FERRYSBURG CITY COUNCIL MEETING

AGENDA

MONDAY, NOVEMBER 7, 2022
7:00 P.M

FERRYSBURG CITY HALL
17520 RIDGE AVENUE, FERRYSBURG, MI 49409

1. Call to Order: Mayor Blease

2. Roll Call: Blease, O’Donnell, Carlson, Montgomery, Sias, Murdoch, Cate

3. Invocation by Council Member Cate

4. Pledge of Allegiance

5. Public Comments:

This time on the agenda is for any citizen to direct brief comments or questions to the City Council. Time for public comments will be given when an agenda item is discussed. If you have a comment or question, please raise your hand to be recognized by the Mayor, and after being recognized by the Mayor, please give your name, and address for the record, and proceed with your comment or question. Please limit your comments to three (3) minutes.
6. Consideration for Approval of Consent Agenda:
   
a. Approve the October 17, 2022, City Council meeting minutes as printed.

b. Approve a bonfire at Wm. Ferry Park on Saturday, December 10, 2022, for the annual Carol Sing.

7. New Business:
   
a. Discussion, Public Hearing: To Determine the Necessity of the Proposed Improvements to Lake Road, private section.

b. Discussion, and to take action if appropriate, to adopt a Resolution Declaring City Council's Intention to make as a Public Improvement the reconstruction of Lake Road, to request the City Assessor to prepare a Special Assessment Roll for the Project, and to Schedule a Public Hearing to review the Roll on December 5.

c. Discussion, and to take action if appropriate, to remove from the table discussion for new microphones in the Council Chamber.

d. Discussion, and to take action if appropriate, to approve a proposal from AVI-SPL for $8,969.20 for new microphones in the Council Chamber.

e. Discussion, and to take action if appropriate, to approve a proposal from Progressive AE to conduct a traffic study on North Shore Drive, North Shore Estates Road, and North Shore Road.

f. Work Session: Ethics Ordinance.

g. Work Session: Classification and Compensation Study

8. Public Comments:

9. Reports: City Manager

   City Council Members

   Mayor

10. Adjournment
CITY OF FERRYSBURG
CITY COUNCIL MINUTES
OCTOBER 17, 2022

The meeting was called to order by Mayor Blease at 7:00 PM. Council Member Cate gave the invocation. Mayor Blease led those present in the pledge of allegiance.

Present: Scott Blease, Tim O'Donnell, Richard Carlson, Jerry Sias, William Montgomery, William Cate, Deborah Murdoch.

Absent: None

Also present: City Manager Bessinger, City Clerk/Treasurer Schaner, and 6 citizens.

22-168 Moved by Council Member Cate, seconded by Council Member Sias, to approve the September 19, 2022, City Council minutes as printed. The motion passed unanimously.

22-169 Moved by Council Member Cate, seconded by Council Member Sias to adopt a resolution regarding leasing a portion of the premises at 17520 Ridge Avenue to Education Station, and for the Mayor and City Clerk to sign all necessary documents. The motion passed unanimously.

22-170 Moved by Council Member Cate, seconded by Council Member Sias to adopt a resolution regarding leasing a portion of the premises at 17520 Ridge Avenue to Love in Action of the Tri-Cities, and for the Mayor and City Clerk to sign all necessary documents. The motion passed unanimously.

22-171 Moved by Council Member O'Donnell, seconded by Council Member Sias to approve a recommendation from the Planning Commission to approve a Special Land Use and for Site Plan Approval to operate a Brewery on parcel no. 70-03-16—275-010, commonly known as 522 Pine Street contingent on lock box and sampling test being installed. The motion passed unanimously.

22-172 Moved by Council Member O'Donnell, seconded by Council Member Murdoch, to table the proposal from for new microphones in the Council Chamber. The motion passed unanimously.

22-173 Moved by Council Member O'Donnell, seconded by Council Member Murdoch, to approve the mayor’s recommendation of Lisa O’Neill to the Beautification Commission for a term ending July 1, 2024.

22-174 The census of city council was to schedule a work session s a regular agenda item on November 7, 2022.

The City Manager, the City Council Members and the Mayor, reported on several current items.

The meeting was adjourned at 8:00 p.m.
Respectfully submitted,

Scott Blease
Mayor

Amber Schaner
City Clerk
November 2, 2022

TO: Mayor and City Council Members

FROM: Craig Bessinger, City Manager

RE: Carol Sing Bonfire

At the July 18, 2022, meeting, City Council adopted Ordinance No. 324 which amended the City’s Burning Ordinance. One of the revisions in the new ordinance is for City Council to approve any bonfire.

On Saturday, December 10, the Beautification Commission along with City Council will sponsor the annual Carol Sing at Wm. Ferry Park. One of the traditions of the Carol Sing is for a bonfire at the park. The Department of Public Works will dig out the area where flowers are planted and the Fire Department will light and monitor the bonfire. The Fire Department will stay on scene until the bonfire is extinguished.

Fire Chief Olthof has approved having the bonfire.

c: Mike Olthof, Fire Chief
    Matt Schindlbeck, Public Services Supervisor
    Amber Schaner, City Clerk
5. The person or persons tending the recreational fire shall remain in complete control over the fire at all times and shall ensure that the fire does not threaten surrounding properties or create a nuisance.

6. The amount of clean wood to be burned shall not exceed an amount which can reasonably be anticipated to be controlled.

7. Before abandoning the site of the recreational fire or disposing of its remains, the person or persons tending the fire shall take all steps necessary to extinguish any materials still burning, smoking or smoldering.

8. At no time shall any recreational fire occur on or within ten feet of the surface of any public street, public sidewalk, or public bike path in the city.

9. At no time shall any Recreational fire occur within 20 feet of a building or structure.

§ 92.05 REQUIREMENTS FOR BONFIRES.

Bonfires in the City of Ferrysburg are only permitted with prior approval by the Ferrysburg City Council and the Fire Department for special events. Bonfires are subject to compliance with any special restrictions determined by the Fire Chief and payment of costs associated with special fire protection as determined by the City of Ferrysburg.

§ 92.06 ADMINISTRATION AND ENFORCEMENT.

It shall be the duty of the Fire Chief of the city or his designee to investigate fires which are in violation of the terms of this subchapter, and to cause them to be extinguished, and to actively endeavor with the cooperation of the Ottawa County Sherriff’s Department to secure the conviction of all persons violating this subchapter.

§ 92.07 ADMINISTRATIVE LIABILITY.

No officer, agent, or employee of the city shall render himself or herself liable for any damage that may accrue to any person as the result of any act, decision or other consequence or occurrence arising out of the discharge of his or her duties and responsibilities pursuant to this subchapter.

§ 92.08 VIOLATIONS; CIVIL FINES.

A violation of this chapter is a civil infraction subject to a fine. Increased civil fines will be imposed for repeated violations that occur within a six month period. The civil fine for a first offense is $50. The civil fine for the first repeat offense is $250. The civil fine for a second repeat offense is $500.
City of Ferrysburg
Notice of Public Hearing
Proposed Special Assessment District
Lake Road Improvements

Notice is hereby given of a Public Hearing to be held by the Ferrysburg City Council on Monday, November, 7, 2022, at or after 7:00 p.m. at Ferrysburg City Hall, 17520 Ridge Avenue, Ferrysburg, Michigan. Purpose of the hearing is to determine the necessity of the proposed improvements and repaving of Lake Road. The area of the proposed Special Assessment District includes parcels with the following parcel numbers:

70-03-16-226-029
70-03-16-226-028
70-03-16-226-027
70-03-16-226-026
70-03-16-226-025
70-03-16-226-024
70-03-16-226-023
70-03-16-226-022
70-03-16-226-021
70-03-16-226-020
70-03-16-226-019
70-03-16-226-018
70-03-16-226-017
70-03-16-226-016
70-03-16-226-015
70-03-16-226-033
70-03-16-227-006
70-03-16-227-004
70-03-16-227-005
70-03-16-227-008
70-03-16-228-001
70-03-16-228-002
70-03-16-228-003
70-03-16-228-008
70-03-16-228-005

Preliminary plans and cost estimates are on file at the City Clerk's Office and may be examined during regular business hours. At the Public Hearing, all interested persons will be given the opportunity to be heard.

Amber Schaner, City Clerk
October 21 and 28, 2022
November 7, 2022

LAKE ROAD IMPROVEMENTS
SPECIAL ASSESSMENT DISTRICT
RESOLUTION NO. 1

WHEREAS, the Ferrysburg City Council on October 3, 2022, scheduled a public hearing to determine the necessity of the proposed improvements to Lake Road for November 7, 2022, and

WHEREAS, the Ferrysburg City Council on November 7, 2022, received comments on the proposed improvements to Lake Road after giving notice of said hearing by publication and by mailing, all in accordance with the terms and provisions of the Ferrysburg City Charter and City Code, Chapter 33, and Michigan statues, and

WHEREAS, the cost estimate for the improvement have been prepared and have been filed with the City Clerk, and

WHEREAS, the Ferrysburg City Council has the power and authority pursuant to the provisions of the City Charter and City Code to proceed to construct the proposed improvement and to assess the cost thereof to the properties to be benefitted, and

WHEREAS, it is apparent that the proposed improvement will be beneficial to and is necessary for the health, safety, and welfare of the residents of the City and should proceed without delay.

NOW, THEREFORE, BE IT RESOLVED THAT the Ferrysburg City Council declares its intention to make as a public improvement the reconstruction of Lake Road with the property to be benefitted described as parcel nos.:

70-03-16-226-029  70-03-16-226-024  70-03-16-226-019  70-03-16-226-033  70-03-16-228-001
70-03-16-226-028  70-03-16-226-023  70-03-16-226-018  70-03-16-227-006  70-03-16-228-002
70-03-16-226-027  70-03-16-226-022  70-03-16-226-017  70-03-16-227-004  70-03-16-228-003
70-03-16-226-026  70-03-16-226-021  70-03-16-226-016  70-03-16-227-005  70-03-16-228-008
70-03-16-226-025  70-03-16-226-020  70-03-16-226-015  70-03-16-227-008  70-03-16-228-005

and
BE IT FURTHER RESOLVED THAT the Ferrysburg City Council approves the plan and cost estimate for the improvement, and

BE IT FURTHER RESOLVED THAT the Ferrysburg City Council requests the City Assessor to prepare a special assessment roll to spread the improvement costs on the property to be benefitted, and

BE IT FURTHER RESOLVED THAT the Ferrysburg City Council schedules a public hearing to review the special assessment roll and to hear objections thereto prior to confirmation for Monday, December 5, 2022, at or after 7:00 p.m.

Offered by Council Member __________,
Seconded by Council Member __________.

Yeas:

Nays:

Absent:

Resolution:

I, Amber Schaner, duly appointed Clerk of the City of Ferrysburg, do hereby certify that the above resolution was adopted by the Ferrysburg City Council at its regular meeting held on Monday, November 7, 2022, at or after 7:00 p.m.

Amber Schaner, City Clerk
September 28, 2022

TO: Mayor and City Council Members

FROM: Craig Bessinger, City Manager

RE: Lake Road

Lake Road is a private street, as is Royal Avenue and Highland Avenue. Residents on these streets are responsible for the maintenance of the street.

On November 2, 2015, the City received a Petition for Street Paving for the City to pave Lake Road and to establish a Special Assessment District for the City to recover the cost.

On February 17, 2016, a letter was mailed to residents along Lake Road advising them due to higher costs for City street projects in the 2016-2017 fiscal year, there were not enough funds and the Lake Road project would be put on hold.

On July 21, 2021, the City received from the City Engineer to repave Lake Road a cost estimate at $120,000.

On February 24, 2022, a letter was mailed to residents on Lake Road to determine their interest in creating a Special Assessment District to repave Lake Road. There will be 25 parcels included in the proposed Special Assessment District. Some property owners on Lake Road own multiple parcels. Each parcel is considered 1 vote. Out of 25 parcels, 13 parcels responded yes, 3 parcels responded no, and there were 9 no responses. Some residents requested additional information on the scope of the project.

On July 25, 2022, a letter was mailed to residents along Lake Road advising them the City Engineer inspected the site with Public Services Matt Schindlbeck to discuss issues along Lake Road and a revised cost estimate was prepared which estimated the cost at $285,000. The scope of the project increased to improve drainage through an additional outlet. Four parcels responded in favor of moving forward with creating a Special Assessment District, 10 parcels responded no, and there were 11 no responses.

A resident on Lake Road contacted three contractors to get a cost estimate to repave the street. On September 15, a letter was mailed to residents along Lake Road advising a quote has been obtained from Asphalt Paving Inc, (API) to repave Lake Road for $55,200, and to determine their interest in creating a Special Assessment District. Sixteen parcels responded yes, 5 responded no, and there were 4 no responses.
September 28, 2022
Lake Road
Page Two

This item is on the agenda to determine City Council’s interest in creating a Special Assessment District for the repaving of Lake Road.

If City Council approves creating a Special Assessment District for the repaving of Lake Road, the next step would be to hold a public hearing to determine the necessity and afterwards to consider a resolution to proceed. There will be a second public hearing to hear comments on the proposed Special Assessment Roll and afterwards a resolution confirming the Special Assessment District.

Lake Road is a private street and has been disrepair for a number of years. API has done work in the City in the past and recently repaved Carmen Drive. The City Engineer was not involved in the Carmen Drive Project. The 2022-2023 City Budget included $120,000 for this project.
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| 25 | 100.00% | $55,200.00 | $5,520.00 | $1,656.00 |

Special Assessment District (SAD) first payment would be due July 1, 2023, (principal and interest) second installment would be due July 1, 2024 (principal and interest). Total assessment may be paid at any time to avoid further interest charges.

Actual special assessment will be based on actual costs. If project costs are lower than estimated, actual special assessments will be reduced. If project costs are higher than estimated, actual special assessments will be increased. Special assessments may be increased without additional notice, and more than 25% with notice to owners and City Council approval.

3% Interest Rate applied to unpaid balance.
October 6, 2022

TO: Mayor and City Council Members

FROM: Craig Bessinger, City Manager

RE: Microphones

At the October 19 meeting, City Council requested additional information regarding the warranty and service included with the microphone quotes.

Attached are the warranty statements from both companies. The proposal from Buist Electric does not include a service or maintenance agreement. The maintenance agreement was removed from the proposal from AVI-SPL.

c: Amber Schaner, City Clerk
Caution! This email is from an external address and may contain links. Use caution when following links as they could open malicious web sites.

Craig,

That is correct, do you want me to put together a service or maintenance proposal for you? If so, we will need to discuss what hardware you want included and what type of agreement you need or best fits your needs.

Russ

---

Russ Aspinwall | AV Department Manager

Buist Electric
2 - 84th Street SW, Byron Center, MI 49315
M: (269) 217-6547
T: (616) 219-9520
raspinwall@buistav.com | www.buistelectric.com

---

From: Craig Bessinger <cbessinger@ferrysburg.org>
Sent: Monday, October 24, 2022 6:25 PM
To: Aspinwall, Russ <raspinwall@buistav.com>
Subject: RE: D220206-R2 and D220206-R2 - City of Ferrysburg - City Hall Conf Room

Russ,

To clarify, your quote does not include a service or maintenance agreement?

Craig Bessinger
City of Ferrysburg
17290 Roosevelt Road, P.O. Box 38
Ferrysburg, MI 49409-0038
P: 616-842-5803
C: 616-843-5028
Caution! This email is from an external address and may contain links. Use caution when following links as they could open malicious web sites.

Craig,

Below is our standard warranty statement. The equipment specified may have additional manufacturer hardware warranties that would be honored directly by the manufacturer:

**Warranty:** Buist Electric warrants to Client that it will repair or replace, at its sole discretion, defects within one (1) year when such defect results from Buist Electric’s defective workmanship, and Client has notified Buist Electric within thirty (30) days of discovering said defect. In the event that products installed by Buist Electric are in any way misused or altered or repaired by someone other than a representative of Buist Electric, which within the sole judgement of Buist Electric results in an adverse effect, the warranty and Buist Electric’s obligations shall terminate without notice to the client. This includes, but is not limited to, third party software updates, firmware upgrades, and any other alterations or updates to software or operating systems. Any subsequent services provided by Buist Electric will be billed at Buist Electric’s standard time and material billing rate at the time of service.

Any warranty mentioned above shall not apply to any repairs or replacement caused by accidents or damage resulting from fire, wind, water, hail, lightening, earthquake, acts of God, or similar causes originating outside the components and unless such accident or damages were within the control of Buist Electric or caused by the negligence of Buist Electric or its employees.

No other warranties, either express or implied, are extended by Buist Electric except as shall be shown in writing and signed by a duly authorized representative of Buist Electric. To the maximum extent permitted by applicable law, Buist Electric further disclaims all other warranties either express or implied, including, without limitation, any implied warranties of merchantability of fitness for a particular purpose.

For warranty service hours within the 1-year Buist Electric warranty are Monday – Friday 7:00 AM – 5:00 PM.

We can also work with you to develop a service and/or maintenance agreement that can be as simple as purchasing yearly block time hours or custom plans that can provide monthly, quarterly or yearly maintenance and service on your equipment.

