/11/2021	94116	Standard Electric Company	582-010-111.000	25.86
08/21	08/11/2021	94116	Standard Electric Company	582-010-111.000	77.58
08/21	08/11/2021	94116	Standard Electric Company	582-010-111.000	25.86
08/21	08/11/2021	94117	Staples Advantage	101-172-751.000	6.16
08/21	08/11/2021	94117	Staples Advantage	101-441-751.000	9.24
08/21	08/11/2021	94117	Staples Advantage	101-770-751.000	1.85
08/21	08/11/2021	94117	Staples Advantage	101-773-775.000	.62
08/21	08/11/2021	94117	Staples Advantage	101-756-751.000	6.16
08/21	08/11/2021	94117	Staples Advantage	101-789-751.000	1.22
08/21	08/11/2021	94117	Staples Advantage	592-560-751.000	16.86
08/21	08/11/2021	94117	Staples Advantage	101-201-751.000	6.16
08/21	08/11/2021	94117	Staples Advantage	101-208-751.000	4.31
08/21	08/11/2021	94117	Staples Advantage	101-257-751.000	3.08
08/21	08/11/2021	94117	Staples Advantage	101-215-751.000	3.69
08/21	08/11/2021	94117	Staples Advantage	101-345-751.000	16.01
08/21	08/11/2021	94117	Staples Advantage	101-400-751.000	3.08
08/21	08/11/2021	94118	State of Michigan-Department of LARA	582-081-642.300	3,612.70
08/21	08/11/2021	94118	State of Michigan-Department of LARA	582-081-642.400	716.17
08/21	08/11/2021	94118	State of Michigan-Department of LARA	582-081-642.500	4.55
08/21	08/11/2021	94118	State of Michigan-Department of LARA	582-081-642.200	164.71
08/21	08/11/2021	94119	Structures Inc.	582-020-360.000	1,289.00
08/21	08/11/2021	94120	Sunrise Electronics & Security	101-756-808.120	85.00
08/21	08/11/2021	94121	Sure Lock & Homes LLC	101-268-802.000	60.00
08/21	08/11/2021	94122	T2 Systems Canada Inc.	514-587-802.000	165.00
08/21	08/11/2021	94123	Tetra Tech Inc	101-526-801.000	4,702.26
08/21	08/11/2021	94124	Thru Glass Window Cleaning	514-587-802.100	25.00
08/21	08/11/2021	94125	T-Mobile	271-790-850.000	334.34
08/21	08/11/2021	94126	Trace Analytical Laboratories LLC	592-553-802.000	807.00

GL Period	Check Issue Date	Check Number	Payee	Invoice GL Account	Check Amount
08/21	08/11/2021	94126	Trace Analytical Laboratories LLC	592-553-802.000	725.00
08/21	08/11/2021	94127	Traffic & Safety Control Systems Inc.	514-587-775.000	259.00
08/21	08/11/2021	94128	Tumbleweed Press Inc.	271-790-762.000	799.00
08/21	08/11/2021	94129	Unique Management Services Inc.	271-790-802.000	50.00
08/21	08/11/2021	94130	Van's Business Machines	514-587-802.000	107.31
08/21	08/11/2021	94131	Voorheis, Margaret Ann	271-790-802.000	300.00
08/21	08/11/2021	94132	W.W. Fairbairn & Sons	101-773-775.000	16.27
08/21	08/11/2021	94132	W.W. Fairbairn & Sons	101-773-775.000	11.87
08/21	08/11/2021	94132	W.W. Fairbairn & Sons	101-773-775.000	42.98
08/21	08/11/2021	94132	W.W. Fairbairn & Sons	101-773-775.000	21.49
08/21	08/11/2021	94133	Windemuller	592-554-802.000	556.00
08/21	08/11/2021	94133	Windemuller	592-537-802.000	80.82
08/21	08/11/2021	94133	Windemuller	592-558-802.000	945.00
08/21	08/11/2021	94133	Windemuller	592-558-802.000	640.00
08/21	08/11/2021	94133	Windemuller	592-558-802.000	800.00
08/21	08/04/2021	999202	ACH-CHILD SUPPORT	701-000-230.160	247.54
08/21	08/04/2021	999203	ACH-EFTPS	701-000-230.200	14,331.16
08/21	08/04/2021	999203	ACH-EFTPS	701-000-230.100	22,819.30
08/21	08/04/2021	999203	ACH-EFTPS	701-000-230.200	14,331.16
08/21	08/04/2021	999203	ACH-EFTPS	701-000-230.200	3,351.63
08/21	08/04/2021	999203	ACH-EFTPS	701-000-230.200	3,351.63
08/21	08/04/2021	999204	ACH-ICMA 457	701-000-230.700	2,218.07
08/21	08/04/2021	999204	ACH-ICMA 457	701-000-230.700	5,655.00
08/21	08/04/2021	999205	ICMA 401	701-000-230.700	654.08
08/21	08/04/2021	999206	ICMA-ROTH	701-000-230.900	345.00
Grand Totals:					<u><u>2,096,925.24</u></u>

Report Criteria:

Check.Check issue date = 07/29/2021-08/11/2021

Check Number	Check Issue Date	Name	GL Account	Amount
93975	08/04/2021	Bonus, Krista	101087653000	112.00
93976	08/04/2021	Buschle, Kristina	101087654000	150.00
93977	08/04/2021	Fosmore, Heidi	101087654000	50.00
93978	08/04/2021	Karen Dibble & Richard Hill	582081642300	5.12
93979	08/04/2021	Kathman, Julianna	101087654000	50.00
93980	08/04/2021	Lesh, Cacia	101756808110	30.00
93981	08/04/2021	Miller, Maria	101087654000	50.00
93982	08/04/2021	Tuck, Patrick	101087654000	50.00
93983	08/04/2021	Wagner, Michael	101087654000	50.00
93984	08/04/2021	Wurster, Joel	101087654000	50.00
93985	08/04/2021	Knott, Shireena	582040285000	47.35
94038	08/11/2021	Crim, Randy	582588803000	50.00
94039	08/11/2021	Fettig, Nick	582081642300	38.55
94040	08/11/2021	Frost, Albert	701040274000	42.04
94041	08/11/2021	Green Projects Group	582588803000	80.00
94041	08/11/2021	Green Projects Group	582588803000	88.00
94041	08/11/2021	Green Projects Group	582588803000	100.00
94041	08/11/2021	Green Projects Group	582588803000	36.00
94041	08/11/2021	Green Projects Group	582588803000	56.00
94042	08/11/2021	Heddy, Donald	582081642300	1.95
94043	08/11/2021	Lansing, Connie	101087654000	350.00
94044	08/11/2021	Pacola, Molly	101756808140	40.00
94045	08/11/2021	Punches, Brian	582040285000	38.80
94046	08/11/2021	Warner, Whitney	582040285000	24.01
Grand Totals:				1,589.82



City of Petoskey

Agenda Memo

BOARD: City Council

MEETING DATE: August 16, 2021

PREPARED: August 12, 2021

AGENDA SUBJECT: Appointment Recommendations

RECOMMENDATION: That the City Council consider these reappointments

The City Council will be asked to consider the following reappointments:

- PLANNING COMMISSION – Reappointment of Ted Pall, 603 East Lake Street, Cynthia Linn Robson, 606 Grove Street, and Charles Willmott, 1128 Valley View Avenue, all for three-year terms ending August 2024.

sb



City of Petoskey

101 East Lake Street, Petoskey, Michigan 49770 • 231 347-2500 • Fax 231 348-0350

RECEIVED

AUG 10 2021

CITY OF PETOSKEY
CITY MANAGER

SB

Application to Serve on a Board or Commission

Please print. Answer each question accurately and completely. If you require any accommodation to complete the application process, please notify a City staff member.