Let me know if you have any questions,

Russ

---

Russ Aspinwall | AV Department Manager

Buist Electric
2 - 84th Street SW, Byron Center, MI 49315
M: (269) 217-6547
Caution! This email is from an external address and may contain links. Use caution when following links as they could open malicious web sites.

Craig,

Our workmanship warranty is 90 days from completion of installation. For your reference here are our terms. The warranty section is #9 in this link: [https://avispl.com/terms-of-use/](https://avispl.com/terms-of-use/)

The investment in the support agreement does put you ahead of the line to Time and material tickets. I’ve attached our time and materials rates.

Leonard,

City Council discussed your proposal at their meeting Monday night.

1. What is the warranty?
2. Can the Room Support and Maintenance for $3,852.00 be eliminated? If so, when would support be available and the cost?

Craig Bessinger
City of Ferrysburg
17520 Ridge Avenue, P.O. Box 38
Ferrysburg, MI 49409-0038
P: 616-842-5803
C: 616-843-5028

Caution! This email is from an external address and may contain links. Use caution when following links as they could open malicious web sites.
# Essential - Time and Materials Rate Schedule

**Global Remote Help Desk Support** – case creation and management, basic troubleshooting, dispatch orders, and part orders through the duration of the case.

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<th>Service</th>
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- Global Helpdesk Remote Support Available 24x7x365
  - 1 Hour Minimum
- $150 USD Case Opening Fee Applies to Any New Case/Ticket Creation
  - **India Case Opening Fee** - $20USD / 1500 INR
- Global Help Desk Remote Support available 24x7x365
- Specialist Support available Standard Business Hours: Monday through Friday 8:00 am to 5:00 pm local time
- No guaranteed response times or SLAs provided for T&M
- Hourly rates for Specialist Support billed in addition to initial Global Help Desk Remote Support fee
- Standard Business Hours: Monday through Friday 8:00 am to 5:00 pm local time
- Travel: Hourly rates apply portal to portal (excludes airfare)

Note: A quote will be sent by the Global Help Desk for all T&M Services before products or services are delivered. Once the quote has been signed and returned to the Global Help Desk by the Customer (in DocuSign electronic format) and payment method has been provided (Purchase Order, Credit Card, or Not Applicable if there are Credit Terms with No Purchase Order Required), service will commence. AVI-SPL will not schedule or initiate remote, onsite, or parts replacement services until customer authorization and payment method are received.
security interest retained by Seller in the Products sold and the proceeds thereof until payment of all amounts then due to Seller. Seller shall be entitled to remove the Products from the Buyer’s premises if all payments are not made when due. Buyer agrees to reasonably cooperate with Seller in the execution and filing of financing statements under the Uniform Commercial Code or other documents as Seller reasonably requests to protect its security interest.

6.2 Risk of loss or damage to the Products or any part thereof shall pass to the Buyer upon delivery.

7. Installation and Site Preparation

7.1 Installation (e.g. field assembly, interconnection, equipment calibration and checkout) is to be performed by the Seller’s trained technical employees. The Seller shall be entitled to employ subcontractors and/or agents to assist in or carry out, in whole or in part, the installation. In the event installation by Seller employees is prevented by trade unions, the Buyer shall arrange with the trade unions at its own expense to complete installation. The Seller is thereafter liable only for engineering supervision of installation.

7.2 The Seller shall reasonably coordinate and cooperate with other trades to facilitate satisfactory work progress. If the Seller’s work in progress is impeded by other trades and/or contractors (excluding the Seller’s own subcontractors) or by scheduling delays due to the Buyer, time delays in the final installation as well as additional charges, including labor, travel and other reasonable expenses, may result.

7.3 The Buyer shall be responsible for preparing, at its own expense, the installation site in accordance with the Seller’s reasonable instructions, including the requirements specified in the Proposal. In no event shall the Seller be responsible for any high voltage electrical work, ceiling modifications, structural modifications, or mechanical systems modifications. Unless otherwise agreed in writing in the Proposal, Buyer shall provide the Seller with source code for any non-Seller programmed remote control system required to be modified under the terms of this Agreement.

8. Access to Project Site

8.1 The Buyer shall provide the Seller with reasonable access to the installation site before delivery, for purposes of determining site readiness for installation, and shall designate an individual on Buyer’s staff to serve as a contact person for all site preparation and installation issues. Buyer shall provide the Seller with free access to the installation site for the purpose of preparation for installation.

8.2 Buyer shall obtain at its expense and keep effective all permissions, licenses, and permits whenever required in connection with the installation and/or use of the Products and the premises where the Products shall be situated.

9. Warranty

9.1 Seller warrants that:

(a) Immediately prior to delivery, it had good title to the Products, free from any lien or encumbrance unless otherwise specified;

(b) For a period of ninety (90) days from delivery and acceptance of the Products and Services, or, with respect to Products manufactured by a third party, such longer period of time provided by such manufacturer, the Products and Services will (i) be free from defects in materials or workmanship and (ii) conform to the requirements of the Proposal, including any instructions, specifications and documentation incorporated therein;

(c) It is in compliance with all applicable federal, state and local laws, regulations and standards relating to the sale and transportation of the supplies or items, and provision of the Products including all applicable U.S. and foreign anti-corruption laws, including without limitation, the U.S. Foreign Corrupt Practices Act (“FCPA”); and

(d) With respect to Services, Seller’s personnel shall possess the requisite level of training, skill and experience to address the requisite tasks efficiently and will perform the Services provided hereunder in a professional and workmanlike manner consistent with generally accepted industry standards.

9.2 Seller shall not be liable for nor have any warranty obligations with respect to Products that are in any way misused, altered and/or repaired by someone other than a representative of the Seller which, within the sole, reasonable judgment of the Seller, results in an adverse effect, including effects upon performance or reliability of the Products.

9.3 In order to make a warranty claim, Buyer shall promptly notify Seller in writing and Seller will, subject to the applicable manufacturer’s warranty policy, repair or replace such defective Product at no cost to Buyer. Seller will attempt to reply to warranty claims received from Buyer prior to 1:00 p.m. within forty-eight hours. Normal working hours are 8 a.m. to 5 p.m., Monday through Friday, excluding legal holidays. Buyer shall reasonably and promptly cooperate with Seller’s request for information regarding the claim and with return of the defective Product if required.

9.4 Except as otherwise specified in this Agreement, no warranty whatsoever is provided by the Seller hereunder as to Products manufactured by anyone other than the Seller, including but not limited to, cables, lamps, batteries, glassware, and evacuated devices (including valve, cathode ray tubes, and other special electron tubes). Seller’s sole obligation with respect to Products manufactured by someone other than Seller shall be to pass through the applicable warranties, if any, provided by the manufacturer. THE WARRANTIES SET FORTH IN THIS AGREEMENT ARE EXCLUSIVE AND IN LIEU OF ALL OTHER WARRANTIES, WHETHER WRITTEN OR ORAL, IMPLIED OR STATUTORY. NO IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE SHALL APPLY.

10. Buyer Responsibilities

Buyer or any user of the Products shall (i) notify Seller as soon as any unusual operating peculiarity appears, and (ii) operate the Products in a safe and competent manner in strict compliance with the Product specifications and operating procedures and applicable laws and government regulations. In the event the Buyer or any user of the Products fails to comply with this Section 10, Seller’s warranties and its obligations hereunder shall terminate without notice to Buyer.

11. Limitation of Liability and Exclusion of Damages

TO THE FULLEST EXTENT ALLOWED BY APPLICABLE LAW, IN NO EVENT WILL EITHER PARTY BE LIABLE FOR INCIDENTAL, CONSEQUENTIAL, SPECIAL, EXEMPLARY, OR INDIRECT DAMAGES, LOST BUSINESS PROFITS, OR LOSS, DAMAGE OR DESTRUCTION OF DATA, ARISING OUT OF OR IN ANY WAY RELATED TO THIS AGREEMENT AND THE RELATIONSHIP AND/OR DEALINGS BETWEEN BUYER AND SELLER, REGARDLESS OF THE FORM OF ACTION, WHETHER IN CONTRACT, TORT (INCLUDING NEGLIGENCE), BREACH OF WARRANTY OR OTHERWISE, EVEN IF SUCH PARTY HAS BEEN ADVISED AS TO THE POSSIBILITY OF SAME. EXCEPT FOR SELLER’S GROSS NEGLIGENCE, WILLFUL MISCONDUCT OR FRAUD, SELLER’S AGGREGATE LIABILITY ARISING OUT OF OR RELATED TO THIS AGREEMENT SHALL NOT EXCEED THE TOTAL AMOUNT PAID OR PAYABLE BY BUYER UNDER THIS AGREEMENT. THE ABOVE LIMITATION WILL APPLY WHETHER AN ACTION IS IN CONTRACT OR TORT AND REGARDLESS OF THE THEORY OF LIABILITY.
Caution! This email is from an external address and may contain links. Use caution when following links as they could open malicious web sites.

Craig,
I understand. I've attached the revised proposal without the Elite room support. Let me know if you have any further questions.

From: Craig Bessinger <cbessinger@ferrysburg.org>
Sent: Monday, October 24, 2022 6:24 PM
To: Leonard Wernette-Leff <Leonard.Wernette-Leff@avispl.com>
Subject: RE: AVI-SPL Proposal - 402819-1 - Microphone Upgrade

---

Leonard,

If City Council prefers to not include the services – room support and maintenance, $3,852.00 could be deducted from your quote?

Craig Bessinger
City of Ferrysburg
17290 Roosevelt Road, P.O. Box 38
Ferrysburg, MI 49409-0038
P: 616-842-5803
C: 616-843-5028

---

From: Leonard Wernette-Leff <Leonard.Wernette-Leff@avispl.com>
Sent: Thursday, October 20, 2022 9:43 AM
To: Craig Bessinger <cbessinger@ferrysburg.org>
Subject: RE: AVI-SPL Proposal - 402819-1 - Microphone Upgrade

Caution! This email is from an external address and may contain links. Use caution when following links as they could open malicious web sites.

Craig,
Our workmanship warranty is 90 days from completion of installation. For your reference here are our terms. The warranty section is #9 in this link: https://avispl.com/terms-of-use/
Thank you for the opportunity to provide this proposal.

We value our partnership with you.

At AVI-SPL, our goal is to build partnerships with our clients, and we appreciate our continued partnership with you.

We are dedicated to providing you with solutions that will enable your organization to perform at the highest level and be in a position to meet the challenges you face today and in the future.

You can count on the AVI-SPL team to deliver exceptional service and solutions to help you improve the user experience of your collaboration systems – anywhere in the world.

Our vision is to help your teams work smarter and live better.
We take your investment in collaborative solutions as seriously as you do.

That’s why we’re with you every step of the way, making sure you have the support to keep your business running smoothly and you get the return on investment you expect.

The hallmark of AVI-SPL’s client success is our ability to keep pace with the technology trends that drive the way organizations operate, and to innovate and improve upon them so that we can offer customers a standard of quality that no other company can match.

When you partner with us as your trusted guide, you will experience:

**Commitment**
A partner committed to your success and making a positive impact on your organization and our world

**Expertise**
Expertise you can trust to guide your digital transformation and realize your business objectives

**Proven Record**
A proven track record of supporting deployment and managed services in-country, wherever needed

**Global Reach**
Optimized global deployment teams with in-country support teams to deliver localized solutions and service – anywhere in the world

**Customer Experience**
World-class customer experience with a continual improvement mindset informed by the ITIL methodology

**Analytics**
Focus on actionable business intelligence with routine reporting on key success metrics and usage analytics powered by our patented Symphony application
AVI-SPL Project Integration Process

**Initiate**
How we define your needs and follow through with consistent execution. AVI-SPL ensures high quality project delivery that is on time and on budget.

- **Define** and document each step
- **Determine** an effective, standardized communication and reporting style
- **Develop** a comprehensive training and adoption program
- **Dedicate** regular oversight to the project, even after completion

**AVI-SPL uses a five-phase process to integrate solutions seamlessly and focus on the end-user experience:**

**Phase I**
**Initiate**
We will host a kickoff meeting and work with your key team members to determine the best approach to making your project a success. Our team will review the scope of the project, the schedule, the communication strategy, and all other relevant matters to ensure a smooth start.

**Phase II**
**Plan**
The planning phase begins with development of the project schedule including detailed work breakdown tasks identifying key deliverables, dependencies and both internal and external milestones required to successfully execute the project.

**Phase III**
**Execute**
AVI-SPL will complete all engineering, programming, fabrication, and on-site installation activities. When the installation is complete, testing is executed prior to the final inspection and acceptance of the deployed solutions.

**Phase IV**
**Monitor**
This phase is focused on consistent review of project work activities to ensure alignment with the approved project plan. Our team delivers quality assurance through checks and balances along with consistent testing at specified intervals in the project lifecycle. We will review risk management plans and deploy risk mitigation strategies to ensure scope, schedule and budget remain on track.

**Phase V**
**Close**
The final phase is centered on completion of all contractual and operational activities to ensure your complete satisfaction and readiness to sign-off on the completed project. This includes demonstration and training on using your new technology along with all final project documentation for service onboarding.

You will receive automated Customer Satisfaction Score (CSAT) and Net Promoter Score (NPS) surveys to provide feedback. We closely analyze the data to ensure we are providing outstanding customer service.
# Investment Summary

<table>
<thead>
<tr>
<th>Prepared For</th>
<th>Craig Bessinger</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ferrysburg City Council</td>
<td></td>
</tr>
<tr>
<td>17520 Ridge Avenue</td>
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<tr>
<td>Spring Lake, MI 49456-1282</td>
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<td>Prepared By</td>
<td>Leonard Wernette-Leff</td>
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<tr>
<td>Date Prepared</td>
<td>10/24/2022</td>
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<td>402819-2</td>
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<td>11/24/2022</td>
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## Total Equipment Cost
$5,323.70
Includes cable, connectors, hardware, switches, relays, terminal blocks, panels, etc., to ensure complete and operational system

## Installation Services
$900.00
Includes installation, sub-contractor labor, and wiring

## Design, Integration, and Other Services
$2,495.00
Includes engineering, project management, CAD, coordination and supervision, testing, checkout, owner training, etc. performed on the Owner’s premises. Also includes all programming, warranties, etc., some performed at AVI-SPL

## Direct Costs
$0.00
Includes non equipment or labor costs, such as travel expenses, per diem, lift and vehicle rentals

## General & Administrative
$98.29
Includes G & A expenses: vehicle mileage, as applicable

## Freight-In
$152.21
Includes freight-in and insurance, as applicable

### Subtotal
$8,969.20
### Tax
Exempt (*)
### Total
$8,969.20

* Exemption from sales tax will be recognized only after a valid sales tax exemption certificate or other appropriate documentation of exemption has been provided to and approved by AVI-SPL; otherwise all applicable sales taxes will apply.

**Purchase orders should be addressed to AVI-SPL LLC**

Due to global semiconductor ("chip") shortages and supply chain disruptions pricing quoted in this proposal may change.
Installation schedules are subject to current (daily) product availability and may be delayed or postponed.

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This Entire Document and all information (including drawings, specifications and designs) presented by AVI-SPL LLC are the property of AVI-SPL LLC or its affiliate. Proprietary information provided to potential customers, clients or agents is for the sole purpose of demonstrating solutions delivery capabilities and shall be held in confidence. These Materials may not be copied, distributed or disclosed in any way without the sole written permission of an authorized representative of AVI-SPL. © Copyright AVI-SPL LLC. All Rights Reserved
Terms and Conditions

This Proposal together with AVI-SPL’s General Terms and Conditions and the applicable Addendum(s) located here and incorporated herein by this reference (collectively the “Agreement”) constitutes the entire agreement between AVI-SPL LLC ("Seller", "AVI-SPL", "we", "us", "our") and the buyer/customer identified in the Proposal ("Buyer", "Customer", "Client", "you", "your") with respect to its subject matter and supersedes all prior and contemporaneous agreements, representations and understandings of the Parties, written or oral. By signing below, issuing a valid purchase order for the Services and/or Products specified herein or receiving the Products and/or Services specified herein, whichever occurs first, Buyer acknowledges it has read and agrees to the terms of this Agreement. This Agreement shall not be binding upon Seller until accepted by Buyer as set forth in this Agreement and the earlier of Seller’s confirmation in writing of Buyer’s order and Seller’s performance under the applicable Proposal. Any terms and conditions contained in Buyer’s purchase order or any other Buyer-provided documents related to this transaction shall have no effect and are hereby rejected. Notwithstanding anything herein to the contrary, if a master services agreement signed by both Parties is in effect covering the sale of the Services and/or Products that are the subject of this Proposal, the terms and conditions of said agreement shall prevail to the extent they conflict or are inconsistent with this Agreement.

Billing and Payment Terms

Unless otherwise agreed in writing by Buyer and Seller in the Proposal, the total Proposal price, excluding the price for Stand-alone Services (as defined in this section), shall be billed as follows, subject to continuing credit approval: 50% down payment at time of order, 40% upon delivery at Seller; 10% upon project completion and Buyer sign-off or first beneficial use, whichever occurs first, payable net 30 from Buyer’s receipt of invoice. For purposes of this Agreement, “Stand-alone Services” means any Services not attached to an installation project. Billing and payment terms for Stand-alone Services are set forth in the applicable Service Addendum(s). Unless otherwise specified in the Proposal, Products are sold F.O.B. origin-Buyer to pay all shipping charges. If this Proposal covers Products or Services for more than one system, room, suite, or location, for purposes of payment in accordance with payment terms stated on the face hereof each room, suite, or location shall be treated as if the subject of a separate sale and payment made accordingly. Unless otherwise specified in the Proposal, all pricing and amounts are in US Dollars and all billing and payment shall be made in US Dollars.

Link to AVI-SPL Terms and Conditions: https://avispl.com/terms-of-use/

Buyer Acceptance

Buyer Legal Entity

Buyer Authorized Signature

Buyer Authorized Signatory Name

Buyer Authorized Signatory Title

Date

This Entire Document and all information (including drawings, specifications and designs) presented by AVI-SPL LLC are the property of AVI-SPL LLC or its affiliate. Proprietary information provided to potential customers, clients or agents is for the sole purpose of demonstrating solutions delivery capabilities and shall be held in confidence. These Materials may not be copied, distributed or disclosed in any way without the sole written permission of an authorized representative of AVI-SPL. © Copyright AVI-SPL LLC. All Rights Reserved
# Room Summary - Council Room

## Equipment List

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## Room Support and Maintenance

**Warranty:** 3-months  
**Cost:** $0.00
AVI-SPL Solution Scope of Work

After careful and deliberate consideration of your requirements, we are pleased to provide the following audiovisual solutions Scope of Work. The scope of work noted is based on sound engineering principles, reliable technology, and have been formulated specifically to meet your requirements.

Project Overview

AVI-SPL has put together a package of solutions designed to maximize Ferrysburg’s investment in meeting and collaboration technology. To achieve this goal AVI-SPL is utilizing industry best practices for system design and is deploying proven and reliable devices and services.

Council Room

Audio System
- AVI-SPL will install an Audio Technica beam forming microphone array in the ceiling above the council area. This is intended to capture both the podium speaker and the council members. The sole purpose of this microphone is to provide quality audio to the room audience area as well as the live stream going out to the internet.
- A new digital signal processor (DSP) with analog I/O will also be installed to accommodate for the new microphone and the existing analog audio devices going to the room.

Additional Equipment
- AVI-SPL will remove the current microphone system from the equipment rack and install a new 10 port POE network switch for Dante® audio from the microphone to the DSP. This switch along with the DSP and I/O devices will reside in the current rack on two (2) new AVI-SPL provided rack shelves.

Miscellaneous
- AVI/SPL will provide all cabling and hardware necessary to provide a functional system according to this scope.
- Any additional cabling or hardware that may be needed onsite will be assessed by the AVI/SPL team and addressed to the customer by the Project Manager for their approval before implementation.
- Any general construction, data or electrical work that may be needed are to be done by others and is not part of AVI/SPL’s scope.
Customer Responsibilities

These are items that AVI-SPL is dependent upon to complete the project scope of work on time, however, these requirements and responsibilities are not provided by AVI-SPL. For a complete list of exclusions, please refer to the Integration Inclusions and Exclusions section of this proposal.

These requirements must be provided by the owner or other 3rd parties and may fall under the responsibility of an Architect, General Contractor, Electrical Contractor, Data Contractor, Security Contractor, Furniture/Millwork Contractor, IT departments, Facilities or Real Estate groups.

- All required backing and any other wall reinforcement required to safely accommodate displays. Any display wall shall be properly backed to withstand the weight of the display with a safety factor of at least 5:1.
- All AC power at the equipment locations, including hardwired power connections.
- All required conduit for low voltage cable paths to AV equipment.
- All ceiling work required to accommodate the projectors, projection screens, or other equipment.
- All required millwork modifications to tables or other millwork.
- Proper heat dissipation venting for the equipment in this system. Where convection cooling is not possible, a powered venting system with thermostatically controlled quiet fans.
- All required network configuration for any network connection to the client network.
- All software or hardware licenses not specifically provided in this scope of work or associated bill of materials.
- All software or hardware configuration for owner furnished equipment.
- Where VoIP is utilized, all required configuration information prior to installation.
- All cable/satellite/over-the-air TV connections and all associated hardware.

Site Readiness

The minimum acceptable site conditions of the project site for the installation of electronic equipment are as follows.

- The rooms and directly adjacent areas into which the equipment will be installed must be dust-free with floor, ceiling, and wall finishes to be completely installed in the rooms affected by the equipment.
- The rooms into which the equipment will be installed must be secure.
- All Electrical power, conduit systems, HVAC systems, IT requirements (wired or wireless services), communication circuits, and or other services required by the systems and equipment should be fully installed, energized, and configured for use.
- All furniture into which components of the equipment will be installed shall be present at the time of staging and/or installation.
- All telephone, POTS, VOIP, modem, PRI, data, LAN, and telecommunications connections are installed, fully tested, and active.
- Configuration of OFE networks, applications, servers, and services to provide interoperability with installed systems.
- Coordination and timely IT support and documentation (such as providing IP addresses or account credentials).
Software Licenses and Service Accounts
Supervised or direct access to systems must be provided as needed for a properly provisioned and licensed account where appropriate. Examples include Zoom Rooms activation codes, Microsoft Teams accounts, calendar service account, and more.

- The customer may decide not to provide credentials to AVI-SPL, and to provision the installed hardware themselves. In this case AVI-SPL will be unable to fully test the system before receiving sign-off for the installation. All system components will be tested individually to ensure proper stand-alone function, and project sign-off will be requested before technicians leave site.
- If AVI-SPL is unable to properly commission and test the system at the time of installation due to issues with access, an additional site visit may be required. Any additional visits will be billed at the standard contracted labor rate, provided Customer is at fault and approves additional cost in advanced and in writing, scheduling will be done on a best effort basis.

Room Environmental Considerations
To maximize the user experience in a conferencing room, the following parameters should be observed:

- The room should have a measured ambient noise level of no more than NC35. For new spaces, the design parameters for the mechanical engineering within the room should have a target NC of 35 or less. Ambient noise includes noise from the air handling systems, mechanical systems and noises outside the building. Noise levels above this specification adversely affects the meeting environment and may degrade the overall audio quality and intelligibility of a conference call. This is especially important when ceiling microphones are utilized. If a problem is identified with ambient noise levels, AVI-SPL can work with your mechanical engineer to identify possible solutions to lower the NC rating and improve the meeting experience.
- Reverberation time (T60) for typical conference rooms should be less than 0.6 seconds in the 125 - 4000 Hz octave bands to provide an optimum meeting experience and acceptable audio quality in a conference call. A significant number of hard surfaces in a room (glass, drywall or other surfaces) can adversely affect audio intelligibility and the meeting experience overall. Acoustic treatment is advised for rooms with higher T60 levels. If the room requires acoustically treatment, AVI-SPL can provide direction and solutions to overcome this issue and enhance the meeting experience for the participants.
- Evenly distributed lighting is important for videoconferencing applications. Lighting on the faces of the participants should be at least 40-foot candles and should be evenly distributed throughout the camera’s field of view. Where the camera’s field of view includes windows, recommended window treatment should be employed to provide an acceptable background for the camera to view the participants.
- When microphones are used for local voice reinforcement, the amount of available gain before feedback is dependent on the microphone’s location within the room. Placement of the microphone immediately below a ceiling speaker may adversely affect the overall required audio level and cause feedback. Care should be taken to reduce the volume level of the microphone or locate the microphone(s) correctly to minimize the possibility of feedback.
Integration Inclusions and Exclusions

Inclusions

The following items are included in this proposal unless specifically noted otherwise within this proposal document or scope of work statement:

- All equipment, wire, and accessories required for a fully functional audio/visual system per the agreed upon scope of work.
- Non-union labor associated with audio/visual system engineering, installation, programming, and testing.
- Documentation package including complete as-built AV system diagrams, and manufacturer’s operation manuals.
- Coordination and cooperation with the construction team in regard to installing the system.
- User demonstration of full AV system operation for final sign-off.

Any additional trips, labor, or materials due to failure of the other workforces to have the audiovisual system rough-in work completed as anticipated and previously confirmed, will be added to the project billing as required.

Unless otherwise agreed in writing by AVI-SPL, all work performed by AVI-SPL will take place between the hours of 8:00 a.m. and 6:00 p.m. local time, Monday through Friday, excluding public and bank holidays. If AVI-SPL is required to perform work outside of these hours, customer will be charged AVI-SPL’s standard overtime rates. Any changes in the hours or days of performance must be agreed to in writing by AVI-SPL.

Where applicable, the owner’s architect will provide AVI-SPL’s engineering department with all required architectural floor, reflected ceiling, building elevation, and section plans in AutoCAD® format at no charge to AVI-SPL.
Exclusions

The following items are excluded from this proposal unless specifically identified otherwise within this proposal document or scope of work statement.

- All conduits, high voltage wiring panels, breakers, relays, boxes, receptacles, etc. Any related electrical work including, but not limited to, 110VAC, conduit, core drilling, raceway, and boxes.
- Voice/data cabling, IE analogue phone lines, ISDN lines, network ports, etc.
- Network connectivity, routing, switching, and port configuration necessary to support audiovisual equipment.
- Concrete saw cutting and/or core drilling.
- Fire wall, ceiling, roof and floor penetration, patching, removal, or fire stopping.
- Necessary sheet rock replacement, ceiling tile, T-bar replacement, and/or wall/ceiling repair.
- Any and all millwork (moldings, trim, etc.). All millwork or modifications to project millwork/furniture to accommodate the AV equipment is to be provided by others.
- Painting, patching, or finishing, of architectural surfaces.
- Permits (unless specifically provided for elsewhere in this proposal document or scope of work statement).
- Engineered (P.E.) seals and/or stamped structural/system details.
- HVAC and plumbing relocation.
- Rough-in, bracing, framing, or finish trim carpentry for installation.
- Cutting, structural welding, or reinforcement of structural steel members required for support of assemblies, if required.
- Owner furnished equipment or equipment furnished by others that is integrated into the systems (as described above) is assumed to be current, industry acceptable, and in good working order. If it is determined that this equipment is faulty upon installation, additional project charges may be incurred.
- Additional or specific manufacturer's “User Adoption” training.
- Additional costs for union labor.
Addendum to General Terms and Conditions – Global Chip Shortage

Due to global semiconductor chip shortages, Seller is experiencing longer than normal lead times on equipment. As a result, Seller cannot guarantee lead times on equipment and will not be liable for any delays in equipment delivery to the extent caused by such shortages. However, Seller is working with its global suppliers on a daily basis to understand the impact of this chip shortage on delivery timelines and will use reasonable efforts to keep Buyer apprised of anticipated delivery timelines and delays. Should Buyer elect to purchase equipment immediately upon placement of order to mitigate delays, Seller will immediately bill Buyer upon placement of such order and Buyer shall pay for such equipment within the payment terms (e.g. net 30) specified herein, regardless of any other agreed upon billing terms or billing terms specified herein. AVI-SPL will store such equipment in its warehouse until delivery to Buyer. Warranty on such equipment shall commence upon delivery of the equipment to AVI-SPL’s warehouse, notwithstanding any other agreed upon warranty terms or warranty terms specified herein.
November 2, 2022

TO: Mayor and City Council Members

FROM: Craig Bessinger, City Manager

RE: Speed/Calming Study

At the October 3 meeting, City Council reviewed and did not accept a proposal from Progressive AE for a traffic study on North Shore Drive, North Shore Estates Road, and North Shore Road.

Attached is an updated proposal from Progressive AE to complete a traffic study on the above-mentioned streets and make a recommendation for traffic calming measures.

c: Matt Schindlbeck, Public Services Supervisor
   Mike Olthof, Fire Chief
   Amber Schaner, City Clerk
Craigs Bessinger

From: Pete LaMourie <lamourie@progressiveae.com>
Sent: Friday, October 14, 2022 7:10 AM
To: Craig Bessinger
Cc: Christopher Zull
Subject: Speed studies

Craig;
Based upon our recent email discussions the following summarizes the tasks, schedule, and cost for completing the speed studies on North Shore Drive, North Shore Road, and North Shore Estates Road.

Scope
The following tasks will be completed:
- Complete a 3-4 day speed survey at one location on each of the three streets at applicable locations within the city limits
- Review the information provided by the city and others
- Develop summary data sheets of the speed surveys
- Based upon the survey results, develop recommendations for potential traffic calming measures for each roadway segment. Potential mitigation measures may include gradual speed tables or the like where applicable.
- Summarize the above results and recommendations in a letter report.

Schedule
The above tasks will be completed within 4-5 weeks of written authorization to proceed.

Cost
The above tasks will be completed for $7,220 (labor and expenses). We would be happy to add tasks such as attendance at a meeting or two, or other tasks, but those are not included in this fee.

Please let me know if you have any questions. As noted previously, we would be happy to submit this proposal information in a formal proposal if desired.

Thanks for the opportunity,

Pete

Peter C. LaMourie, P.E. PTOE
Senior Transportation Engineer
lamourie@progressiveae.com
cell 616.914.2393
office 616.361.2664
progressiveae.com

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Speed tables are midblock traffic calming devices that raise the entire wheelbase of a vehicle to reduce its traffic speed. Speed tables are longer than speed humps and flat-topped, with a height of 3–3.5 inches and a length of 22 feet. Vehicle operating speeds for streets with speed tables range from 25–45 mph, depending on the spacing.¹

Speed tables may be used on collector streets and/or transit and emergency response routes. Where applied, speed tables may be designed as raised midblock crossings (.midblock-crosswalks), often in conjunction with curb extensions (.curb-extensions/).
Speed Table

Where a speed table coincides with a crossing or crosswalk, it should be designed as a raised crosswalk.
November 2, 2022

TO: Mayor and City Council Members

FROM: Craig Bessinger, City Manager

RE: Ethics Ordinance

Attached are two (2) randomly selected Ethic Ordinances and a model Ethics Ordinance prepared by the State Attorney General.

This item on the agenda is for City Council to provide direction to staff on whether to draft an Ethics Ordinance for City Council review.

c: Amber Schaner, City Clerk
MODEL ETHICS ORDINANCE

For Local Units of Government

Attorney General Dana Nessel
INTRODUCTION

While Michigan has several statutes governing the various aspects of ethics in government at both the state and local levels, local governmental entities may, by ordinance, establish and enforce ethics regulations for local public officials and public employees to the extent provided by law and/or charter.

The power to adopt ordinances is a governmental function conferred by the Legislature upon local governmental units for the governance of their local affairs. OAG 2003-2004, No 7150, p 107, 108 (March 1, 2004). Included in a local government's ordinance authority is the power to enforce ordinances, generally by fines not to exceed $500.00 or penalties of up to 90 days in jail. Examples of the Legislature having authorized local governmental units to adopt and enforce ordinances are contained in sections 3(k) and 4i of the Home Rule City Act, MCL 117.3(k) and MCL 117.4i; Chap VI, sections 1 through 14 of the General Law Village Act, MCL 66.1 - MCL 66.14; section 24(b) of the Home Rule Village Act, MCL 78.24(b), section 21(5) of the Charter Township Act, MCL 42.21(5); sections 1 through 7 of the Township Ordinances Act, MCL 41.181 – MCL 41.187; and MCL 46.11(j)) for counties.

A well drafted ethics ordinance should provide clarity to public officials and employees as to behavior necessary to instill trust and faith in government on the part of the public.

[E]thics in government is not merely the absence of corruption but the presence of trust .......Ethics laws and enforcement efforts aimed solely at deterring corruption fail to apprehend that simple truth. Indeed, they foster the notion, unjustified in fact, that public officials are inherently dishonest. Such a policy not only fails to achieve its narrow goal of combating corruption but also destroys trust in municipal officials and thus ultimately undermines both the perception and reality of integrity in government. The purpose of ethics laws lies not in the promulgation of rules nor in the amassing of information nor even in the punishment of wrongdoers, but rather in the creation of a more ethical government, in perception and in fact . . . .

In the end, the touchstone of integrity in government ...... reside[s] in the willingness of good citizens to serve in state and local government. Laws and agencies that chill that willingness to serve do far more harm than good. When, however, good citizens clamor to join the ranks of state and local officials, the ethical health of the state and local communities run strong.


An ethics ordinance may be aspirational and/or punitive. An aspirational ordinance provides guidance to public officials and employees as to expected and prohibited conduct. An ethics ordinance that is also punitive provides civil and/or criminal penalties for violations of the
ethics ordinance. In drafting an ethics ordinance, consideration must also be given to collective bargaining agreements.

This office has developed this model ordinance as a means of assisting local officials in drafting an ethics ordinance for their local unit of government. While the adoption of such an ordinance is not required by state law, the information contained on this site is designed for local officials seeking to adopt an ethics ordinance. The various chapters and standards of conduct in this model ordinance are offered as suggestions and options for the governing body of a local unit to consider when drafting its own ethics ordinance. The governing body of each governmental unit should seek the advice of its legal counsel when drafting its ethics ordinance.