■ Name	Pall			Ted			■ Date	08	10	21
	Last			First				Initial		
■ Residence Address	603	E Lake St	Petoskey	MI	49770	■ Home Phone	231	348	3789	
	Number	Street	City	State	Zip					
■ Email Address	tpall@charter.net					■ Work Phone	231	838	0165	

Please answer the following questions using the space provided.

- What Board or Commission interests you and why are you applying? Planning Commission. I have served one 3 year term. I have served 4 terms as mayor previously and represent the health care industry in the P.C. as I am an anesthesiologist at MWM. Recently I had education in Coastal Resiliency and Housing challenges in northern Michigan.
- How do you believe your appointment would benefit the City? I have a good knowledge of city government. I am the sole current member who works at the hospital.
- Describe any involvement in the community on a Board or Commission or in another volunteer capacity. Mayor 4 terms I play in Community Band in Harbor Springs. I volunteer as an assistant coach at PHS coaching pole vault at the middle and high school level.
- How many continuous years have you lived in Petoskey? 31
- Any other helpful information relevant to your application.

While it is not required, a resume is helpful in the recruitment process for City Boards and Commissions.

- ☒ YES ☐ NO Are you a City of Petoskey registered voter?
- ☒ YES ☐ NO Do you or immediate family members currently serve on a City Board or Commission? If yes, which Board or Commission? Mike Loui PA on ZBA.
- ☐ YES ☒ NO Are you applying to the Downtown Management Board? If yes, do you have an interest in property located in the downtown district or are you a resident of the downtown district? Please explain.

The applicant acknowledges that the City may be required from time to time to release records in its possession. The applicant hereby gives permission to the City to release any records or materials received by the City from the applicant as it may be requested to do so as permitted by the Freedom of Information Act, MCL 15.231 et seq.

Applicant Signature: H. Ted Pall Jr MD Date: August 10, 2021



City of Petoskey

101 East Lake Street, Petoskey, Michigan 49770 • 231 347-2500 • Fax 231 348-0350

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AUG 04 2021

CITY OF PETOSKEY
CITY MANAGER

SB

Application to Serve on a Board or Commission

Please print. Answer each question accurately and completely. If you require any accommodation to complete the application process, please notify a City staff member.

■ Name	Robson	Cynthia Linn		■ Date	08	04	2021		
	Last	First	Initial						
■ Residence Address	606	Grove St	Petoskey	MI	49770	■ Home Phone	231	751	2151
	Number	Street	City	State	Zip				
■ Email Address	geocl@charter.net					■ Work Phone			

Please answer the following questions using the space provided.

1. What Board or Commission interests you and why are you applying? Planning Commission. To continue serving on the board.
2. How do you believe your appointment would benefit the City? I have 12 years of experience reshaping ordinances and reviewing site plans to ensure safe development and to achieve our Master Plan's goals.
3. Describe any involvement in the community on a Board or Commission or in another volunteer capacity. _____
4. How many continuous years have you lived in Petoskey? 27 years
5. Any other helpful information relevant to your application. Letter attached

While it is not required, a resume is helpful in the recruitment process for City Boards and Commissions.

- ☒ YES ☐ NO Are you a City of Petoskey registered voter?
- ☒ YES ☐ NO Do you or immediate family members currently serve on a City Board or Commission? If yes, which Board or Commission? George Robson, spouse who serves on the TIFA Board.
- ☐ YES ☒ NO Are you applying to the Downtown Management Board? If yes, do you have an interest in property located in the downtown district or are you a resident of the downtown district? Please explain.

The applicant acknowledges that the City may be required from time to time to release records in its possession. The applicant hereby gives permission to the City to release any records or materials received by the City from the applicant as it may be requested to do so as permitted by the Freedom of Information Act, MCL 15.231 et seq.

Applicant Signature: _____

Date: 08/04/2021

Cynthia Linn Robson
606 Grove Street
Petoskey, MI 49770

August 4, 2021

Mayor John Murphy
City of Petoskey
101 East Lake
Petoskey, MI 49770

Dear Mayor,


Enclosed please find my application for a fifth term on the Petoskey Planning Commission. For the past 12 years I have served on the Planning Commission as well as the Sign Committee. In July of 2019 I was elected Vice-chair and in July of 2020 was elected Chair.

In 2014 I earned my Master Citizen Planner (MCP) certification. To renew my MCP certification each year I take 6 credits of planning related courses through the MSU Extension Citizen Planner program.

I have enjoyed the challenges of reshaping ordinances that will positively impact our community. In reviewing ordinances and site plans, my priorities include protecting our unique sense of place while balancing the needs for affordable housing and development that impact our economic stability.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to be 'C. Robson', with a long horizontal line extending to the right.

Cynthia Linn Robson



City of Petoskey

101 East Lake Street, Petoskey, Michigan 49770 • 231 347-2500 • Fax 231 348-0350

RECEIVED

AUG 10 2021

CITY OF PETOSKEY
CITY MANAGER

FS

Application to Serve on a Board or Commission

Please print. Answer each question accurately and completely. If you require any accommodation to complete the application process, please notify a City staff member.

■ Name	Willmott		Charles		D	■ Date	08	10	2021
	Last		First		Initial				
■ Residence Address	1128	Valley View Ave	Petoskey	MI	49770	■ Home Phone	703	341	7817
	Number	Street	City	State	Zip				
■ Email Address	cdwillmott52@gmail.com					■ Work Phone	703	341	7817

Please answer the following questions using the space provided.

1. What Board or Commission interests you and why are you applying? Planning Commission
2. How do you believe your appointment would benefit the City? I love Petoskey and would be honored to volunteer my time and the experience I have gained over 40+ years of executive level management in business.
My full bio is available at <https://www.linkedin/in/charliewillmott>
3. Describe any involvement in the community on a Board or Commission or in another volunteer capacity. I have served on the Planning Commission in an interim position since June 2021. I am currently Vice President of the Petoskey Curling Club.
Before moving to Petoskey, I served on many Boards...for profit, non-profit and charitable, including Vice Chair of the Parks & Recreation Committee for the Mclean (Virginia) Citizens Association.
4. How many continuous years have you lived in Petoskey? 8
5. Any other helpful information relevant to your application. I hold a current Michigan Real Estate Sales License, but am not active in the field or affiliated with any broker.
I am actively consulting to the truck and trailer transportation industry...WillGo Transportation Consulting LLC

While it is not required, a resume is helpful in the recruitment process for City Boards and Commissions.

- ☒ YES ☐ NO Are you a City of Petoskey registered voter?
- ☒ YES ☐ NO Do you or immediate family members currently serve on a City Board or Commission? If yes, which Board or Commission? I am an interim commissioner on the Planning Commission
- ☐ YES ☒ NO Are you applying to the Downtown Management Board? If yes, do you have an interest in property located in the downtown district or are you a resident of the downtown district? Please explain.

The applicant acknowledges that the City may be required from time to time to release records in its possession. The applicant hereby gives permission to the City to release any records or materials received by the City from the applicant as it may be requested to do so as permitted by the Freedom of Information Act, MCL 15.231 et seq.