CHAPTER ONE - PURPOSE AND DEFINITIONS:

Section 1 - 1. Purpose. The purpose of this ordinance is to set forth standards of conduct for the officers and employees of the [type of unit]. The ordinance also provides references to certain state statutes that regulate the conduct of officers and employees of local government. The ordinance provides for an Ethics Ombudsperson to assist the [name of unit's governing body] in the administration of this ordinance. A Board of Ethics is established to hear complaints against officers and employees of the [type of unit] and, when there is a reasonable basis to believe that the respondent has violated Chapter Two of this ordinance, to refer those complaints for prosecution and/or a disciplinary hearing by the appointing authority. The ordinance provides for penalties for violations of this ordinance.

Commentary. If a unit chooses not to provide for an Ethics Ombudsperson or for a Board of Ethics, this section should be adjusted accordingly. If an Ethics Ombudsperson is not provided for, there would be no separate chapter establishing that office. If the Board of Ethics is not established, there should be in its place another Chapter entitled "Filing and Disposition of Complaints."

Section 1 - 2. Definitions.

"Employee" means a person employed by the [type of unit], whether on a full-time or part-time basis.

"Gift" means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, travel, lodging, and honoraria for speaking engagements related to or attributable to government employment or the official position of an officer or employee.

"Government contract" means a contract in which the [type of unit] acquires goods or services, or both, from another person or entity, but the term does not include a contract pursuant to which a person serves as an employee or appointed officer of the [type of unit].

"Governmental decision" means a determination, action, vote, or disposition upon a motion, proposal, recommendation, resolution, ordinance, or measure on which a vote by the
members of a legislative or governing body of a public entity is required and by which a public entity formulates or effectuates public policy.

"Immediate family" means a person and a person’s spouse and the person’s children and step-children, by blood or adoption, who reside with that person.

"Officer or Official" means a person who holds office, by election or appointment within the [type of unit] regardless of whether the officer is compensated for service in his or her official capacity.

"Official action" means a decision, recommendation, approval, disapproval or other action or failure to act which involves the use of discretionary authority.

"Prohibited source" means any person or entity who:
1. is seeking official action (i) by an officer or (ii) by an employee, or by the officer or another employee directing that employee;
2. does business or seeks to do business (i) with the officer or (ii) with an employee, or with the officer or another employee directing that employee;
3. conducts activities regulated (i) by the officer or (ii) by an employee, or by the officer or another employee directing that employee; or
4. has interests that may be substantially affected by the performance or non-performance of the official duties of the officer or employee.

CHAPTER TWO – STANDARDS OF CONDUCT

Section 2 - 1. Gift Ban. Except as permitted by this ordinance, no officer or employee of the [type of unit] shall intentionally solicit or accept any gift from any prohibited source or which is otherwise prohibited by law or ordinance.

Section 2 - 2. Exceptions. Section 2 - 1 is not applicable to the following:

1. Opportunities, benefits, and services that are available on the same conditions as for the general public.

2. Anything for which the officer or employee pays the fair market value.

3. Any contribution that is lawfully made under the Campaign Finance Laws of the State of Michigan.

4. A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father,
mother, grandfather, or grandmother of an individual's spouse and the individual's fiancé or fiancée.

(5) Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (ii) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iii) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other officers or employees.

(6) Food or refreshments not exceeding $[amount to be determined by unit's governing body] per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared, or (ii) catered. For the purposes of this Section, "catered" means food or refreshments that are purchased ready to consume which are delivered by any means.

(7) Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee), if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee, and are customarily provided to others in similar circumstances.

(8) Intra-governmental and inter-governmental gifts. For the purpose of this ordinance, "intra-governmental gift" means any gift given to an officer or employee from another officer or employee of [type of unit], and "inter-governmental gift" means any gift given to an officer or employee by an officer or employee of another governmental entity.

(9) Bequests, inheritances, and other transfers at death.

(10) Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than $[amount to be determined by unit's governing body].

Each of the exceptions listed in this Section is mutually exclusive and independent of every other.

Commentary. The dollar amount limitations permitted in Section 2 – 2 should be determined by each local unit based upon the standards of each municipality and the cost of such items in the area. For example, the State of Illinois places limits of $75 and $100 in subsections (6) and (10) respectively. However, a rural area of northern Michigan is not likely to be subject to a cost of living similar to that in Chicago or Detroit and the limits should reflect the local standards.
Section 2–3. Disposition of gifts. An officer or employee does not violate this ordinance if he or she promptly takes reasonable action to return a gift from a prohibited source.

Section 2–4. Confidential Information. A public officer or employee shall not divulge to an unauthorized person, confidential information acquired in the course of employment in advance of the time prescribed by [name of governing body of local unit] or the [name of specific officer] for its authorized release to the public.

See: Freedom of Information Act (FOIA), 1976 PA 442, MCL 15.231 et seq. - Suppression of or refusal to provide public records of the [type of unit] is governed by the FOIA, the Records Retention Schedule of the local unit as approved by the State Archivist, and MCL 750.491 (Public records; removal, mutilation or destruction; penalty).

Section 2–5. Personal Opinion. An officer or employee shall not represent his or her personal opinion as that of the [type of unit].

Section 2–6. Public Resources. An officer or employee shall use personnel resources, property, and funds under the officer's or employee's official care and control judiciously and solely in accordance with prescribed constitutional, statutory, and regulatory procedures and not for personal gain or benefit.

Section 2–7. Personal Profit. A public officer or employee shall not engage in a business transaction in which the public officer or employee may profit from his or her official position or authority or benefit financially from confidential information which the public officer or employee has obtained or may obtain by reason of that position or authority. Instruction which is not done during regularly scheduled working hours except for annual leave or vacation time shall not be considered a business transaction pursuant to this subsection if the instructor does not have any direct dealing with or influence on the employing or contracting facility associated with his or her course of employment with this [type of unit].

Section 2–8. Incompatibility and Conflicts of Interest. Except as otherwise provided in Const 1963, statute, or in Section 2–10, an officer or employee shall not engage in or accept employment or render services for a private or public interest when that employment or service is incompatible or in conflict with the discharge of the officer or employee's official duties or when that employment may tend to impair his or her independence of judgment or action in the performance of official duties. The simultaneous holding of more than one public position under certain circumstances is contrary to the requirements of the Incompatible Public Offices Act, MCL 15.181 et seq. However, the simultaneous holding of certain public positions is specifically authorized by the Michigan Constitution of 1963 or state statute.


See: Const 1963, Article 7, Section 28. Local officials are specifically authorized to serve on the governing bodies of intergovernmental entities.
Section 2–9. Personal and financial interests. Except as provided in Section 2–10, an officer or employee shall not participate in the negotiation or execution of contracts, making of loans, granting of subsidies, fixing of rates, issuance of permits or certificates, or other regulation or supervision relating to a business entity in which the officer or employee has a financial or personal interest.

See: Conflict of Interest Act, 1968 PA 317, MCL 15.321 et seq. This Act governs the solicitation by and participation in government contracts by officers and employees of the [type of unit] and preempts all local regulations of such conduct. However, the Conflict of Interest Act does not apply to contracts between the [type of unit] and its officers and employees which are based on the [type of unit]'s powers to appoint officers and hire employees.

See: State Ethics Act, 1973 PA 196, MCL 15.341 et seq. Section 2 of this Act, MCL 15.342, set forth the standards listed in Sections 2-4 to 2-9 of this ordinance. However, no sanctions are imposed for violation of these standards by officers and employees of local units of government. Hence, the need for this ordinance to impose sanctions for the violation of these standards of conduct.

Section 2–10. State Conflict of Interest Act, Validity of Contracts, and Voting on, Making, or Participating in Governmental Decisions.

(1) This ordinance shall not in any manner vary or change the requirements of 1968 PA 317, being sections 15.321 to 15.330 of the Michigan Compiled Laws which governs the solicitation by and participation in government contracts by officers and employees of the [type of unit] and preempts all local regulation of such conduct.

(2) This ordinance is intended as a code of ethics for the [type of unit]'s officers and employees. A contract in respect to which a public officer or employee acts in violation of this ordinance, shall not be considered to be void or voidable unless the contract is a violation of a statute which specifically provides for the remedy.

(3) Subject to subsection (4), sections 2–8 and 2–9 shall not apply and an officer shall be permitted to vote on, make, or participate in making a governmental decision if all of the following occur:

(a) The requisite quorum necessary for official action on the governmental decision by the [name of unit's governing body] to which the officer has been elected or appointed is not available because the participation of the officer in the official action would otherwise violate sections 2–8 and 2–9.

(b) The officer is not paid for working more than 25 hours per week for [type of unit].

(c) The officer promptly discloses any personal, contractual, financial, business, or employment interest he or she may have in the governmental decision.
and the disclosure is made part of the public record of the official action on the governmental decision.

(4) If a governmental decision involves the awarding of a contract, Sections 2 - 8 and 2 - 9 shall not apply and a public officer shall be permitted to vote on, make, or participate in making the governmental decision if all of the following occur:

(a) All of the conditions of subsection (3) are fulfilled.

(b) The public officer will directly benefit from the contract in an amount less than $250.00 or less than 5% of the public cost of the contract, whichever is less.

(c) The public officer files a sworn affidavit containing the information described in subdivision (b) with the [name of unit's governing body] making the governmental decision.

(d) The affidavit required by subsection (c) is made a part of the public record of the official action on the governmental decision.

Section 2 - 11. Political Activities of Public Employee or Public Officer.

(1) Employees of local units of government running for office, political campaigning by employees, and limitations on officers and employees seeking support from other employees for those campaigning for public office and for or against ballot proposals are regulated by the Political Activities by Public Employees Act, MCL 15.401 et seq. Complaints may be filed with the Michigan Department of Energy, Labor and Economic Growth, MCL 15.406. Violation of the provisions of this Act by employees and appointed officers are subject to appropriate disciplinary action, up to and including termination by the appointing authority. Violations of the ordinance are also subject to the sanctions listed in Chapter Five.

(2) Michigan Campaign Finance Act, MCL 169.201 et seq. Complaints regarding compliance with this Act may be filed with the Michigan Department of State.

See: Political Activities by Public Employees Act, 1976 PA 169, MCL 15.401 et seq.

See: Michigan Campaign Finance Act, MCL 169.201 et seq.

Section 2 - 12. Anti-nepotism. Unless the [name of governing body] shall by a two-thirds (2/3) vote, which shall be recorded as part of its official proceedings, determine that the best interests of the [type of unit] shall be served and the individual considered by such a vote
has met the qualifications for appointive office or employment, the following relatives of any elected or appointed officer are disqualified from holding any appointed office or employment during the term for which said elected or appointed officer was elected or appointed: spouse, child, parent, grandchild, grandparent, brother, sister, half-brother, half-sister, or the spouse of any of them. This Section shall in no way disqualify such relatives or their spouses who are bona fide appointed officers or employees of the [type of unit] at the time of the election or appointment of said officer to elective [type of unit] office.

Section 2 – 13. Representation Before Governmental Body.

An officer or employee of the [type of unit] shall not represent any other person in any matter that the person has before the [type of unit] when the officer or employee appoints or otherwise supervises the board, commission, officer or employee responsible for handling the matter.

Section 2 - 14. Transactional Disclosure. Whenever an officer or employee is required to recuse himself or herself under Chapter Two of this ordinance, he or she:

(a) shall immediately refrain from participating further in the matter,

(b) shall promptly inform his or her superior, if any, and

(c) shall promptly file with the Board of Ethics, if any, and clerk of the [type of unit] a signed Affidavit of Disclosure disclosing the reason for recusal. The clerk shall send copies of the Affidavit of Disclosure to all of the members of the governing body of the [type of local unit] and the Affidavit shall be attached to the minutes of its next meeting.

See: Model Affidavit of Disclosure – Transactional Form


The following elected and appointed officers and employees shall file an annual disclosure statement: [list should include members of the unit's governing body, other elected and appointed officers and employees, such as the directors and deputy directors of administrative departments, members of the zoning board of appeals and planning commission, and those who regularly exercise significant discretion over the solicitation, negotiation, approval, awarding, amendment, performance, or renewal of government contracts].

The annual disclosure statement shall disclose the following financial interest of the officer or employee or his or her immediate family in any company, business, or entity that has contracted with the [type of unit] or which has sought licensure or approvals from the [type of unit] in the two calendar years prior to the filing of the statement:

(a) Any interest as a partner, member, employee or contractor in or for a co-partnership or other unincorporated association;
(b) Any interest as a beneficiary or trustee in a trust;

(c) Any interest as a director, officer, employee or contractor in or for a corporation; and

(d) Legal or beneficial ownership of [percentage to be determined by the unit's governing body] % or more of the total outstanding stock of a corporation.

The annual disclosure statement shall include a summary listing each business transaction with the [type of unit] involving a financial interest described in this section of the [type of unit] officer or employee and/or the immediate family of the officer or employee during the two prior calendar years.

If there is no reportable financial interest or transaction applicable to the officer or employee and/or the immediate family of the officer or employee, the annual disclosure statement shall contain a certification to that effect.

See: Model Affidavit of Disclosure – Annual Form

Commentary. It is understood that many local units of government do not have the need, the resources or the expertise to maintain an Ethics Board or Ethics Ombudsperson. However, for those local units who wish to create these vehicles for implementing an ethics ordinance, Chapter Three and Chapter Four (Alternative 1) offer these options.

CHAPTER THREE – ETHICS OMBUDSPERSON

Section 3 – 1. The [chief executive officer or other designated officer if the local unit does not have a chief executive officer], with the advice and consent of the [governing body] shall designate an Ethics Ombudsperson (EO) for the [type of unit].

Section 3 – 2. The EO may recommend to the [type of unit's governing body] that an advisory opinion be sought from the attorney for the [type of unit] regarding any requirement of this ordinance and its application to the officers and employees of the [type of unit].

Section 3 – 3. The EO shall promptly advise the governing body of the [type of local unit] of any problems encountered in the implementation of the ordinance and as to any recommendations that he or she may have for improvement of the ordinance. The EO shall perform such other duties as may be assigned by the [governing body].
CHAPTER FOUR (ALTERNATIVE 1) - BOARD OF ETHICS

Section 4 – 1. There is hereby created a board to be known as the Board of Ethics of the [type of local unit]. The Board shall be comprised of three members appointed by the [chief executive officer or other designated officer if the local unit does not have a chief executive officer] with the advice and consent of the [type of local unit's] governing body. No person shall be appointed as a member of the Board who is related, either by blood or by marriage up to the degree of first cousin, to any elected officer of the [type of unit]. [For entities in which officers are elected on a partisan basis, insert the following: No more than two members of the Board shall belong to the same political party at the time such appointments are made. Party affiliation shall be determined by affidavit of the person appointed.] Members shall serve without compensation.

Section 4 – 2. At the first meeting of the Board, the initial appointees shall draw lots to determine their initial terms of 3, 2, and 1 year(s), respectively. Thereafter, all board members shall be appointed to 3-year terms by the [chief executive officer or other designated officer if the local unit does not have a chief executive officer] with the advice and consent of the [name of unit's governing body]. Board members may be reappointed to serve subsequent terms.

At the first meeting of the Board and thereafter at the discretion of the Board, the board members shall choose a chairperson from their number. Meetings shall be held at the call of the chairperson or any 2 board members. A quorum shall consist of two Board members, and official action by the Board shall require the affirmative vote of two Board members.

The business of the Board, including its hearings, shall be conducted at a public meeting held in compliance with the Open Meetings Act, 1976 PA 267, MCL 15.261 et seq.

Section 4 – 3. The [name of unit's governing body], may remove a Board member in case of incompetency, neglect of duty or malfeasance in office after service on the Board member by certified mail, return receipt requested, of a copy of the written charges against the Board member and after providing an opportunity to be heard in person or by counsel upon not less than 10 days' notice. Mid-term vacancies shall be filled for the balance of the term in the same manner as original appointments.

Section 4 – 4. The Board shall have the following powers and duties:

1. To promulgate procedures and rules governing the performance of its duties and the exercise of its powers.

2. Upon receipt of a signed, notarized, written complaint against an officer or employee, to investigate, conduct hearings and deliberations, issue referrals for disciplinary hearings and refer violations of Chapter Two of this Ordinance or state or federal criminal statutes to the attention of the appropriate attorney with a request for the filing of the appropriate criminal prosecution or civil infraction enforcement. The Board shall, however, act only upon the receipt of a written complaint alleging a violation of this ordinance and not upon its own initiative.
(3) To receive information from the public pertaining to its investigations and to seek additional information and documents from officers and employees of the [type of unit].

(4) To request the attendance of witnesses and the production of books and papers pertinent to an investigation. It is the obligation of all officers and employees of the [type of local unit] to cooperate with the Board during the course of its investigations. Failure or refusal to cooperate with requests by the Board shall constitute grounds for discipline or discharge of appointed officers and employees of the [type of local unit].

(5) The powers and duties of the Board are limited to matters clearly within the purview of this ordinance.

See: Model Ethics Complaint Form

Section 4 – 5. (a) Complaints alleging a violation of this ordinance shall be filed with the Clerk of the [type of local unit]. The Clerk or member of the Clerk's staff shall attend the Board meetings and act as secretary for the Board.