Applicant Signature: [Signature] Date: August 10, 2021



City of Petoskey

Agenda Memo

BOARD: City Council

MEETING DATE: August 16, 2021

PREPARED: August 12, 2021

AGENDA SUBJECT: Consideration to Approve a Draft Letter of Support Regarding a County-wide Transportation System

RECOMMENDATION: That City Council discuss with possible approval of enclosed draft letter of support

Background At the July 16 City Council meeting, Councilmembers directed the City Manager to draft a letter of support to Emmet County Commissioners regarding development of a comprehensive, county-wide transit system. See enclosed draft letter.

Action That City Council review and discuss letter recommending any changes. Once language is agreed upon, a motion could be made to have the Mayor sign the letter of support.

The following was included in the July 16, 2021 Council packet.

Councilmember Shields and Councilmember Walker asked for a presentation from representatives from the Petoskey-Harbor Springs Area Community Foundation and the Petoskey Regional Chamber of Commerce 14-member Work Group regarding their proposal to develop a comprehensive, county-wide transit system. The proposal to form a Transit Authority was presented to Emmet County on June 24 with Commissioners continuing to consider the proposal. A decision from the County is anticipated in the next two months. There are two key features to the Work Group proposal:

1. It would create an Emmet Transit Authority (ETA) which would develop and run the transit system. While the County Commission would have input into this, the ETA would be separate.
2. Once formed, the ETA would be expected to put a transit millage on the ballot for voter approval. It is proposed that this would happen in 2022 and is expected to be approximately .30 mills.

See additional information in your packet.

Work Group representatives are asking the City to consider submitting a letter of support encouraging Emmet County Commissioners to establish the Transit Authority and to place a countywide millage on an upcoming ballot.

Action (previous from July 16 meeting) If Council is supportive of the proposal, a motion could be made to have the Mayor sign a letter of support endorsing the establishment of an Emmet Transit Authority and to place a countywide millage on an upcoming ballot.

rs
Enclosure



City of Petoskey

101 East Lake Street, Petoskey, Michigan 49770 • 231 347-2500 • Fax 231 348-0350

August 16, 2021

Chairperson Toni Drier and Members of the Emmet County Board of Commissioners
200 Division Street
Petoskey, MI 49770

Dear Chairperson Toni Drier and Members of the Emmet County Board of Commissioners,

Recently the Petoskey City Council heard a presentation from representatives from the Petoskey-Harbor Springs Area Community Foundation and the Petoskey Area Chamber of Commerce regarding a report from a 14-member Work Group established to explore the feasibility of developing a sustainable, countywide public transportation system within Emmet County. The report recommended Emmet County officials establish an Emmet Transportation Authority (ETA) with possible funding derived from a countywide mill levy to fund the transportation service.

Development of a regional transportation system has been identified as a high priority in the City's Action Plan as well as the recently adopted Petoskey Master Plan. The City is generally supportive of the ETA concept, but because this issue is complex with many different options to consider, the City is not recommending one approach over another. Rather we feel this is a policy decision best made by Emmet County officials. Nonetheless, the City fully supports your efforts to advance a financially sustainable, long-term, countywide transportation system and we stand ready to assist your efforts in resolving this critical issue.

We thank you for your strong consideration on this matter and appreciate your commitment to advancing regional transportation in Emmet County.

Sincerely,

John Murphy
Mayor, City of Petoskey



City of Petoskey

Agenda Memo

BOARD: City Council

MEETING DATE: August 16, 2021

PREPARED: August 12, 2021

AGENDA SUBJECT: Consideration to Approve a Resolution Adopting a Collective Bargaining Agreement between the City of Petoskey and FOPLC – Lieutenants Public Safety Division

RECOMMENDATION: That City Council approve enclosed proposed resolution adopting the Union Contract

Background The Fraternal Order of Police Labor Council (FOPLC)-Lieutenants Division and City staff have negotiated a tentative agreement on the expired union contract. The contract has been signed by FOPLC Business Agent Steve Warren on behalf of the four union members.

Proposed changes to the new contract largely mirror language in the recently adopted collective bargaining agreement with the Public Safety Officers Division and include the following:

- Increase from 75 hours to 96 hours the amount an employee can bank for compensatory time. Increased from two to four weeks the maximum time in advance that employees can request compensatory time. See Section 8.7 Compensatory Time.
- Additional language addressing short-term leave for new employees and the conditions under which short-term leave can be utilized. See Section 9.3.
- Changes to how personal time off can be used to be consistent with vacation time and floating holidays. See Section 9.4.
- Annual increase of City compensation for Uniforms and Equipment from \$250 to \$350. See Section 12.1 Uniforms.
- Change to language pertaining to City selecting physicians for employee physical fitness exams. See Section 13.1.
- Updating language under 15.1 Medical and Hospitalization Insurance.
- Language regarding public safety officer's participation in a Health Care Savings Plan through MMERS. No economic impact to the City. See Section 15.11.
- All new Public Safety Lieutenants will be on a defined contribution plan with the City paying the sum of 5% of employee wages into a MMERS Defined Contribution (DC) Plan with the City matching employee contributions up to an additional 5% for a total maximum City contribution of 10%. With the employee's 5% contribution, a total of 15% would be earmarked into the DC Plan for each new public safety lieutenant. (Same for public safety officers as approved per the last union contract.) See Section 16.1 Pension Plan.
- Phone stipend of \$480 annually for each officer to pay for a portion of their cell phone costs. See Section 17.9 Phone Stipend.
- Annual wage increases for the three-year contract are 2%, 2% and 2%. (Public Safety officers received 3%, 3%, 3%) See Appendix A-Classifications and Wage Rates.

Action If Council is supportive of the proposed Collective Bargaining Agreement, a motion can be made to approve the enclosed resolution adopting the 2021-2023 FOPLC Lieutenants Division contract.

rs

Enclosures

AGREEMENT

(Covering Department of Public Safety Lieutenants)

between

CITY OF PETOSKEY

and

FOPLC

For the period from January 1, 2021 through December 31, 2023
(Effective on _____, 2021)

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AGREEMENT

AN AGREEMENT, made this ____ day of _____, 2021, by and between the CITY OF PETOSKEY, hereinafter referred to as the "Employer" and the MICHIGAN FRATERNAL ORDER OF POLICE LABOR COUNCIL, hereinafter referred to as the "FOPLC" or "Union."

RECOGNITION

Section 1.1. Collective Bargaining Unit. Pursuant to the provisions of Act 379 of the Public Acts of 1965, as amended, the Employer hereby recognizes the FOPLC as the exclusive representative for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment for those employees within the City's Department of Public Safety with the classification title of "Public Safety Lieutenant", and excluding all other departmental personnel with different classification titles.

UNION SECURITY

Section 2.1. Agency Shop. All employees in the bargaining unit who are subject to this Agreement shall, as a condition of employment, upon hire or for present non-probationary employees within thirty (30) days following the effective date of this Agreement, maintain membership in the Labor Council or pay a service fee as established by the FOPLC, but such fee shall not exceed the dues for membership.

Section 2.2. Payroll Deduction. The Employer agrees to deduct from the pay of each employee the amount of FOPLC dues or Agency fees required under this Agreement and remit the same to the authorized agent of the FOPLC provided that the Employer first receives written authorization from such employee for such deduction. The Employer will only make such deduction if the employee has sufficient pay to cover such deduction.

Section 2.3. Indemnification. The Employer will not be responsible for a refund to an employee if a duplicate deduction has been made. The FOPLC agrees to defend, indemnify and save the Employer harmless against any and all claims, suits, or other forms of liability arising out of its deduction from an employee's pay of FOPLC dues or Agency fees.