(b) Within 3 business days after the receipt by the Clerk of a complaint, the Clerk shall send by certified mail, return receipt requested, a notice to the respondent that a complaint has been filed against him or her together with a copy of the complaint. Within 3 business days after receipt by the Clerk of a complaint, the Clerk shall send by certified mail, return receipt requested, a notice of confirmation of receipt of the complaint together with a copy of the complaint to the complainant. The notices sent to the respondent and the complainant shall also advise them of the date, time, and place of the Board hearing to determine the sufficiency of the complaint and to establish whether there is a reasonable basis to believe that the respondent has violated Chapter Two of this ordinance. The Clerk shall also concurrently send copies of the foregoing complaint and notices to the members of the Board.

(c) The Board shall conduct a hearing to review the sufficiency of the complaint and, if the complaint is deemed sufficient to allege a violation of Chapter Two of this ordinance, to determine whether there is a reasonable basis to believe that the respondent has violated Chapter Two of this ordinance based on the evidence presented by the complainant and any additional evidence provided to the Board at the hearing pursuant to its investigatory powers. The complainant and respondent may be represented by counsel at the hearing. Within a reasonable period of time after the completion of the hearing which may be conducted in one or more sessions at the discretion of the Board, the Board shall issue notice to the complainant and the respondent of the Board's ruling on the sufficiency of the complaint and, if necessary, as to whether they find that there is a reasonable basis to believe that the respondent has violated Chapter Two of this ordinance.

If the complaint is deemed sufficient to allege a violation of Chapter Two of this ordinance and the Board finds that there is a reasonable basis to believe that the respondent has violated Chapter Two of this ordinance, then the Clerk shall notify in writing the attorney designated by the [type of local unit's governing body] and shall transmit to the attorney the
complaint and all additional documents in the custody of the Board concerning the alleged violation, with the Board's request for the filing of appropriate criminal or civil proceedings. The Clerk shall also provide these documents to the respondent's appointing authority within the [type of unit] with the Board's request for the commencement of appropriate disciplinary action consistent with any applicable collective bargaining agreement, civil service commission rules or employment regulations of the [type of local unit].

(d) Sections 2b - 2e of the State Ethics Act, MCL 15.341 et seq, set forth protections for officers and employees who act as whistleblowers regarding the conduct of the [type of unit's] officers and employees. Additional whistleblower protections are set forth in the Whistleblowers' Protection Act, 1980 PA 469, MCL 15.361 et seq.

(e) Any person who files a complaint alleging a violation of this ordinance knowing that material information provided therein is not true or that information provided therein was made in reckless disregard for the truth may be subject to a fine of up to $500 as well as the reasonable costs incurred by the [type of local unit] in investigating the complaint and the reasonable costs incurred by the Respondent in responding to the complaint.

(f) A complaint must be filed with the Clerk within [number of years to be determined by the unit's governing body] years of the date the offense is alleged to have occurred.

CHAPTER FOUR (ALTERNATIVE 2) – FILING AND DISPOSITION OF COMPLAINTS (For use when the ordinance does not provide for a Board of Ethics)

Section 4 – 1. As deemed appropriate in its discretion, the [name of unit's governing body] shall:

(1) Upon receipt of a signed, notarized, written complaint against an officer or employee, investigate, conduct hearings and deliberations, conduct or issue referrals for disciplinary hearings and refer violations of Chapter Two of this ordinance or state or federal criminal statutes to the attention of the appropriate attorney with a request for the filing of the appropriate criminal prosecution or civil infraction enforcement.

(2) Receive information from the public pertaining to its investigations and seek additional information and documents from officers and employees of the [type of unit].

(3) Request the attendance of witnesses and the production of books and papers pertinent to an investigation. It is the obligation of all officers and employees of the [type of local unit] to cooperate with the [name of unit's governing body] during the course of its investigations. Failure or refusal to cooperate with requests by the [name of unit's governing body] shall constitute grounds for discipline or discharge of appointed officers and employees of the [type of local unit].

See: Model Ethics Complaint Form
Section 4-2. (a) Complaints alleging a violation of this ordinance shall be filed with the Clerk of the [type of local unit].

(b) Within 3 business days after the receipt by the Clerk of a complaint, the Clerk shall send by certified mail, return receipt requested, a notice to the respondent that a complaint has been filed against him or her together with a copy of the complaint. Within 3 business days after receipt by the Clerk of a complaint, the Clerk shall send by certified mail, return receipt requested, a notice of confirmation of receipt of the complaint together with a copy of the complaint to the complainant. The notices sent to the respondent and the complainant shall also advise them of the date, time, and place of the [name of unit's governing body] hearing to determine the sufficiency of the complaint and to establish whether probable cause exists that the respondent named in the complaint violated Chapter Two of this ordinance. The Clerk shall also concurrently send copies of the foregoing complaint and notices to the members of the [name of unit's governing body].

(c) The [name of unit's governing body] shall conduct a hearing to review the sufficiency of the complaint and, if the complaint is deemed sufficient to allege a violation of Chapter Two of this ordinance, to determine whether there is a reasonable basis to believe that the respondent has violated Chapter Two of this ordinance based on the evidence presented by the complainant and any additional evidence provided to the [name of unit's governing body] at the hearing pursuant to its investigatory powers. The complainant and respondent may be represented by counsel at the hearing. Within a reasonable period of time after the completion of the hearing which may be conducted in one or more sessions at the discretion of the [name of unit's governing body], the [name of unit's governing body] shall issue notice to the complainant and the respondent of the [name of unit's governing body]'s ruling on the sufficiency of the complaint and, if necessary, as to whether they find that there is a reasonable basis to believe that the respondent has violated Chapter Two of this ordinance.

If the complaint is deemed sufficient to allege a violation of Chapter Two of this ordinance and the [name of unit's governing body] finds that there is a reasonable basis to believe that the respondent has violated Chapter Two of this ordinance, then the Clerk shall notify in writing the attorney designated by the [type of local unit's governing body] and shall transmit to the attorney the complaint and all additional documents in the custody of the [name of unit's governing body] concerning the alleged violation, with the [name of unit's governing body]'s request for the filing of appropriate criminal or civil proceedings. The Clerk shall also provide these documents to the respondent's appointing authority within the [type of unit] with the [name of unit's governing body]'s request for the commencement of appropriate disciplinary action consistent with any applicable collective bargaining agreement, civil service commission rules or employment regulations of the [type of local unit].

(d) Sections 2b - 2e of the State Ethics Act, MCL 15.341 et seq, set forth protections for officers and employees who act as whistleblowers regarding the conduct of the [type of unit's] officers and employees. Additional whistleblower protections are set forth in the Whistleblowers' Protection Act, 1980 PA 469, MCL 15.361 et seq.
(e) Any person who files a complaint alleging a violation of this ordinance knowing that material information provided therein is not true or that information provided therein was made in reckless disregard for the truth may be subject to a fine of up to $500 as well as the reasonable costs incurred by the [type of local unit] in investigating the complaint and the reasonable costs incurred by the Respondent in responding to the complaint.

(f) A complaint must be filed with the Clerk within [number of years to be determined by the unit's governing body] years of the date the offense is alleged to have occurred.

CHAPTER FIVE – SANCTIONS

Section 5 – 1. Sanctions shall not be construed to diminish or impair the rights of an officer or employee under any collective bargaining agreement, nor the [type of local unit's] obligation to comply with such collective bargaining agreements.

Section 5 – 2. State statutes cited in this ordinance contain criminal penalties and civil remedies that apply, as provided in those statutes, to the conduct regulated by those statutes.

Section 5 – 3. A violation of this ordinance may be punished as a civil infraction by a fine of up to $ [amount to be set by the local unit's governing body].... OR.... A violation of this ordinance may be punished as misdemeanor by a fine of up to $500 and/or 90 days in jail.

Commentary: A specific ordinance violation may be either a civil infraction or a misdemeanor, but not both.

Section 5 – 4. In addition to any other penalty, whether criminal or civil, an employee or officer who intentionally violates this ordinance may be subject to disciplinary action including censure, reprimand, removal, dismissal or discharge.

Commentary: If the Charter of a Home Rule City or Home Rule Village provides for removal of an elected officer by the governing body of the city or village, the officer may be so removed. Michigan cases recognizing the removal power of city councils pursuant to applicable provisions of a city charter include McComb v City Council of Lansing, 264 Mich 609 (1933), Wilson v City Council of Highland Park, 284 Mich 96 (1938), and City of Grand Rapids v Harper, 32 Mich App 324 (1971). In Hawkins v Common Council of the City of Grand Rapids, 192 Mich 276, 285-286 (1916), the Michigan Supreme Court rejected the argument that the power to remove elected city officers rested exclusively with the Governor, upholding the authority of the city council to remove the City's elected treasurer under the provisions of the city charter. However, absent such a provision in a city or village charter, removal of elected officers of local units of government is accomplished only by the Governor: MCL 168.383 (village); MCL 168.369 (township); MCL 168.327 (city); and MCL 168.268 and MCL 168.207 (county).

Section 5 – 5. In addition, the common law offense of misconduct in office (misfeasance, malfeasance and nonfeasance) constitutes a felony as provided in the Michigan Penal Code, MCL 750.505 and willful neglect of duty constitutes a misdemeanor as provided in MCL 750.478.
CITY OF BANGOR
ORDINANCE # 258
ETHICAL STANDARDS OF CONDUCT

AN ORDINANCE TO ADD CHAPTER 36: ETHICS TO TITLE III, ADMINISTRATION, CODE OF ORDINANCES, FOR THE CITY OF BANGOR ESTABLISHING A CODE OF ETHICAL STANDARDS OF CONDUCT FOR PUBLIC OFFICIALS AND EMPLOYEES OF THE CITY OF BANGOR THAT IS APPLICABLE TO PERSONS IN MUNICIPAL SERVICE WHETHER COMPENSATED OR NOT AND WHETHER ELECTED, APPOINTED OR HIRED AND TO PRESCRIBE PENALTIES FOR VIOLATIONS.

THE CITY OF BANGOR ORDAINS:

36.10 TITLE
This ordinance shall add Chapter 36 to Title III of the City Code of Ordinances and shall be titled Ethical Standards of Conduct.

36.20 INTERPRETATION
This Chapter shall establish ethical standards of conduct for elected and appointed officials of the City of Bangor whether compensated or not. The standards shall also apply to employees of the City of Bangor whether administrative or appointive, whether compensated by the hour or by salary, and whether members of an employee group or not.

36.30 SEVERABILITY
If any provision or section of this ordinance may later be amended or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provisions or applications.

36.40 REFERENCE TO OTHER SECTIONS
This ordinance, sections of this ordinance, or any of the parts of this amendment take precedence over other sections of this code. The Bangor City Council automatically amends affected sections of this code upon proper adoption, from time to time, of subsequent amendments.

36.50 PUBLIC POLICY DECLARATION
It is hereby declared to be the standard of ethical service to the City of Bangor that all officials and employees avoid conflicts between their private interests and those of the general public whom they serve. To enhance the faith of the people and to assure the integrity and impartiality of all officials and employees of the City, it is necessary that adequate guidelines be provided for
separating their roles as private citizens from their roles as public servants. Elected and
appointive office, whether compensated or not, and public employment is a public trust and any
effort to realize personal gain through official conduct is a violation of that trust. The ethical
standards established herein are intended to eliminate to the fullest extent possible violations of
ethical conduct and to ensure that such are investigated and punished where applicable.

36.60 Definitions
As used in this ordinance, the following words and phrases shall have the following meanings:

Agreement – an understanding between two or more persons or entities; a contract
Appointed – selected and installed in an office or position
Associated – the condition of being an owner, partner, member, part owner, employee,
limited partner, stock holder, director, lender, borrower, or having a financial interest in
Beneficiary – a person or entity receiving a benefit
Business – commercial or industrial enterprise or establishment, store, etc.; work, employment,
profession of an individual or group; commerce
Candidate – someone who seeks or who has been proposed for an office, position, or award
City – the City of Bangor
City employee – an employee of the City of Bangor whether full or part-time, contract or hired
City funds – any funds, money, or monetary rights owned by the city, or under City control in
a fiduciary or representative capacity
City officer / official – an officer of the City of Bangor; someone holding an official position of
authority with the City; e.g. the clerk, the mayor, the assessor, etc. whether the position is
elective, appointive, administrative, contracted or hired and whether compensated or not
as established by City Charter or City Ordinance which involves the exercise of a public
power, trust or duty. This does not include a volunteer not appointed or elected to office.
City personnel – individuals working for the City of Bangor as employees for wages, salary or
other agreed benefits
City Property – anything tangible or intangible including rights, owned by the City or under the
control of the City in fiduciary or representative capacity
Compensation – money, property, thing of value or benefit conferred upon or received by any
person or sought for any person in return for services rendered for or to be rendered to
himself/herself or another
Conflict of interest – an interest that competes with or is adverse to a legitimate interest of the
City
Consideration – something given or promised in exchange for something else, tangible or
intangible, including promises
Contracts – agreements or mutual understandings supported by present or future consideration
Contribution – money or aid given another
Council – the City Council of the City of Bangor
Decision making – exercising public power to adopt laws, regulations or standards, render
decisions, establish policy, determine questions of discretion
During the course of City business – while planning, working on, reporting on, or carrying out
the affairs of the City whether for compensation or not
Duty of due care – exercising power, trust, authority or decision making as an prudent person
would exercise; not acting on a direct conflict of interest or a potential conflict of interest
to self benefit or the benefit of another
Elected – chosen by the eligible voters of the City
Election fraud – a crime consisting of an intentional act which violates the election laws of the
State of Michigan and which act is either designated as fraud by the relevant statute
Employee – a person working for the City for wages, salary, or other benefits and under the
control and supervision of the City as to hours, work standards, and rules of work, etc.
Exchange – v. t. – to give in return
Expectation – looking forward to something; a looking forward as due
Favor – an unfair partiality; an obliging act; v.t. to be partial to, to support; advocate; to help
Financial gain – increase in monetary or material wealth or earnings
Gain – an increase in power, advantage, wealth, possessions, earnings
Gift – something given without recompense
Immediate family – spouse, child or step child, mother, father, step-parents, grand parents, step
grand parents, brothers, sisters, step-brothers or sisters, or in-laws of any kind
Influence – the power of persons or things to influence others
Interfere – to come between for some purpose; meddle; attempt to determine course or outcome
without authority or legitimate purpose
Member – any of the persons constituting an organization or group
Moral turpitude – an act of baseness; vileness or depravity; conduct contrary to honesty, justice
or good morals
Officer / official – a person holding office, or position of authority in the City as may be
described in the City Charter or by ordinance but not a volunteer not appointed or elected
to a position
Official conduct – action or inaction by an officer or employee acting on behalf of the City
Official duty / official action – a decision, action, recommendation, approval, disapproval or
other action or failure to action which involves the use of power, trust, decision making,
or authority, or with moral turpitude
Other persons / Anyone else – members of one’s immediate family or individual persons, or
businesses, entities, associations, or groups
Personal gain – advantage or increase in wealth, possessions, power or other benefits for an
individual or on behalf of another individual
Potential conflict of interest – a situation whereby the interests of the City and the interests of
someone else will, may, or might become in conflict in the ordinary course of events
Promise – an agreement to do or not do something
Reward – something given for something done
Rules of ethical conduct – the provisions of this ordinance
Solicit – to ask or seek; often earnestly; to entice another to do something

36.70 STANDARDS OF CONDUCT
The City’s integrity rests solidly on the foundation of several general rules of ethical behavior.
These rules form fundamental values to be understood and honored by all.

1. Principles
The City expects its candidates, officers, officials and employees to be honest, to tell the truth,
and to ‘play by the rules.’ The City expects its candidates, officers, officials and employees to be
aware the first small step taken that undermines ones integrity or the integrity of the City usually leads to another and another. In a short time, without having done anything major, integrity is compromised.

2. Honesty
The City expects its candidates, officers, officials and employees to not misrepresent situations, to not steal from the City, not falsify records, or misuse City property, equipment, supplies or assets for personal gain or benefit or for the gain or benefit of others.

3. Fairness
The City expects its candidates, officers, officials and employees to treat each other and everyone else with evenhandedness, fairness and sincerity.

4. Perception
The City expects its candidates, officers, officials and employees to act in such a way as to create the perception that he, she, and the City is acting fairly, honestly, and evenhandedly without partiality, favoritism, or dishonesty. The City expects its candidates, officers, officials and employees to avoid the appearance of impropriety, that behavior which suggests he, she or the City is acting questionably.

5. Spirit of the Law
The City expects its candidates, officers, officials and employees to honor the spirit of the law as well as the letter of the law.

6. Direction and Suggestion
The City expects its candidates, officers, officials and employees to understand that no improper action is made proper because a higher officer, official, or employee might have directed or suggested the action.

7. Gray Areas
Recognizing that there are times when City candidates, officers, officials and employees confront situations where there are two or more legitimate points of view, where there is no clear right or wrong answer, and that past practices have given way to new practices. It is in these situations the City expects its candidates, officers, officials and employees to be particularly careful and give thorough examination and thought before taking action or making decisions.

36.80 PROHIBITED ACTS
The following acts, actions, inactions, and attempted acts and actions constitute a violation of the ethical standards of conduct for city officials, officers and employees. These include but are not necessarily limited to these specific references but, rather, are intended as providing examples of actions and inactions that are prohibited by this ordinance.