REPRESENTATION

Section 3.1. Steward. The Employer agrees to recognize a steward and alternate steward selected by the FOPLC from members of the collective bargaining unit, provided: (1) That the steward is a non-probationary employee, and (2) That the City has received written notification from the Union as to the name of the steward and assistant steward selected. The duties of the steward and assistant steward shall be to represent employees in accordance with the grievance procedure established in this Agreement and to receive and transmit official communications between the FOPLC and the Employer.

Section 3.2. Union Access. A non-employee Union representative may consult with employees in the assembly area before the start of each work shift or at the end thereof. Before entering the assembly area, notification shall be given to the Director of Public Safety or the Director's designee.

GRIEVANCE AND ARBITRATION PROCEDURE

Section 5.1. Definition of Grievance. A grievance shall be a complaint by an employee concerning the application and interpretation of this written Agreement.

Section 5.2. Grievance Procedure. All grievances shall be processed in the following manner:

Step 1. An employee with a complaint shall discuss the matter with the officer in charge or the Director of Public Safety. If requested, an employee may have the employee's steward present. If the complaint is not satisfactorily settled, the employee shall reduce the complaint to writing on the grievance form by listing the sections of the Agreement alleged to have been violated, sign the grievance and submit it to the Director within seven (7) calendar days from the events which caused the complaint. The Director shall place an answer on the grievance form and return it to the employee within seven (7) calendar days after receipt.

Step 2. If the employee is not satisfied with the Director of Public Safety's answer, the employee may appeal the decision by submitting the written grievance to the City Manager within five (5) calendar days. The employee and the steward shall discuss the grievance with designated representatives of the City Manager within five (5) calendar days. The City Manager shall place an answer on the grievance and return it to the steward within fourteen (14) calendar days after its receipt.

Step 3. The Union may appeal the Employer's decision to arbitration on any grievance that is arbitrable by giving the Employer written notice of its desire to arbitrate within twenty (20) calendar days after receipt of the City Manager's answer.

Section 5.3. Selection of Arbitrator. If a timely request for arbitration is filed by the Union, the parties to this Agreement shall select by mutual agreement one (1) arbitrator who shall decide the matter. If the parties are unable to agree upon an arbitrator, the arbitrator shall be selected by each party alternatively striking a name from a panel of arbitrators submitted by the Michigan Employment Relations Commission (MERC). The remaining name shall serve as the arbitrator, whose fees and expenses shall be shared equally by the Union and the City. Each party shall pay the expenses, wages and any other compensation of its own witnesses and representatives.

Section 5.4. Arbitrator's Powers. The arbitrator's powers shall be limited to the application and interpretation of this Agreement as written, and the arbitrator shall be governed at all times wholly by the terms of this Agreement. The arbitrator shall have no power or authority to alter or modify this Agreement in any respect, directly or indirectly, or any authority to hear or determine any dispute involving the exercise of any of the City's inherent rights not specifically limited by the express terms of this Agreement. Further, the arbitrator shall not be empowered to consider any question or matter outside of this Agreement or pass upon the propriety of written warnings administered to employees covered

probationary employees for the purposes of collective bargaining; however, probationary employees may be laid off or terminated by the Employer at any time without regard and without recourse to this Agreement, except that a Public Safety Officer promoted into this bargaining unit who fails to complete the probationary period may return to the public safety bargaining unit unless he/she is the lowest seniority employee in that unit and there are no positions open. All promoted employees shall be cross-trained as a law-enforcement officer, firefighter, and emergency-medical technician at the time of promotion, and any newly hired bargaining unit member must be fully cross trained by the end of the probationary period. The Employer shall provide opportunities to employees to obtain training to receive certifications in these vocations as issued by the State of Michigan. Should such employee fail or refuse the cross-training, it shall be grounds for administrative action up to and including termination. All reasonable expenses incurred by the employee during the training shall be paid by the employer.

Section 7.3. Seniority List. The Employer shall maintain a roster of employees arranged according to seniority by classification and seniority date and shall furnish a copy to the Union the first month of each year or as soon thereafter as is practicable.

Section 7.4. Loss of Seniority. An employee shall lose his seniority if the employee:

- (a) Resigns or quits;
- (b) Is discharged or terminated from work and such discharge or termination is not reversed in the grievance procedure herein;
- (c) Retires;
- (d) Has been laid off for a period equal to his seniority at the time of the employee's layoff or two (2) years, whichever is lesser; or
- (e) Is absent from work including failure to return at the expiration of a leave of absence, vacation, or disciplinary layoff, for three (3) consecutive working days without written notice given the Employer or the Employer's designee, coupled with the Employer's written permission.

Section 7.5. Layoff and Recall.

- a. The first employee to be laid off shall be the probationary employee and thereafter the employee with the least seniority in the classification, provided however, the employees with the greater seniority have the experience, qualifications and present ability to perform the required work.
- b. Recall to work following a layoff shall be in order of seniority in the classification, provided that the employee has the experience, qualifications and present ability to perform the required work.
- c. The City agrees to provide fourteen (14) calendar days' advance notice of a layoff if reasonably possible.

Section 7.6. Educational Opportunities. Seniority will be given consideration in educational opportunities available, but final determination will be at the discretion of the Director of Public Safety.

Section 8.6. Wages. Attached hereto and incorporated herein is Appendix "A," Classifications and Wage Rates.

Section 8.7. Compensatory Time. In lieu of premium pay, upon the request of an employee, and upon approval by the Director of Public Safety or the Director of Public Safety's designee, the employee may be allowed time off with pay at the employee's regular straight-time, hourly rate of one and one-half (1-1/2) hours for each hour of overtime worked. At no time shall an Employee's compensatory time bank exceed ninety-six (96) hours. Employees shall be permitted to use no more than 150 hours of compensatory time as leave time per calendar year, that is, January 1 to December 31, annually.

Employees shall not request compensatory time leaves more than four (4) weeks in advance of the leave time requested, and requests for compensatory-time leave may be turned down if such leave would create the need for the City to pay overtime-wage rates to the substitute for the employee who would be on compensatory-time leave. Once posted within that four-week period, employee would be guaranteed the compensatory time off, unless that compensatory-leave time created an undue hardship for the City as a result of other, unscheduled leaves that since had occurred as a result of other employees being absent from shifts while receiving workers' compensation or disability benefits.

Notwithstanding the procedure above, the Director shall have the right to approve or deny requests to use compensatory time so as to not interfere with the efficient operation of the Department. Denial of such requests shall not be arbitrary or capricious.

Section 8.8. Training. The parties acknowledge that in order to maintain a fully-trained Department of Public Safety, considerable training of employees will be required. Such training shall include those skills necessary to effectively deliver public-safety services to the citizens of Petoskey as developed and ordered by the Director of Public Safety. Such training shall include, but not be limited to, law enforcement, firefighting, and emergency medical techniques. The City agrees to pay employees at regular rates of pay for all hours spent in such training, including time that is required to travel to and from such training, and at rates one-and-one-half (1¹/₂) times the hourly rates of pay for time spent in such training that occurs in excess of regular hours.

Section 8.9 Use of Part Time Officers. This section addresses the utilization of part-time public safety officers:

1. The Union recognizes that the Employer has been required to modify its operations as a result of the opening of the new Public Safety Station serving Bay Harbor that became operational in late 2011.

2. Employer may hire part time employees to perform work for the Department of Public Safety, including work of the type that has been previously performed exclusively by members of this bargaining unit at the new Public Safety Station serving Bay Harbor and the Main Station only if no bargaining unit member accepted the overtime.

3. It is agreed by the Union that the part time positions that are the subject of this agreement shall not be positions in this bargaining unit and that the employees hired by the City to fill the part time positions shall not be subject to any provision of this Collective Bargaining Agreement.