1. Gratuities
No city officer, official or employee of the City shall solicit, accept or receive, directly or indirectly, any gift, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form, under circumstances in which it can
reasonably be inferred that the gift is intended to influence him or her in the performance of their official duty/duties or is intended as a reward for any official action on their part.

2. Preferential Treatment
No city officer, official or employee of the City shall use or attempt to use their official position to unreasonably secure, request or grant, any privileges, exemptions, advantages, contracts, or preferential treatment for themselves or others.

3. Use of Information
A) No city officer, official or employee of the City who acquires information in the course of their official duties, which information by law or policy is not available at the time to the general public, shall use such information to further the private interests of themselves or anyone else.
B) No city officer, official or employee of the City shall obtain or use City records, documents, communications, or others written or electronic records of the City or those under the control of the City to further the private interests of themselves or anyone else.
C) No city officer, official or employee of the City shall use their position to obtain information or records, which information or records by law or policy is not available at the time to the general public without requesting such information or records through the methods granted by the Freedom of Information Act.

4. Full Disclosure
No city officer, official or employee of the City shall participate, as an agent or representative of the City, in approving or disapproving, voting, abstaining from voting, recommending or otherwise acting upon any matter in which he or she has a direct or indirect interest without disclosing the full nature and extent of their interest. Such a disclosure must be made before the time to perform their duty or concurrently with that performance. If the officer, official or employee is a member of a decision making or advisory body, the disclosure must be made to the Chairman and other members of the body on the official record. Otherwise, a disclosure would be appropriately addressed by an appointed officer or employee to the supervisory head of the organization, or by an elected officer to the general public.

5. Use of City Property
No city officer, official or employee of the City shall, directly or indirectly, make use of or permit others to make use of City property, equipment, vehicles, or supplies of any kind for purely personal gain.

6. Other Prohibited Conduct
No city officer, official or employee of the City shall engage in any of the practices described below in list form. The following acts, actions, inactions, and attempted acts and actions constitute a violation of the ethical standards of conduct for city officials, officers and employees. These include but are not necessarily limited to these specific references but, rather, are intended as providing examples of actions and inactions that are prohibited by this ordinance, if not the Charter and labor agreements. They include:
   1. Impeding government efficiency or operation.
   2. Affecting adversely the confidence of the public in the integrity of the City.
3. Interfering on behalf of an employee or a member of one’s immediate family.

4. Divulging confidential information.

5. Misusing City personnel resources, property, funds or assets for personal gain or the gain of others.

6. Representing his or her individual opinion as that of the City.

7. Violating labor agreements between the City and its employees.

8. Violating policies adopted by the City Council.

9. Engaging in a business transaction that cause the candidate, officer, official or employee to derive a personal gain.

10. Engaging in employment or rendering services that are incompatible or in conflict with the discharge of his or her official duties.

11. Offering a candidate, officer, official or employee of the City a gift, loan, contribution, reward or promise based on agreement, promise, or expectation that the vote, decision making or action of the candidate, officer, official or employee of the City would be influenced thereby.

12. Engaging in an act, actions or other conduct contrary to honesty, justice or good morals; or an act or actions of moral turpitude.

13. Acting on behalf of the City or on the behalf of the City Council when authority has not been specifically given.

14. Making a city decision outside of the official channels.

15. Soliciting support, financial or material, for City social, athletic, or recreational parties from individuals or firms that do business with the City or want to.

16. Appearing before City bodies on behalf of a private interest.

17. Participating in decision making affecting the interest of one’s business or immediate family. The decision making may include monetary decisions, labor agreements, or other decisions that impact one’s business and/or immediate family.

18. Missing in attendance from three consecutive regularly called meetings at which the attendance of the city officer, or official is required and know as part of the duties of such city officer, or official.

36.90 EXCLUSIONS

This ordinance is not intended to cover the following.

A) This ordinance shall not prohibit a city officer, official, candidate or employee from accepting minor gifts such as meals, awards, pens, pencils, and other token items valued at $25 or less when the gift is extended during the course of city business and no return promise is made by the recipient.

B) This ordinance shall not prevent any officer, official or employee from accepting their regular compensation.

C) This ordinance does not prohibit the expression of views and opinions or communications of plans for future action, nor does it prohibit contributions to political parties or candidates as permitted by law.
D) This ordinance shall not apply to a City officer, official or employee who in the course of decision making discloses a direct or indirect conflict of interest or potential conflict of interest in any matter before the City Council, advisory board or commission and is permitted to continue participating in the decision making.

E) This ordinance shall not prohibit the city manager, city attorney and all law enforcement officials from exercising their usual power, control and discretion which are part of their duties.

F) This ordinance shall not prohibit the Mayor and city council from making policy decisions, enacting legislation, and directing the affairs of the city in accordance with their legal powers and responsibilities as provided in the City Charter or State statutes.

G) This ordinance shall not be enforced to cause any person to be favored or discriminated against because of race, gender, age, handicap, religion, country of origin or political affiliation.

36.100 INTEGRITY, REPUTATION AND THE ABILITY TO ENFORCE STANDARDS

Preserving the integrity of the City of Bangor is important to all officers, officials and employees of the City. Fairness, honesty, evenhandedness, and sincerity, a kind that transcends both the law and the values of individuals are achieved by observing an overriding set of ethical standards. Integrity is also preserved by recognizing, at times, complaints of questionable actions of City officers, officials and employees and others need to be handled with the same fairness, honesty, evenhandedness and sincerity. A City’s reputation and its overall success are securely linked. The City of Bangor’s reputation, obviously, is based on more than the collective reputations of its employees and officials. The City’s reputation depends on how people perceive that the city, whatever the issue or set of circumstances, will act with integrity. Preserving the integrity of the City may result in official action to enforce and punish violations of the Ethical Standards of Conduct.

1. Controlling Authorities

All matters concerning the Ethical Standards of Conduct shall be directed to one of two controlling authorities depending upon employment status of the person or group involved. The request may be made by the individual or any City candidate, officer, official, or employee. There are two different controlling authorities depending upon whose request, act or action the controlling authority is reviewing.

A) Requests to investigate or take action to enforce the Ethical Standards of Conduct regarding elected and appointed City officers and officials or candidates for elective or appointive office shall go to the Mayor, City Council and City Attorney.

1) Should the request involve a member of the City council, that member shall not be a part of the controlling authority.

B) Requests to investigate or take action to enforce the Ethical Standards of Conduct regarding employees of the City shall go to the City Manager and City Attorney.

1) Should the request involve the City Manager or the City Attorney, the Mayor shall name a replacement to serve on the controlling authority for that request.

2. Authority to Render Advisory Opinions

The above listed authorities may issue written advisory opinions, when deemed appropriate, interpreting the Ethical Standards of Conduct ordinance as set forth herein. Any City officer,
official, employee may seek guidance from the controlling authority upon written request on questions directly relating to the propriety of their conduct as officers, officials and employees. Each written request and advisory opinion shall be confidential unless released by the requester.

3. Authority to Punish Violations
The above listed authorities shall take appropriate action upon any complaint, request for information, or otherwise resolve matters concerning the Ethical Standards of Conduct ordinance for the City of Bangor. Except for direct references that may be provided by City Charter or labor agreements controlling any action either authority above may take or except as either may establish an action that either authority may take, both authorities are herein empowered to take and enforce actions, as they deem appropriate. The appropriate action to be taken in any individual case shall be at the sole discretion of the controlling authority involved which may include but is not necessarily limited to any of the following:
A ) Referral of the matter to a higher authority.
B ) Pursuing further investigation by the controlling authority.
C ) Deeming no action to be required.
D ) Pursuing such other course of action which is reasonable, just and appropriate under the circumstances.
E ) Taking appropriate disciplinary action, including declaring a forfeiture of office and removal from office, appointed position or employment whether or not the removal of office is directly referenced by City Charter or by labor agreement but is referenced by this ordinance.

1 ) If the violation is for an offense also contained in the City Charter and is one which the Charter determines is punished by removal, the process for removal from office is the same as the process in the City Charter.

2 ) If the violation is for an offense also contained in labor agreements between the City and its employees, then the process for removal is the same as contained in the labor agreements.

3 ) If the violation is for an offense contained in this ordinance and for which the controlling authority recommends the forfeiture and removal from office, whether elective, or appointive or from a position as an employee, then the process contained herein is the process that is followed.

4. Advisory Opinions
Any City candidate, officer, official, or employee of the City of Bangor may seek advisory opinions. Advisory opinions may include guidance to any candidate, officer, official, or employee. Request for an advisory opinion shall be made in writing and provide as much detail as possible. The controlling authority may investigate as it deems appropriate and with regard to due process and the rights of individuals as established in State and Federal laws. The controlling authority may take as much time as it deems necessary before rendering its opinion provided that all attempts to satisfy the request in a timely manner are made. The controlling authority shall issue its advisory opinions in writing. The advisory opinion shall be confidential and shall not be released to anyone or any entity unless the person making the request releases the opinion.
36.110 REVIEW PROCESS

1. Determination to Proceed
The controlling authority shall first make a determination to proceed. Any City candidate, officer, official, or employee of the City of Bangor may request that the controlling authority review, investigate and recommend action regarding alleged violations of the City of Bangor Ethical Standards of Conduct ordinance. Such requests shall be in writing. The controlling authority may decide to review, investigate and recommend action regarding alleged violations of the City of Bangor Ethical Standards of Conduct ordinance on their own determination or at the request of other persons. All decisions to review, investigate and recommend action shall first be made in writing.

2. Duty of Due Care
The controlling authority shall be entitled to proceed as it deems necessary and appropriate. The controlling authority shall conduct itself in a manner so as to be thorough, complete and proceed in a reasonable and prudent manner protecting the rights of individuals.

3. Recommendation for Punishment
Any candidate, officer, official or employee, for whom the controlling authority recommends punishment, shall be entitled to a hearing before the controlling authority as herein determined.
A ) The controlling authority shall notify, in writing, the affected candidate, officer, official or employee of the charges that the controlling authority is basing its recommendation of punishment.
B ) The candidate, officer, official or employee shall have the opportunity to a hearing before the controlling authority.
C ) The candidate, officer, official or employee shall notify the controlling authority, in writing, that it wishes to be present at a hearing and whether or not legal counsel will attend as well as any witnesses the candidate, officer, official or employee plans to call.
D ) The hearing shall be scheduled within 30 days of the notification of the recommendation for punishment. The hearing shall be closed to the public unless the candidate, officer, official or employee selects to have the hearing open to the public.
E ) Minutes of the hearing shall be kept and held by the City Attorney for at least 12 months after which they may be destroyed.
F ) Following the hearing, the controlling authority shall decide to:
   1) Hold the recommendation for further review and investigation,
   2) Amend its previous recommendation and determine punishment,
   3) Reject its previous recommendation altogether and take new action or determine to take no punitive action, or
   4) Proceed with its previous recommendation and take punitive action.
G ) Any punitive action recommended by the controlling authority shall be forwarded to the City Council which shall vote on the recommendation for punitive action at its next regularly scheduled meeting of the City Council. At that meeting, the City Council, less any member for whom the punitive action is recommended, a majority of those members remaining shall vote to accept, to reject or to send the recommendation back to the controlling authority.
I) If the recommendation of either the controlling authority, as in 36.110, 3, F) I), or the City Council, as in 36.110, 3, G, is to result in further review and investigation of the controlling authority, the process in 36.110 shall begin anew.

II) If the recommendation of the controlling authority is accepted by the City Council, its effect is binding and immediate and the candidate, officer, official or employee has been deemed guilty of a violation of the Ethical Standards of Conduct ordinance offending all persons, the City Council, boards, and commissions, of the City of Bangor.

36.120 VIOLATIONS OF ORDINANCE

Punitive action recommended by the controlling authority and adopted by the City Council shall be findings of violations of this Ordinance whether or not a court of competent jurisdiction has also found a violation of the Ordinance. While the City Council may find a person or persons guilty of misconduct and take punitive action against the guilty party, including removal of office, only a court of competent jurisdiction may convict a person for violations of this ordinance. Every person convicted of a violation of this ordinance, by a court of competent jurisdiction, shall be punished by a fine of not more than Five Hundred Dollars ($500.00) or by a sentence of not more than 93 days in jail, or both, at the discretion of the court.

36.130 EFFECTIVE DATE

This ordinance shall become effective thirty (30) days after its adoption and publication.

36.140 RECORD OF ADOPTION

This ordinance was voted upon at a regular meeting of the City Council on ________________

AYES: ___________ P. Wiles, D. Foot, R. Freislinger, M.L. Garcia, N. Johnson

NAYES: ___________ R. Sutherby


ADOPTED: ___________ January 7, 2002

PUBLISHED: ___________ January 14, 2002

EFFECTIVE DATE: ___________ February 15, 2002

CERTIFICATION

I, Adeline Starks, the duly appointed Clerk of the City of Bangor, do hereby certify that the above is a true and exact copy of a Resolution, passed by the Bangor City Council, on January 7, 2002, the original of which is on file at the Bangor City Hall

_________________________
Adeline Starks, City Clerk
CHAPTER 39: ETHICS

Section

39.001 Title
39.002 Intent and purpose
39.003 Definitions
39.004 Fair and equal treatment
39.005 Prohibited conduct
39.006 Matter regarding disclosure of conflicts of interest, actual and potential
39.007 Public disclosure, contents
39.008 Disclosure of campaign contributions
39.009 Duties of Clerk
39.010 Request for opinion from the City Attorney
39.011 Delivery of copies of Ethics Code to public servants
39.012 Complaint procedure
39.013 Where to seek review
39.999 Penalty

§ 39.001 TITLE.

This chapter shall be known as the Ethics Chapter of the city.

(Ord. 2008-11, passed 8-26-2008)

§ 39.002 INTENT AND PURPOSE.

(A) It is the policy of the city to uphold, promote and demand the highest standards of ethics from all its employees and officials, whether elected, appointed or hired. City officers and employees (public servants) shall maintain the highest standards of personal integrity, truthfulness, honesty and fairness in

carrying out their public duties; avoid any improprieties in their roles as public servants including the appearance of impropriety; and never use their city position or powers for improper personal gain.

(B) It is further the intent of this chapter that a public servant, regardless of whether specifically prohibited by this chapter, shall avoid any action, which might result in or create the appearance of:

(1) Using public office or employment for private gain personal or monetary;

(2) Giving improper preferential treatment to any person or organization;

(3) Impeding government efficiency or economy;

(4) A lack of independence or impartiality of action;

(5) Making a government decision outside of official channels; or

(6) Affecting adversely the confidence of the public in the integrity of the city.

(C) It is not the intent of this chapter to in any way limit the right or ability of any public servant to exercise his or her discretion in making legitimate policy decisions which are within their discretion so long as the action does not provide a special benefit to that person, relieve the public servant of a particular duty, or treat that person differently than other similarly situated city residents.

(Ord. 2008-11, passed 8-26-2008)

§ 39.003 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BUSINESS. A business entity includes any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint stock company, receivership, trust or any legal entity organized for profit.

CITY. The City of Hamtramck, a Michigan municipal corporation.

COMPENSATION. Payment in any form for real or personal property or services of any kind.

ELECTED OFFICER. Any person who is elected at a general or special election to any public office of the city and any person appointed to fill a vacancy in any office.

INTEREST. Any right, title or share in something, either personal, financial, legal or equitable, which is owned, held or controlled, in whole or in part, directly or indirectly, by a public servant.

PUBLIC SERVANT. Every individual appointed, hired or otherwise selected to an office, position, committee, board, task force or similar multi-member body with the city, or any subdivision thereof, whether the individual is paid or unpaid and any person elected or appointed to any public body of the city. PUBLIC SERVANT includes elected officer.
PUBLIC BODY. The City Council, and any board, authority, commission, committee, department, office or other agency of the city, and including the city.

QUESTION THE EMPLOYMENT STATUS. Imply, infer, suggest or otherwise state that an employee should be dismissed from employment with the city.

(Ord. 2008-11, passed 8-26-2008)

§ 39.004 FAIR AND EQUAL TREATMENT.

No public servant shall request, use or permit the use of any consideration, treatment, advantage or favor beyond that which is the general practice to grant or make available to the public at large. All public servants shall treat all citizens of the city with courtesy, impartiality, fairness and equality under the law. In addition, no elected official may question the employment status of any employee under the control of the City Manager unless that employee’s contract or appointment is before the City Council and a resolution approving the action has been moved and seconded.

(Ord. 2008-11, passed 8-26-2008) Penalty, see § 39.999

§ 39.005 PROHIBITED CONDUCT.

The following shall constitute violations of this chapter.

(A) General prohibition against conflict of interest. In order to avoid impropriety, or an appearance of conflict of interest, no current public servant should be involved in any activity that might be seen as conflicting with the conduct of official city business or as adverse to the interests of the city. Even the appearance of the following prohibited conduct alone may be sufficient to constitute a violation of this ethics chapter.

(B) Disclosure of confidential information and/or benefitting from confidential information. No public servant shall disclose or use any confidential, privileged or proprietary information gained by reason of his or her position for a purpose which is for other than a city purpose; provided, that nothing shall prohibit the disclosure or use of information which is a matter of public knowledge, or which is available to the public on request. For purposes of this division, the term CONFIDENTIAL INFORMATION shall mean any information, oral or written, which comes to the attention of, or is available to, the public servants only because of his or her position with the city, and is not a matter of public record.