In addition, the Employer shall provide a lost-income insurance program for non-work-related illness or injury within the following minimum coverages:

- (a) Up to twenty-six (26) weeks of coverage per illness or injury in any calendar year;
- (b) Disability benefit in an amount of sixty-six and two-thirds percent (66-2/3%) of the employee's gross weekly wage, not to exceed one-thousand dollars (\$1,000) per week; and
- (c) Disability benefit to be effective beginning the seventh consecutive calendar day of illness or the first full day of injury.

The Employer shall continue to pay the cost of the employee's health, life, and optical dental insurance coverages while the employee is receiving disability payments under the insurance plan. At the first full pay period in December or by December 15 of each year, the Employer shall pay each employee for all unused short-term leave time from the preceding year beginning the previous December 1 not to exceed fifty-six (56) hours. Such payment shall be by separate check and at the employee's regular base rate of pay. Employees may not bank short-term leave time.

Section 9.4. Personal Days. Employees may take twenty-four (24) hours of personal time off per calendar year (such leave also is commonly referred to as "floating holidays"). Personal days shall be requested in writing, and approval shall be subject to personnel needs of the department. Once granted, PTO leave must be taken as PTO leave. An employee may cancel a request for PTO leave no later than 72 hours before the leave is scheduled to begin, and work the scheduled shift at the normal rate of pay.

Section 9.5. Workers' Compensation. In the event an employee sustains an injury compensable by workers' compensation, the City will supplement workers' compensation payments to provide normal or usual pay for six (6) months.

Section 9.6. Jury Duty Leave. An employee summoned by the Court to serve as a juror shall be given a jury leave of absence for a period of the employee's jury duty. For each day that an employee serves as a juror when the employee would have otherwise worked, the employee shall receive the difference between the employee's straight time regular rate of pay for eight (8) hours and the amount the employee receives from the Court, including mileage, up to a maximum of two hundred forty (240) hours per year.

Section 9.7. Funeral Leave. When death occurs in an employee's immediate family, the employee, upon request, shall be excused with pay for up to three (3) normally scheduled working days within 7 days immediately following the date of death. For out-of-state funerals, employees shall be excused for up to two (2) additional work days with pay.

Immediate family shall be defined as an employee's spouse, children, parent, brother, sister, grandparent, grandchildren, aunt, uncle, current mother-in-law, current father-in-law, current sister-in-law, current brother-in-law, current grandparent-in-law, step-mother, step-father, step-sister, step-brother, step-children, or member of the employee's family living in the employee's household.

Time off will be granted to attend the funeral of an employee's relative, other than immediate family, or a friend. This time may be without pay or may be, at the employee's option, taken via any paid time off benefit.

- (1) Vacation time preference for those requests made December 1 shall be granted according to employment seniority.
- (2) Vacation approvals pursuant to this provision will be posted by December 15.
- (b) Any employee who fails to post the employee's vacation time preference by December 1 of each year shall lose the right to exercise seniority privilege for that year, and all requests after December 1 will be considered for approval on a first-request basis.
- (c) Once vacation leave is granted, it may not be revoked except pursuant to paragraph (f) below. Once granted, vacation leave must be taken as vacation leave. An employee may cancel a requested vacation no later than 72 hours before the vacation is scheduled to begin, and work the scheduled shift at the normal rate of pay.
- (d) Employees may split their accrued vacation leave, but seniority privilege shall apply only to one (1) period of the split vacation.
- (e) During the months of June, July, and August, unless otherwise approved by the Director of Public Safety, only a two (2) week maximum vacation period shall be permitted for any one employee.
- (f) Notwithstanding the procedure set forth above, the Director shall have the right to rescind or deny any request for vacation leave due to exigent or emergency circumstances (the creation of overtime shall not be considered exigent or emergency circumstances). Vacation approval will not be unreasonably withheld.
- (g) For the duration of this agreement, the employees will be permitted to carry over up to 40 hours of accumulated vacation time into the next calendar year. Any vacation time carried over in this manner must be used on or before March 1 of the next calendar year, or will be forfeited.
 - (1) The parties agree that this carry over provision may be rescinded by the Employer in the event it is determined that allowing the carryover of vacation poses an undue hardship on the Employer. The Union will be given notice of the rescission, and any vacations already scheduled when the rescission occurs will be permitted.

UNIFORMS AND EQUIPMENT

Section 12.1 Uniforms. The City shall continue to provide uniforms for employees and shall continue to pay cleaning bills for those uniforms on a monthly basis in accordance with rules established by the City. Shoes/boots worn with uniforms, and all other equipment purchased by employees shall be of a color and pattern approved by the Director of Public Safety. Each year while this agreement is in effect, the Employer will pay each employee three hundred fifty dollars (\$350) on the first payday in July in the form of a separate check from the employee's regular payroll check.

Section 12.2. Ownership of Property. All uniforms, pistols, and equipment furnished by the City shall remain the property of the City and shall be delivered to the City upon an employee's

INSURANCES

Section 15.1 Medical and Hospitalization Insurance:

Effective January 1, 2021, the City will make available a high-deductible insurance plan for employees and employees' dependents. In addition, the Employer will consider other health care alternatives proposed by the employees or the Union, however, the Employer retains the right to refuse to offer any plan that does not provide adequate benefits for the employees, or results in excessive or undue administration by the Employer. The City's participation in payment for health care benefits, including medical, dental and optical benefits, shall be limited to the payment of premiums only, and shall be capped at the dollar amounts for single, couple or family benefit limits as determined annually by the Michigan Department of Treasury pursuant to PA 152 of 2011, and shall be adjusted annually while this Agreement is in effect

In the event the premiums to be paid by the Employer are less than the cap amounts, the Employer will deposit the applicable difference between the premium and the cap into the employees' health savings account.

The City's payments will begin on the first day of eligibility in monthly increments toward the Employee's health care premiums. Employees shall pay the balance of all health care costs, including premiums, deductibles, co-pays and contributions to their health savings accounts. The Employee portion of health care premiums, if applicable, shall be deducted from the employee's bi-weekly pay.

The City shall commence payment of its portion of the insurance premiums in accordance with its established policy and all City paid premium percentages shall cease when employment is terminated and at the end of the month in which an employee is placed on layoff or on a leave of absence. The City will continue its portion of premium payments during a medical leave for up to 12 weeks provided that the Employee is eligible under FMLA and the employee's premium payments are made. Health insurance may be also continued in accordance with COBRA upon the employee's payment of the required total premiums.

Employees who have the ability to obtain medical and hospitalization insurance from another source, may decline such coverage by the City, and the City shall reimburse employees who elect not to participate in the City's program in an amount equal to 50% of the City's cap for single-person coverage pursuant to PA 152.

Section 15.2. Lost-Income Insurance. The City shall provide lost-income insurance in conjunction with the short-term leave program for non-work related illness and injury for minimums of up to twenty-six (26) weeks of coverage per illness or injury in any calendar year with such disability benefit in the amount of sixty-six and two-thirds percent (66-2/3%) of the employee's gross weekly wage, not to exceed one-thousand dollars (\$1,000) per week. Such disability benefits shall become effective with the seventh (7th) consecutive calendar day of illness or the first (1st) day of injury.

Section 15.3. Workers' Compensation Insurance. The City shall provide workers' compensation coverage to all employees at no cost to employees.

Section 15.4. Dental Insurance. The City shall provide employees the same dental insurance benefit as provided the City's non-unionized employees.