(C) Improper use of city personnel and property. No public servant shall employ or use any person under his or her official control or direction for the personal benefit, gain or profit of the public servant or other. No public servant shall use city-owned vehicles, equipment, materials, money or property for personal or private convenience or personal gain. Nothing herein shall prohibit the use of city equipment or motor vehicles by public servants in accordance with written policies established by the City Council, City Manager or city department head concerned, nor shall this chapter be deemed to prohibit private use of surplus city property legally disposed of by the city or its departments in compliance with established procedures.

(D) Beneficial interest in business transaction or participation in a contract. No public servant
shall participate or benefit from (monetarily or personally) in his or her capacity as a public servant in the making of a contract in which he or she has a financial interest, direct or indirect, or perform in regard to a contract some function which requires the exercise of discretion on behalf of the city. No public servant shall participate in contracts, loans, grants, rate-fixing or issuing permits involving a business in which he or she has a substantial interest; however this provision shall not apply in the following circumstances:

(1) Contracting with the city where:

(a) The contract is awarded pursuant to sealed bids;

(b) The public servant is not involved directly or indirectly or otherwise refrains from participation in the decision on the award of the contract; and

(c) The City Council, after reviewing the circumstances, determines the award of the contract would be in the best interest of the city.

(2) Where the interest of the public servant in the business involves the holding of less than 1% of the securities in a publicly traded business or less than 5% of privately or closely held business and where the public servant will not have any involvement in the transaction on behalf of the contracting business.

(E) Engaging in certain private employment. No city employee or public servant shall engage in or accept private employment or render services for, any private interest when the employment or service is incompatible with the proper discharge of official duties or would tend to impair independence or judgment or action in the performance of official duties.

(F) Acceptance or solicitation of compensation, gifts, favors, rewards or gratuity. No public servant may, directly or indirectly, give or receive, or agree to give or receive, any compensation, gift, favor, reward, or gratuity for a matter connected with or related to the public servant's services with the city which would tend to influence the manner in which the public servant performs his or her official duties, except this prohibition shall not apply to:

(1) Attendance of a public servant at a hosted meal when provided in conjunction with a meeting directly related to the conduct of city business or where official attendance by the city official as a city representative is required or in the best interest of the city;

(2) An award publicly presented in recognition of public service presented to the public servant; and

(3) Any gift valued at $100 or less, which cannot reasonably be presumed to influence the judgment of the public servant.

(G) Improper use of position. No public servant shall knowingly use his or her office or position to secure personal benefit, gain or profit, or use his or her position to secure special privileges or exceptions for himself, herself, or for the benefit, gain or profits of any other persons. No public servant shall represent his or her individual opinions as those of the city.

(Ord. 2008-11, passed 8-26-2008) Penalty, see § 39.999
§ 39.006 MATTER REGARDING DISCLOSURE OF CONFLICTS OF INTEREST, ACTUAL AND POTENTIAL.

The following disclosure requirements are established to avoid both actual and potential conflict between the private self-interests and the public interest of public servants.

(A) **Self interest.** No public servant, either on his or her behalf or on behalf of any other person, shall have an interest in any business transaction with any public body of the city, unless the person shall first make full public disclosure of the nature of the interest.

(B) **Disclosure and disqualification.** Whenever the performance of official duties shall require a public servant to deliberate and vote on any matter involving his or her financial or personal interest, that person shall publicly disclose the nature and extent of the interest and is disqualified from participating in the deliberations and voting on the matter.

(C) **Dual employment.** No public servant shall engage in employment with, or render services for, any person or entity, which has business transactions with any public body of the city, without first making full public disclosure of the nature and extent of the employment or services.

(D) **Dual representation.** A public servant shall make full public disclosure of business involving the city when attempting to use his or her official position to secure special privileges or exemptions for self or others.

(Ord. 2008-11, passed 8-26-2008) Penalty, see § 39.999

§ 39.007 PUBLIC DISCLOSURE, CONTENTS.

Whenever a public disclosure is required by this chapter, it may be made orally on the record at a meeting of the public body involved, or in a writing filed with the Clerk, in both of which cases it shall be made a part of the record of a regular City Council meeting, and in either event shall include:

(A) The identity of all persons involved in the interest; and

(B) The source and amount of income derived from the interest that may be considered as resulting from employment, investment or gift. The person required to file a disclosure statement in accordance with the provisions of this chapter must verify, in writing, under penalty of perjury, the information in the statement is true and complete as far as he or she knows.

(Ord. 2008-11, passed 8-26-2008) Penalty, see § 39.999

§ 39.008 DISCLOSURE OF CAMPAIGN CONTRIBUTIONS.

(A) Within 15 days after each municipal election, every elected officer, and candidate for elected office, shall file a completed disclosure form with the City Clerk. All elected officers of the city shall file, annually within ten days of the filing deadline established by the state, a report with the City Clerk listing all contributions, other receipts or in-kind contributions received in any calendar year by the
officer's candidate committee. If the candidate or elected officers or candidate for office has not
received any contributions, other receipts or in-kind contribution for the period covered under any
period in which a report is required by this chapter, the candidate or elected officer shall file a sworn,
notarized statement within ten days of the filing deadline established by the state, in a form determined
by the Clerk, reflecting this fact. The Clerk shall make all candidates for elected office in the city aware
of this provision at the time they file for candidacy. All elected officers of the city shall be made aware
of this provision within five days of assuming their respective office. The form for reporting
contributions shall consist of the forms developed by the State Secretary of State for reporting campaign
contributions or their successors. At the time of adoption of this chapter, those forms are:

(1) Candidate Itemized Contributions Schedule 1A;

(2) Candidate Other Receipts Schedule 1A-I; and

(3) Candidate In-Kind Contributions Schedule 1-IK.

(B) Failure to comply with this section of the chapter may result in a penalty established by City
Council resolution.

(Ord. 2008-11, passed 8-26-2008; Am. Ord. 2009-1, passed 3-24-2009) Penalty, see § 39.999

§ 39.009 DUTIES OF CLERK.

The Clerk shall examine all disclosure statements filed pursuant to this chapter and report
irregularities immediately to the person filing the statement to the City Manager and the City Attorney.
Acceptance of a statement by the Clerk shall not constitute approval of the statement. The Clerk shall
maintain a current list of all disclosure statements required to be available for public disclosure. The
Clerk shall preserve all disclosure statements for a period of at least three years after the date on which
they are filed. The Clerk shall make available to the public all statements that are required to be
available for inspection during regular business hours. The Clerk shall also accept all complaint alleging
violations of this chapter.

(Ord. 2008-11, passed 8-26-2008)

§ 39.010 REQUEST FOR OPINION FROM THE CITY ATTORNEY.

(A) Any elected official may request the City Attorney provide an advisory opinion interpreting
the effect or application of this chapter generally, or on questions directly relating to the propriety of
their conduct in a particular situation.

(B) Any other public servant may request, with the approval of the City Manager, that the City
Attorney provide an advisory opinion interpreting the effect or application of this chapter generally, or
on questions directly relating to the propriety of their conduct in a particular situation.

(Ord. 2008-11, passed 8-26-2008)

§ 39.011 DELIVERY OF COPIES OF ETHICS CODE TO PUBLIC SERVANTS.
The Clerk shall deliver a copy of this chapter to each public servant as soon as practicable after the enactment of this chapter, and to each new public servant at the time of employment or taking office. The Clerk shall also request that each person sign and return an acknowledgment of receipt of a copy of this chapter.

(Ord. 2008-11, passed 8-26-2008)

§ 39.012 COMPLAINT PROCEDURE.

(A) Any citizen of the city may submit a complaint in writing and under oath, alleging that one or more public servants have violated or may have violated any provision of this chapter within one month of the alleged violation.

(B) The complaint must be signed by the complainant and notarized, and must contain the following:

(1) The complainant’s legal name and current mailing address;

(2) The name or names of any public servants who committed or may have committed the alleged violation;

(3) A summary of the facts giving rise to the complaint;

(4) Some explanation of why those facts constitute or may constitute a violation of the ethics chapter; and

(5) Any one filing a false complaint will be subject to the penalty(s) for perjury.

(C) The complaints must be filed with the City Clerk. Upon receipt, the Clerk shall promptly provide a copy of the complaint to the public servant named therein and to the City Attorney.

(D) The City Attorney will evaluate the complaint, applying the law of the standards of conduct to the facts alleged in the complaint.

(E) Within 14 days from receipt of the complaint, the City Attorney shall:

(1) Issue a report including a copy of the complaint, concluding whether facts alleged in the complaint, if true, would rise to a violation of this chapter, and require the public servant named in the complaint issue a formal statement, in writing and addressed to the City Attorney, outlining his or her position.

(2) The City Attorney shall determine whether the public servant named in the complaint did commit a violation of the ethics chapter and file a formal complaint with the Thirty-First District Court; or

(3) Dismiss the complaint.

(F) The City Attorney shall promptly provide a formal complaint or a dismissal of the complaint to the appropriate city department.
(G) If a complaint is filed against the City Attorney and any of his or her designees, the City Council shall designate a neutral body to investigate the complaint and if necessary prosecute the violation.

(Ord. 2008-11, passed 8-26-2008) Penalty, see § 39.999

§ 39.013 WHERE TO SEEK REVIEW.

(A) Civil penalty. If ordered to pay a civil penalty, an appeal may be taken in the form of a trial de novo in the District Court, which shall hear the case in accordance with the Civil Rules for Courts of Limited Jurisdiction (CRLJ) and applicable local rules of the District Court. This appeal may be taken by filing in the District Court, a notice of appeal within 14 days of the date of the final written order. The person filing the appeal shall also, within 14 days, serve a copy of the notice of appeal on the person who issued the final written order and/or the City Attorney, or his or her designee, and file acknowledgment or affidavit of service in the District Court.

(B) Discipline or removal. If a public servant is disciplined or removed from office, then the person disciplined or removed from office may seek whatever remedies exist at law or equity.

(C) Termination of contracts. If termination of contract(s) is ordered, the person whose contract(s) was/were terminated may seek whatever remedies exist at law or in equity.

(Ord. 2008-11, passed 8-26-2008)

§ 39.999 PENALTY.

(A) Upon a finding of a violation of any provision of this chapter, the City Attorney is empowered to take any one or more of the following actions:

(1) Discipline up to and including termination or removal from any position whether paid or unpaid, excluding elected positions, only after notice and hearing as provided by law; and/or

(2) Termination or invalidation of contract(s) entered into in violation of this chapter.

(B) Upon a finding of a violation of the applicable provisions of this chapter, the District Court is empowered to assess the following penalties:

(1) Any public servant who violated a provision of this chapter may be subject to fine of up to $500 for each violation;

(2) Any public servant who fails to make any disclosure required by § 39.008 may be fined $10 per day, up to a maximum of $500, from the first day the disclosure is due until the disclosure is filed; and

(3) Any public servant who is found to have violated a provision(s) of this chapter shall be deemed guilty of misconduct.

(C) The various penalties provided under this division are cumulative to other remedies provided
under state law or under the Charter and ordinances of the city.

(Ord. 2008-11, passed 8-26-2008)

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techsupport@amlegal.com
1.800.445.5588.
MODEL ETHICS COMPLAINT FORM

(This Complaint form should be filed with the Clerk of the local unit.)

Any person may file a Complaint if he or she has information that a public officer or employee has violated the Ethics Ordinance. It is not enough to merely allege that a public officer or employee has acted improperly. A Complaint must contain credible information supporting the allegation(s) that one or more of the Standards of Conduct contained in the Ethics Ordinance have been violated.

This Form is not required, but its use is encouraged as a Complaint must be in writing and verified by oath or affirmation. A Complaint must be filed with the Clerk within [number of years to be determined by the unit's governing body] years of the date the offense is alleged to have occurred. A Complaint is deemed filed upon receipt by the Clerk.

Complainant: ____________________________________________

Address: ________________________________________________

Telephone: ______________ Email: __________________________

Public officer/employee subject to complaint (i.e. Respondent): ______________

Public position held by Respondent: __________________________

Approximate date of alleged violation(s): ______________________

Description of conduct by Respondent and section of Ethics Ordinance alleged to have been violated:

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________
(Please attach additional sheets if needed.)

I, ______________________, the Complainant herein, being duly sworn, state (or affirm) that the allegation(s) contained herein is/are true, except so far as they are stated to be based upon information, and to the extent they are based upon information, I believe them to be true.

This Ethics Complaint was executed on this ____ day of ________________, 20__ , by:

________________________________________________________________________
Signature of Complainant

________________________________________________________________________
Print name of Complainant

STATE OF MICHIGAN)

COUNTY OF _____ )

The foregoing instrument was acknowledged before me in ______________ County, Michigan this ____ day of ________________, 20__ .

________________________________________________________________________
Notary Public

________________________________________ County, Michigan
Acting in ____________ County, Michigan

My Commission Expires: ________________

Any person who files a Complaint alleging a violation of the Ethics Ordinance knowing that material information provided therein is not true or that information provided therein was made in reckless disregard for the truth may be subject to a fine of up to $500 as well as the reasonable costs incurred by the [type of local unit] in investigating the Complaint and the reasonable costs incurred by the Respondent in responding to the Complaint as provided in the Ethics Ordinance.
November 3, 2022

TO: Mayor and City Council Members

FROM: Craig Bessinger, City Manager

RE: Classification and Compensation Study

Attached is the Classification and Compensation Study completed by the Michigan Municipal League. The study was based on wages for the fiscal year ending June 30, 2022.

Also attached is the Wage and Salary Schedule for fiscal year ending June 30, 2023. Beginning July 1, 2022, all employees received a 4% increase over their 2022 wage and certain employees received a step increase.

c: Amber Schaner, City Clerk
July 1, 2022

22-23

FERRYSBURG WAGE & SALARY SCHEDULE

<table>
<thead>
<tr>
<th>Classification</th>
<th>Rate Per 07-01-21</th>
<th>Rate Per 07-01-22</th>
<th>% Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Firefighter</td>
<td>30.00 MTG.</td>
<td>30.00 MTG</td>
<td>-</td>
</tr>
<tr>
<td>Fire Lieu., Ass’t. Chief</td>
<td>30.00 MTG</td>
<td>30.00 MTG</td>
<td>-</td>
</tr>
<tr>
<td>Fire Chief</td>
<td>35.00 MTG.</td>
<td>35.00 MTG</td>
<td>-</td>
</tr>
<tr>
<td>Fire Lieutenant</td>
<td>1,096.88 YR.</td>
<td>1,140.76 YR.</td>
<td>4.00%</td>
</tr>
<tr>
<td>Captain</td>
<td>2,060.40 YR.</td>
<td>2,142.82 YR.</td>
<td>4.00%</td>
</tr>
<tr>
<td>Fire Ass’t. Chief</td>
<td>2,193.73 YR.</td>
<td>2,281.48 YR.</td>
<td>4.00%</td>
</tr>
<tr>
<td>Fire Chief</td>
<td>3,582.24 YR.</td>
<td>3,725.53 YR.</td>
<td>4.00%</td>
</tr>
<tr>
<td>Custodian</td>
<td>181.56 WK.</td>
<td>188.82 WK.</td>
<td>3.99%</td>
</tr>
<tr>
<td>Public Services Summer (1)</td>
<td>13.00 HR.</td>
<td>13.00 HR.</td>
<td>-</td>
</tr>
<tr>
<td>Public Services Summer (2)</td>
<td>13.00 HR.</td>
<td>13.75 HR.</td>
<td>5.77%</td>
</tr>
<tr>
<td>Election Worker</td>
<td>13.94 HR.</td>
<td>14.50 HR.</td>
<td>4.01%</td>
</tr>
<tr>
<td>Board of Review</td>
<td>10.55 HR.</td>
<td>11.00 HR.</td>
<td>4.27%</td>
</tr>
<tr>
<td>Election Chairperson</td>
<td>15.02 HR.</td>
<td>15.62 HR.</td>
<td>3.99%</td>
</tr>
<tr>
<td>Firefighter</td>
<td>19.55 HR.</td>
<td>20.33 HR.</td>
<td>3.99%</td>
</tr>
<tr>
<td>Admin. Ass’t. 1</td>
<td>19.50 HR.</td>
<td>20.80 HR.</td>
<td>Step inc. 5-6</td>
</tr>
<tr>
<td>Admin. Ass’t. 2</td>
<td>18.00 HR.</td>
<td>19.76 HR.</td>
<td>Step inc. 4-5</td>
</tr>
<tr>
<td>Ass’t. to CM (intern)</td>
<td>N/A HR</td>
<td>N/A HR</td>
<td>-</td>
</tr>
<tr>
<td>Public Services Tech. (1)</td>
<td>17.67 HR.</td>
<td>19.45 HR.</td>
<td>Step inc. 3-4</td>
</tr>
<tr>
<td>(1)</td>
<td>18.70 HR.</td>
<td>20.80 HR.</td>
<td>Step inc. 4-5</td>
</tr>
<tr>
<td>(1)</td>
<td>24.40 HR.</td>
<td>25.38 HR.</td>
<td>4.02%</td>
</tr>
<tr>
<td>(1)</td>
<td>15.57 HR.</td>
<td>18.38 HR.</td>
<td>Step inc. 2-3</td>
</tr>
<tr>
<td>Public Services Super.</td>
<td>34.81 HR.</td>
<td>36.22 HR.</td>
<td>3.99%</td>
</tr>
<tr>
<td>Clerk and Treasurer</td>
<td>54,060 YR.</td>
<td>56,250 YR.</td>
<td>4.05%</td>
</tr>
</tbody>
</table>
CLASSIFICATION & COMPENSATION STUDY

September 2022

Prepared by:
The Michigan Municipal League
1675 Green Road
Ann Arbor, MI 48105

Contact:
Mandy M. Reed, PHR
Manager, Human Resources
mreed@mml.org
734.669.6361

CITY OF FERRYSBURG
WELCOME

michigan municipal league
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EXECUTIVE SUMMARY

Project Description & Methodology

The City of Ferrysburg enlisted the assistance of the Michigan Municipal League (referred to as the League in this document) to conduct a classification and compensation study, including a detailed market survey of pay and benefits. Undertaking this project will help the City recruit and retain highly qualified and competent staff within an internally equitable and market competitive system.