Section 15.5. Optical Insurance. The City shall provide employees the same optical insurance benefit as provided the City's non-unionized employees.

a bi-weekly basis a sum equal to three percent (3%) of the employee's base wage and overtime for that pay period. In addition, the employer will match contributions made by the employee up to two percent (2%), resulting in a maximum total contribution by the employer of five percent (5%) of wages.

Bargaining unit employees hired after the effective date of this agreement, shall be enrolled in the MMERS Defined Contribution Retirement Plan. Once enrolled, the Employer shall pay into each employee's individual contribution plan account on a bi-weekly basis a sum equal to five percent (5%) of the employee's base wage and overtime for that pay period. Employees may contribute into the Defined Contribution plan and the employer will match contributions made by the employee up to five percent (5%), resulting in a maximum total contribution by the employer of ten percent (10%) of wages.

Vesting in the plan (as it relates to the employer's contribution) shall be as follows:

Completion of one year of service	25%
Completion of 2 years of service	50%
Completion of 3 years of service	75%
Completion of 4 years of service	100%

Public Safety Officers promoted into this bargaining unit will retain the same level of retirement benefit currently in effect for that bargaining unit member at the time of promotion.

Section 16.2. Deferred Compensation. The City shall offer those employees who request it the opportunity to participate in the International City/County Management Association's Retirement Corporation, a deferred compensation program for municipal employees permitting employees to defer a portion of their salaries. Contributions shall be made only by the employee.

MISCELLANEOUS

Section 17.1. Public-Safety Concept. All employees covered by this Agreement acknowledge and pledge their support of the concept of combined police, fire, and emergency- medical services and their commitment to the Employer's goal of maintaining a service- integrated and cross-trained Department of Public Safety, and agree to obtain and maintain certifications as are issued by the State of Michigan for proficiency in law enforcement, firefighting and emergency-medical techniques. The City shall be responsible for costs associated with obtaining and maintaining such certifications. Employees further recognize that the City Manager's decision in 1988 to establish a Department of Public Safety was to provide enhancements and efficiencies in services, as well as long-range operating economies through future cost avoidance. Employees, therefore, certify their understanding that the Employer must consider cost benefits and that, while the Employer will recognize that employees deserve consideration of their individual achievements in obtaining and maintaining certifications within the various public- safety vocational disciplines, employees recognize that such consideration must remain economically viable for the Employer so that costs for such integrated services can be justified.

Section 17.2. Residency. All employees covered by the Agreement on the effective date of this Agreement, shall be required to have telephone service, and shall maintain their residences either within the corporate limits of the City of Petoskey or within parameters as established by law, currently 20 (twenty) miles from the City's corporate limits.

Section 17.3. Educational Benefit. Officers desiring to improve their educational qualifications during their off-duty hours shall be reimbursed one-half (1/2) of their tuition cost upon satisfactory completion of courses which have been approved in advance by the Director of

DURATION

Section 18.1. Term of Agreement. This Agreement shall remain in full force and effect until midnight, December 31, 2023. It shall be automatically renewed from year to year thereafter unless either party notifies the other in writing at least ninety (90) days prior to the termination date above that modification or termination is desired.

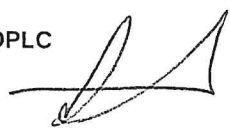
IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed on the day and year first above written.

CITY OF PETOSKEY

By: Robert Straebel
Its: City Manager


Dated: _____

FOPLC



By: Steve Warren
Its: Business Agent

Dated: 8/5/2021



By Todd Troxel
Its Union Steward

Dated 08/05/2021

APPENDIX "A"

Classifications and Wage Rates. The following hourly base wage rates shall be effective the first full period on or after January 1, 2021 or the effective date of the Agreement, whichever is later, and shall be adjusted annually as set forth below.

	2021	2022	2023
Public Safety Lieutenant	\$41.18*	\$42.01	\$42.85

*Retroactive to January 1, 2021.



City of Petoskey

Resolution

WHEREAS, certain Department of Public Safety Lieutenants are represented by the Fraternal Order of Police Labor Council (FOPLC); and

WHEREAS, City and bargaining unit representatives negotiated provisions of a proposed agreement for the Public Safety Lieutenants Division; and

WHEREAS, the City Manager now has reported that an agreement has been reached with the FOPLC Public Safety Lieutenants Division for the period of January 1, 2021– December 31, 2023:

NOW, THEREFORE, BE IT RESOLVED that the City Manager is hereby directed to execute on behalf of the City an employment agreement with the Department of Public Safety Lieutenants Division who are represented by the Fraternal Order of Police Labor Council.



BOARD: City Council

MEETING DATE: August 16, 2021

PREPARED: August 4, 2021

AGENDA SUBJECT: Public Safety Lieutenants – Health Care Savings Program

RECOMMENDATION: That City Council adopt the proposed resolution

Background The recently approved collective bargaining agreement with the Public Safety Lieutenants provides for a Health Care Savings Program administered by the Michigan Municipal Employees Retirement System. The Program requires all Public Safety Lieutenants to participate and to make mandatory contribution in the amount of 3% of their wages, there are no employer contributions.

MERS will manage investments for the account and upon leaving employment with the City, Lieutenants will be able to access the funds for eligible medical expenses. Contributions to the program are pretax contributions and withdrawals from the program are tax-free. Employees may also make additional voluntary contributions, which are post tax contributions, but are tax free upon withdrawal.

The Municipal Employees Retirement System (MERS) requires a HCSP Participation Agreement approved by City Council to establish the plan and plan provisions.

Action Enclosed is the MERS Health Care Savings Program Participation Agreement required by MERS, along with a resolution authorizing execution of the agreement for Council's approval that will establish the plan as provided for in the collective bargaining agreement.

at
Enclosures

MERS Health Care Savings Program Participation Agreement



1134 Municipal Way Lansing, MI 48917 | 800.767.2308 | Fax 517.703.9707

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I. PARTICIPATING EMPLOYER

Employer Name: City of Petoskey

(Name of municipality or court)

Municipality Number: 2402

Division Number: _____

II. EFFECTIVE DATE

1. If this is the initial Participation Agreement relating to the MERS Health Care Savings Program for this covered group, the effective date of the program here adopted shall be:
October 10, 2021

(Date)

2. If this is an amendment and restatement of an existing Participation Agreement relating to the MERS Health Care Savings Program for this covered group, the effective date of this amendment and restatement shall be effective: _____

(Date)

Note: You only need to mark *changes* to your plan throughout the remainder of this Agreement.

III. COVERED EMPLOYEE GROUPS

A participating Employer may cover all of its employee groups, bargaining units or personnel/employee classifications ("Covered Group"), in Health Care Savings Program. **Contributions shall be made on the same basis within each Covered Group identified by this agreement, and remitted as directed by the Program Administrator.** If the Employer has varying coverage or contribution structures between groups, a separate agreement will need to be completed for each covered group. This agreement encompasses the following group(s):

Unionized Public Safety Lieutenants

(Name/s of HCSP covered group/s)

Note: To maintain the tax-favored status of the employer's Health Care Savings Program and to comply with federal law, the Employer may not provide coverage or benefit levels to highly-compensated employees that are not provided to non highly-compensated employees.

IV. ELIGIBLE EMPLOYEES

Only Employees of a "municipality" may be covered by the Health Care Savings Program Participation Agreement. Independent contractors may not participate in the Health Care Savings Program.

The Employer shall provide MERS with the name, address, Social Security Number, and date of birth for each Eligible Employee, as defined by the Participation Agreement.

V. EMPLOYER CONTRIBUTIONS TO THE HEALTH CARE SAVINGS PROGRAM

The Participating Employer hereby elects to make contributions to the Trust. Contributions shall be made on the same basis within each Covered Group specified in this agreement, and remitted to MERS as directed by the Employer, to be credited to the individual accounts of Eligible Employees as follows (next page):

MERS Health Care Savings Program Participation Agreement

Check one or more (A or B, C and/or D):

- A. ☐ **Employer Contributions for Retirees / Former Employees.** Employer contributions may be made according to any frequency. Identify below the contribution formula or amount that will apply to all in this covered group. *Note: If this contribution is selected, Sections B, C, and D do not apply.*

Contribution structure (specify): _____

For active employees, please check one or more below (B, C, and/or D).

- B. ☐ **Basic Employer (Before-Tax) Contributions.** Before-tax employer contributions may be made as a percentage of salary and/or by a specified dollar amount. Identify below the basic employer contribution formula to be applied to the covered groups within the Health Care Savings Program identified in this agreement.

Contribution structure (specify):

No employer contributions
Mandatory employee contributions of 3%
Voluntary employee contributions that may be changed

Vesting Cycle For Basic Employer Contributions Only. The employer contributions identified in this Participation Agreement are subject to the following vesting cycle.

- ☐ Immediate Vesting upon Participation
- ☐ Cliff Vesting: The participant is 100% vested upon _____ year(s).
(Stated years)
- ☐ Graded Vesting Percentage per year of service: Employers can select the percentage of vesting with the corresponding years of service:

Years of Service	Percent Vested
_____	_____
_____	_____
_____	_____
_____	_____
_____	100%

FORFEITURE PROVISION. Upon separation from service with the Employer prior to meeting the required vesting schedule set out above or in the event a Participant dies without Dependent(s) and/or a named Beneficiary, a Participant's account assets shall:

Check only one:

- ☐ Remain in the HCSP sub-trust to be reallocated among all Plan participants equally
- ☐ Remain in the HCSP sub-trust to be used to offset future Employer Contributions
- ☐ Be transferred to the Retiree Health Funding Vehicle ("RHFV")

MERS Health Care Savings Program Participation Agreement

- C. ☒ **Mandatory Salary Reduction (Before-Tax) Contributions.** Before-tax Employer Contributions to the Health Care Savings Program Sub-Trust shall be made that represent a mandatory salary reduction resulting from collective bargaining or the establishment of a personnel policy. These reductions may be made as a percentage of salary or a specific dollar amount.

Contribution structure (specify):

3% of pay

- D. ☐ **Mandatory Leave Conversion (Before-Tax) Contributions.** Before-tax Employer Contributions to the Health Care Savings Program Sub-Trust shall be made that represent a mandatory conversion of accrued leave including, but not limited to vacation, holiday, sick leave, or severance amounts otherwise paid out, to a cash contribution. These contributions may be calculated as a percentage of accrued leave or a specific dollar amount representing the accrued leave. Leave conversions may be made on an annual basis or at separation from service, or at such other time as the Employer indicates. *(Note: The leave conversion program shall not permit employees the option of receiving cash in lieu of the employer contribution.)*

- ☐ Check here if the covered employee group has the option to direct any/all of the leave conversion lump sum to an existing 457 program.

Check one or more:

- ☐ As of _____, _____ % of _____
Annual date or X weeks before termination Percentage Type of Leave Conversion (sick, vacation, etc.)
must be contributed to the HCSP.
- ☐ As of _____, _____ % of _____
Annual date or X weeks before termination Percentage Type of Leave Conversion (sick, vacation, etc.)
must be contributed to the HCSP.
- ☐ As of _____, _____ % of _____
Annual date or X weeks before termination Percentage Type of Leave Conversion (sick, vacation, etc.)
must be contributed to the HCSP.
- ☐ As of _____, _____ % of _____
Annual date or X weeks before termination Percentage Type of Leave Conversion (sick, vacation, etc.)
must be contributed to the HCSP.

MERS Health Care Savings Program Participation Agreement

Post-Tax Employee Contributions. Post-tax Employee Contributions made by Eligible Employees within the Covered Group(s) shall be remitted as directed by the Program Administrator, to be credited to the individual accounts of Eligible Employees. All Employee Contributions must be remitted to MERS along with the Participation Report.

VI. MODIFICATION OF THE TERMS OF THE PARTICIPATION AGREEMENT

If a Participating Employer desires to amend any of its previous elections contained in this Participation Agreement, including attachments, the Governing Body by official action must adopt a new Participation Agreement and forward it to the Board for approval. The amendment of the new Participation Agreement is not effective until approved by the Board and other procedures required by the Trust Agreement and Plan Document have been implemented.

VII. STATE LAW

To the extent not preempted by federal law, this agreement shall be interpreted in accordance with Michigan law.

VIII. TERMINATION OF THE PARTICIPATION AGREEMENT

This Participation Agreement may be terminated only in accordance with the Trust Agreement.

IX. EXECUTION BY GOVERNING BODY OF MUNICIPALITY

The foregoing Participation Agreement is hereby adopted and approved on the ____ day of _____, 20²¹ at the official meeting held by City of Petoskey
(Name of approving employer)

Authorized Signature: _____

Name: Alan Terry

Title: Director of Finance

Received and Approved by the Municipal Employees' Retirement System of Michigan

Dated: _____, 20²¹

(Authorized MERS signatory)

MERS Health Care Savings Program Uniform Resolution



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WHEREAS, the Municipal Employees Retirement Act authorized the Municipal Employees' Retirement Board ("Board") to establish additional programs including but not limited to defined benefit and defined contribution program (MERS Plan Document Section 72; MCL 38.1536(2)(a)).

WHEREAS, the Board has authorized MERS' establishment of the health care savings program ("HCSP" or "Program"), which a participating municipality or court, or another eligible public employer that constitutes a "municipality" under MERS Plan Document Section 2; MCL 38.1502b(2) ("Eligible Employer"), may adopt for its Eligible Employees.

WHEREAS, MERS has been determined by the Internal Revenue Service to be a tax qualified "governmental plan" and trust under section 401(a) of the Internal Revenue Code of 1986, and all trust assets within MERS reserves are therefore exempt from taxation under Code section 501(a) (IRS Letter of Favorable Determination dated October 8, 2016).

WHEREAS, the Board has established a governmental trust (the "Trust Fund") to hold the assets of the HCSP, which Trust Fund shall be administered under the discretion of the Board as fiduciary, directly by (or through a combination of) MERS or MERS' duly-appointed Program Administrator.

WHEREAS, 1999 PA 149, the Public Employee Health Care Fund Investment Act, MCL 38.1211 et seq. ("PA 149") provides for the creation by a public corporation of a public employee health care fund, and its administration, investment, and management, in order to accumulate funds to provide for the funding of health benefits for retirees and beneficiaries.

WHEREAS, a separate MERS health care trust fund created under PA 149 also constitutes a governmental trust established by an Eligible Employer, provided that all such employers shall be the State of Michigan, its political subdivisions, and any public entity the income of which is excluded from gross income under Section 115 of the Internal Revenue Code; provided further, that the PA 149 trust shall not accept assets from any defined benefit health account established under Section 401(h) of the Internal Revenue Code.

WHEREAS, the Board acts as investment fiduciary for the pooled assets of each MERS participating municipality as defined by the MERS 401(a) Plan Document, on whose behalf MERS performs all plan administration and investment functions, and such participating municipalities and courts have full membership, representation and voting rights at the Annual Meeting as provided under Plan Section 78; MCL 38.1545.

WHEREAS, the Board also acts as investment fiduciary for those participating employers who are non-MERS participating municipalities and courts that have adopted the MERS Health Care Savings Program, Retiree Health Funding Vehicle, or Investment Service Program, and such entities are not accorded membership, representation or voting rights provided to MERS participating municipalities and courts at the Annual meeting under Plan Document Section Document 78; MCL 38.1545.

MERS Health Care Savings Program Uniform Resolution

WHEREAS, adoption of this Uniform Resolution and the HCSP Participation Agreement (the "Uniform Resolution") by each Eligible Employer is necessary and required in order that the benefits available under the MERS HCSP may be extended to the Eligible Employer's employees.

- It is expressly agreed and understood as an integral and nonseverable part of extension or continuation of coverage under this HCSP Resolution that Section 43 of the MERS Plan Document shall not apply to this Uniform Resolution Adopting MERS HCSP, the Participation Agreement, the HCSP Plan Document, the Trust Agreement, and their administration or interpretation.
- In the event any alteration of the language, terms or conditions stated in this Uniform Resolution Adopting MERS HCSP is made or occurs, it is expressly recognized that MERS and the Board, as fiduciary of the MERS Plan and its trust reserves, and whose authority is nondelegable, shall have no obligation or duty to administer (or to have administered) the Trust Fund, or to continue administration.

WHEREAS, concurrent with this HCSP Uniform Resolution, and as a continuing obligation, this governing body has completed, approved, and submitted to MERS documents necessary for participation in and implementation of the HCSP. This obligation applies to any documents deemed necessary to the operation of the Trust Fund by MERS.

NOW, THEREFORE, BE IT RESOLVED that the governing body adopts (or readopts) the MERS HCSP as provided below.

SECTION 1. HCSP PARTICIPATION

EFFECTIVE October 10, 2021, (to be known as the ADOPTION DATE) the

MERS HCSP is hereby adopted by the City of Petoskey
(MERS municipality or court or other eligible employer)

- (A) **CONTRIBUTIONS** shall be as allowed and specified in the MERS Health Care Savings Program Participation Agreement. Basic Employer Contributions, Mandatory Salary Reduction Contributions, Mandatory Leave Conversion Contributions, and Post-Tax Employee Contributions, shall be remitted pursuant to MERS by the Eligible Employer, and credited to the Eligible Employer's separate fund within the MERS Trust Fund.
- (B) **INVESTMENT** of funds accumulated and held in the Health Care Savings Program Trust Fund shall be held in a separate reserve and invested on a pooled basis by MERS subject to the Public Employee Retirement System Investment Act ("PERSIA"), 1965 PA 314, as provided by MERS Plan Document Section 76; MCL 38.1539, and PA 149.
- (C) **THE ELIGIBLE EMPLOYER** shall abide by the terms of the HCSP, including the HCSP Plan Document, HCSP Trust Agreement, all investment, administration, and service agreements, and all applicable provisions of the Code and other law. It is affirmed that no assets from any defined benefit health account established under Section 401(h) of the Internal Revenue Code shall be transferred to, or accepted by, MERS.

MERS Health Care Savings Program Uniform Resolution

SECTION 2. IMPLEMENTATION DIRECTIONS FOR MERS

- (A) The governing body of this Eligible Employer desires that all assets placed in its MERS HCSP Trust Fund (as a sub-fund within all pooled HCSP trust funds with MERS) be administered by MERS, which shall act as investment fiduciary with all powers provided under PERSIA, pursuant to PA 149, all applicable provisions of the Internal Revenue Code and other relevant law.
- (B) The governing body desires, and MERS upon its approval of this Resolution agrees, that all funds accumulated and held in the MERS HCSP Trust Fund shall be invested and managed by MERS within the collective and commingled investment of all HCSP funds held in trust for all Eligible Employers.
- (C) All monies in the MERS HCSP Trust Fund (and any earnings thereon, positive or negative) shall be held and invested for the sole purpose of paying health care benefits for the exclusive benefit of "Eligible Employees" who shall constitute "qualified persons" who have retired or separated from employment with the Eligible Employer, and for any expenses of administration, and shall not be used for any other purpose, and shall not be distributed to the State.
- (D) The Eligible Employer will fund on a defined contribution, individual account, basis its MERS HCSP Trust sub-fund to provide funds for health care benefits for "Eligible Employees" who shall constitute "qualified persons" under the Internal Revenue Code. Participation in and any coverage under HCSP shall not constitute nor be construed to constitute an "accrued financial benefit" under Article 9 Section 24 of the Michigan Constitution of 1963.
- (E) The Eligible Employer designates and incorporates as "Eligible Employees" who shall constitute "qualified persons" under this HCSP Resolution those who are "Eligible Employees" as defined in the HCSP Participation Agreement under this HCSP.
- (F) The Eligible Employer may designate employer contacts who shall receive necessary reports, notices, etc. and shall act on behalf of the Eligible Employer.

SECTION 3. EFFECTIVENESS OF THIS HCSP UNIFORM RESOLUTION

This Resolution shall have no legal effect until an executed copy of this adopting Resolution is filed with MERS, and MERS determines that all necessary requirements under MERS Plan Document Section 72, PA 149 and other relevant laws, and this Resolution have been met. Upon MERS' determination that all necessary documents have been submitted, MERS shall execute this Resolution, and return a copy to the Eligible Employer's designated primary contact.

In the event an amendatory resolution or other action by the Eligible Employer is required by MERS, such Resolution or action may be deemed effective as of the date of the initial Resolution or action where concurred in by this governing body and MERS (and the Program Administrator if necessary). Section 86 of the MERS Plan Document shall apply to this Resolution and all acts performed under MERS' authority. The terms and conditions of this Resolution supersede and stand in place of any prior resolution, and its terms are controlling.

MERS Health Care Savings Program Uniform Resolution

I hereby certify that the above is a true copy of the Uniform Resolution Adopting The MERS Health Care Savings Program, adopted at the official meeting held by the governing body of this municipality:

On _____, 20²¹ _____
(Signature of authorized official)

Printed name: Alan Terry Position title: Director of Finance
(Authorized Official - printed) (Authorized Official - position)

Received and Approved by the Municipal Employees' Retirement System of Michigan

Dated: _____, 20²¹ _____
(Authorized MERS signatory)



City of Petoskey

Agenda Memo

BOARD: City Council

MEETING DATE: August 16, 2021 **DATE PREPARED:** August 12, 2021

AGENDA SUBJECT: Michigan Municipal League Annual Meeting Representatives

RECOMMENDATION: That City Council name official representatives to the annual meeting

Background At the request of the Michigan Municipal League, the City Council will be asked to adopt the enclosed proposed resolution that would confirm the City Council's appointment of an official voting representative and an alternate representative. The annual business meeting of the Michigan Municipal League will be conducted September 22 in conjunction with the League's 2021 Convention September 22-24 which will be held in Grand Rapids.

Action If City Councilmembers plan to attend the business meeting, a representative and alternate can be appointed. However, if there is no interest in attending the convention no action is needed.

If you would like to attend the 2021 convention, please contact the City Manager's Office.

sb
Enclosure



City of Petoskey

Resolution

BE IT RESOLVED that the City of Petoskey City Council does and hereby selects Councilmember _____ as the City's voting representative for the annual business meeting of the Michigan Municipal League that has been scheduled for Wednesday, September 22, 2021, which will be conducted in Grand Rapids; and

BE IT FURTHER RESOVLED that the City Council does and hereby selects Councilmember _____ as the City's alternate representative to serve in the absence of the voting representative at said annual meeting.