At the onset of the project, current job descriptions, pay plans, benefits information, and other related materials were collected and reviewed. The City identified the positions to include in the scope of this project, which included the five positions listed below.

1. City Manager
2. Clerk/Treasurer
3. Public Services Supervisor
4. Administrative Assistant
5. Public Works Technician

A thorough job analysis was completed on all five positions and all were included in the market study.

To begin the project, a teleconference meeting was held with the City Manager to review project methodology and discuss the comparable communities to be used in the market study. A virtual orientation session was later held with City employees involved in this project to review the methodology and discuss the job analysis process.

The job analysis process helps ensure consistent comparisons between each position in the market survey. A Job Analysis Questionnaire (JAQ) is used to gather more detailed information to fully understand the duties and requirements. After City employees completed the JAQ for their position, one-on-one onsite meetings were held to further understand each role.

After employee meetings were held, a customized market survey was sent to the selected comparable communities and included a summary of primary job functions for each position, as well as asked respondents to provide pay information and feedback on how the positions within their municipality were similar or different. This level of detail promotes the most accurate positional level match and provides a basis for determining the appropriateness of comparisons. The survey data was later validated using the League’s statewide database of municipal salaries.

Table 1 on the following page provides details on the 15 comparable communities that were surveyed. Ten communities responded to our survey request, which is impressive given the extent of the survey. While Clare, Coopersville, Harrison, North Muskegon, and Vassar did not respond to our customized survey, they did participate in the League’s 2021/22 Wage & Salary Survey, so data is incorporated from this resource as appropriate.
### Table 1: Communities Surveyed

<table>
<thead>
<tr>
<th>Community</th>
<th>County</th>
<th>Pop</th>
<th>Sq. Miles</th>
<th>FT EEs</th>
<th>FY 2020 or 2021 (in millions)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Taxable Value</td>
</tr>
<tr>
<td>Clare</td>
<td>Clare/Isabella</td>
<td>3,118</td>
<td>3.00</td>
<td>27</td>
<td>$92.91</td>
</tr>
<tr>
<td>Coopersville</td>
<td>Ottawa</td>
<td>4,275</td>
<td>4.75</td>
<td>20</td>
<td>$132.77</td>
</tr>
<tr>
<td>Douglas</td>
<td>Allegan</td>
<td>1,232</td>
<td>1.80</td>
<td>17</td>
<td>$189.95</td>
</tr>
<tr>
<td>East Tawas</td>
<td>Iosco</td>
<td>2,808</td>
<td>2.50</td>
<td>12</td>
<td>$55.80</td>
</tr>
<tr>
<td>Frankfort</td>
<td>Benzie</td>
<td>1,286</td>
<td>1.00</td>
<td>14</td>
<td>$105.59</td>
</tr>
<tr>
<td>Grand Haven</td>
<td>Ottawa</td>
<td>10,412</td>
<td>5.80</td>
<td>111</td>
<td>$655.62</td>
</tr>
<tr>
<td>Harrison</td>
<td>Clare</td>
<td>2,114</td>
<td>4.00</td>
<td>9</td>
<td>$57.52</td>
</tr>
<tr>
<td>Lake Odessa (village)</td>
<td>Ionia</td>
<td>2,018</td>
<td>1.00</td>
<td>10</td>
<td>$49.22</td>
</tr>
<tr>
<td>Marine City</td>
<td>Saint Clair</td>
<td>4,248</td>
<td>3.50</td>
<td>13</td>
<td>$107.22</td>
</tr>
<tr>
<td>North Muskegon</td>
<td>Muskegon</td>
<td>3,706</td>
<td>1.50</td>
<td>20</td>
<td>$165.71</td>
</tr>
<tr>
<td>Pinckney (village)</td>
<td>Livingston</td>
<td>2,427</td>
<td>1.50</td>
<td>11</td>
<td>$66.82</td>
</tr>
<tr>
<td>Spring Lake (village)</td>
<td>Ottawa</td>
<td>2,323</td>
<td>1.10</td>
<td>10</td>
<td>$151.60</td>
</tr>
<tr>
<td>Vassar</td>
<td>Tuscola</td>
<td>2,697</td>
<td>2.00</td>
<td>14</td>
<td>$44.59</td>
</tr>
<tr>
<td>Whitehall</td>
<td>Muskegon</td>
<td>2,706</td>
<td>3.50</td>
<td>22</td>
<td>$118.87</td>
</tr>
<tr>
<td>Zeeland</td>
<td>Ottawa</td>
<td>5,504</td>
<td>3.50</td>
<td>68</td>
<td>$499.07</td>
</tr>
<tr>
<td><strong>Average</strong></td>
<td></td>
<td>3,397</td>
<td>2.70</td>
<td>25</td>
<td><strong>$167.55</strong></td>
</tr>
<tr>
<td>Ferrysburg</td>
<td>Ottawa</td>
<td>2,892</td>
<td>3.00</td>
<td>9</td>
<td><strong>$206.67</strong></td>
</tr>
</tbody>
</table>

Sources: MML membership database, micommunityfinancials.michigan.gov, State of MI Treasury.
Note. Revenues and expenses reflect data for fiscal year 2020 or 2021, whichever was last reported.

As seen in Table 1, a balanced group of communities were analyzed for this project. In considering a labor market, geography is important as are size of municipality and organizational structures, along with other factors. It should be noted that some of the comparable communities included in our survey record larger numbers for the above listed indicators and may influence the market averages when included in the calculations. Despite differences in scale, their location makes them a direct competitor for talent which warrants their inclusion in the market study. The focus of our market analysis was to identify positions in other municipalities with a similar scope of responsibilities, requiring similar levels of knowledge, skill, and expertise.

It should be noted that each municipality surveyed in this study is unique, with different organizational structures and in some cases, alternative allocation of duties among employees. Further, not every comparable community delivers the exact mix of services found in the City of Ferrysburg. For example, the City is unique compared to the custom market in that it utilizes a combined Clerk/Treasurer position. Most respondents reported having separate positions for these roles and reported data for each. Additionally, some respondents don't utilize pay ranges within their organization and only report current actual pay. Under circumstances with little or no data to refer to, we must heavily rely on supplemental data from the League's 2021/22 Wage & Salary Survey to determine appropriate placement in the recommended compensation structure and evaluate current salaries against the recommended ranges.
While there are no "perfect matches" in terms of organization or position; there are positions that are close enough to each other that they serve as a good comparison. One consistent characteristic of all of the comparable communities is that employees are asked to "wear many hats," do more with less, and take on greater responsibility. Even with these variations in operations and positional duties, we are confident the survey results represent a fair, objective, and reasonable comparison to the market.

This report provides detailed analysis of the market data and specific recommendations for pay system design and administration. While we make recommendations based on this data, City officials are ultimately responsible for determining the best course of action for their organization. Our intent is to provide this research, various scenarios, and differing implementation options to help facilitate the decision-making process.

**Key Findings**

**Classification**

The job analysis process allowed us to gather in-depth information on each position, including job requirements and the knowledge, skills, and abilities needed to successfully perform each job. This process aids in the analysis of the market study data to ensure positions are matched appropriately.

Through the job analysis process, we found that some job duties do not align with the current job descriptions in place. We understand that job descriptions have not been updated in several years, and some positions are undergoing a transformation or reorganization of duties. It is recommended that the City utilize the completed JAOs, along with input from managers and employees, to review all current job descriptions and update as needed to accurately describe each position.

**Compensation**

The City of Ferrysburg utilizes individual pay ranges for each position, with the exception of the City Manager whose compensation is set by contract. When comparing the City to the communities surveyed, the City's pay levels, taken in total, are 16% below the market minimum and 11% below the market midpoint. In terms of earning capacity, the City is 6% below the market maximum. In looking at the market data, it is important to consider the following:

⇒ While there are variations among all individual positions, being above or below market does not necessarily mean that someone is "overpaid" or "underpaid," but rather shows the overall comparability to the market.

⇒ Most non-union public sector pay ranges are around 30% wide. In Ferrysburg, current pay ranges vary between 26% and 65%. The recommended pay ranges developed within this report reflect ranges that are 30% wide.

⇒ There are four "green-circled" employees within the City, meaning that these individuals are currently earning a rate below the recommended range minimum.

⇒ There is one "red-circled" employee within the City, meaning that one individual has a current pay level higher than the recommended range maximum.

Detailed market data on each position is available in Appendix A, with the recommended pay structure presented on page 10 of this report.
Benefits
In addition to pay, the customized survey asked about the scope of benefits offered in order to provide a more complete picture of comparability between the City of Ferrysburg and the market.

Overall, Ferrysburg’s benefits are within a similar range of the surveyed market for many benefits. The City is more generous than the market with regard to vacation and sick leave accruals, the employer payment to a defined contribution retirement savings plan, as well as the City match to a retirement health savings plan. However, the City is less generous with respect to life insurance for non-management staff. Additional variations to the market are described within the benefits analysis section of this report.

On a statewide level, we are seeing public employers slowly shifting from traditionally rich, high-cost benefit programs to more progressive programs that shift some responsibility to the employee, allowing the employer to have more control over current and future costs. In this respect, the City of Ferrysburg is ahead of the trend on some benefit areas, such as offering a defined contribution retirement system rather than a defined benefit retirement system.

Detailed benefits data can be found in Appendix B, with a qualitative analysis presented on page 6 of this report.
COMPENSATION & MARKET COMPARABILITY

To determine appropriate pay rates, we utilized a customized market survey to gather information on what the competitive labor market pays for similar positions. To enhance the survey’s reliability, our survey document included positional summaries of each position, rather than simply matching job title to job title. Therefore, respondents were able to report pay based on job content rather than job title alone.

The customized survey also gathered information on how positions are similar or different in other comparable communities to aid in making “apples-to-apples” comparisons with regard to pay data. The survey tool collected information on pay ranges and current actual salaries in the event no range was available.

It should be noted again that each organization surveyed in this study is unique, with different organizational structures and in some cases, alternative allocation of duties among employees. Further, not every comparable employer delivers the exact mix of services found in the City of Ferrysburg. The focus of our market analysis was to identify positions in other organizations with a similar scope of responsibilities, requiring similar levels of knowledge, skill, and expertise.

In addition to the customized salary survey sent to the identified comparable employers, we also included data from the League’s statewide database of municipal salaries to further validate the survey. In some instances where there was little market data available from the comparable communities, data analysis was done using information obtained from the statewide database.

Table 2 below provides a summary of the market survey results and shows how each position compares. Ferrysburg has positional pay ranges that vary greatly from one position to another.

In the data in Table 2, the compa-ratios in the right columns are a simple ratio of the City’s pay rate divided by the market average for minimum, midpoint, or maximum points in the pay ranges. So, the City’s pay levels, taken in total, are 11% below the market.

Table 2: Market Data Summary

<table>
<thead>
<tr>
<th>Current Title</th>
<th>Ferrysburg</th>
<th>Market Average</th>
<th>Compa-Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Min</td>
<td>Mid</td>
<td>Max</td>
</tr>
<tr>
<td>City Manager *</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clerk / Treasurer *</td>
<td>54,060</td>
<td>61,155</td>
<td>68,250</td>
</tr>
<tr>
<td>Public Services Supervisor *</td>
<td>23.97</td>
<td>29.39</td>
<td>34.81</td>
</tr>
<tr>
<td>Public Services Technician (1)</td>
<td>14.76</td>
<td>19.58</td>
<td>24.40</td>
</tr>
<tr>
<td>Public Services Technician (2)</td>
<td>19.20</td>
<td>22.20</td>
<td>25.40</td>
</tr>
<tr>
<td>Administrative Assistant (1)</td>
<td>14.57</td>
<td>17.29</td>
<td>20.00</td>
</tr>
<tr>
<td>Administrative Assistant (2)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Insufficient data obtained from customized survey; range data reported above reflects the 2021/22 MML Wage & Salary Survey.
In reviewing the individual position results, keep in mind that being above or below market does not necessarily mean someone is "overpaid" or "underpaid." Rather, this is a simple way to gauge overall comparability to market. Most public sector pay ranges are around 30% wide, so a likely range minimum would be 15% lower than the midpoint and maximums 15% above. As such, market comparisons with comp-ratios of 85% to 115% are considered within normal limits.

Detailed market data on each position is available in Appendix A.

**BENEFITS ANALYSIS**

Benefits are a critical component in a total compensation package. As such, the study included a benefits survey to provide Ferrysburg with a full picture of the comparability of the City’s overall compensation system.

Benefits data was collected from nine survey respondents. Taken in total, the Ferrysburg’s benefits are within a similar range of the surveyed market for many benefits. The City is more generous than the market for paid time off, the City payment toward a defined contribution retirement plan, as well as the employer match to a retirement health savings plan. However, the City is less generous than the market with respect to life insurance for non-management staff. More specific comparisons for all benefits are detailed below and on the following pages.

**Paid Time Off & Bonus Pay**

- The surveyed market shows an average of 10 paid holidays, compared to the 9 days provided in Ferrysburg.

- Six respondents indicate using separate leave banks for vacation and sick time similar to the Ferrysburg. Of those using separate banks, the market averages for vacation accruals are:

<table>
<thead>
<tr>
<th>Years of Service</th>
<th>Market Average</th>
<th>City of Ferrysburg</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Year</td>
<td>8 days</td>
<td>10 days</td>
</tr>
<tr>
<td>5 Years</td>
<td>12 days</td>
<td>15 days</td>
</tr>
<tr>
<td>10 Years</td>
<td>16 days</td>
<td>15 days</td>
</tr>
<tr>
<td>15 Years</td>
<td>19 days</td>
<td>20 days</td>
</tr>
<tr>
<td>20 Years</td>
<td>20 days</td>
<td>25 days</td>
</tr>
</tbody>
</table>

Overall, Ferrysburg’s vacation accruals are more generous than the market with the exception of the 10-year accrual. Accrual maximums exceed the market by 5 days. This is equivalent to 1.9% of pay.

Three survey respondents offer a combined paid time off (PTO) system, where there is more discretion in how an employee uses their PTO days. The trade-off is fewer total days for more flexibility. Combined PTO is a progressive approach to paid time off and is one technique for controlling banked time off and corresponding cash-outs at separation, while providing employees with sufficient flexibility to balance the demands of both life and work.
The City provides 12 annual sick days, which is two more than the market average among those who offer separate sick banks.

The City provides three personal days annually compared with four days from the market average among those who offer separate leave banks.

Overall, the paid time off program in the City of Ferrysburg is more generous than the surveyed market. Paid time off, whether using a combined or separate approach, is a key benefit offering that influences the attraction of new employees as well as the retention of current staff.

Of the nine responding communities, two provide longevity pay. The City of Ferrysburg does not offer longevity pay. On a statewide level, we are seeing communities discontinue or grandfather their longevity pay programs.

**Insurance Benefits**

Six of the nine respondents offer a PPO health plan, similar to the City of Ferrysburg. Seven respondents require some form of employee contribution to insurance premiums with contributions ranging from $14.90 per pay period to 20% of the total premium. The City of Ferrysburg requires employees to contribute 15% of the premium.

All but one respondent provides some form of payment in lieu of health insurance, ranging from $750 - $5,000. The City of Ferrysburg also provides a payment in lieu of health insurance equal to 50% of the premium.

Six respondents report having a high deductible health plan (HDHP), with deductibles ranging from $1,400/$2,800 to $4,000/$8,000. Three of these respondents offer some form of a health savings account with contributions made by the employer. The City of Ferrysburg does not have a high deductible plan and therefore does not utilize a health savings account.

All respondents offer some form of employer-paid dental insurance, and eight offer some form of employer-paid vision insurance. The City of Ferrysburg provides dental insurance and up to $300 annually for vision reimbursement.

All respondents provide life insurance with the benefit level ranging from $20,000 to 1.5 times an employee's annual salary. The City offers a life insurance benefit of $50,000 for the City Manager, $25,000 for department heads, and $15,000 for all other employees. As compared with the market, the City's life insurance benefit for non-manager employers is less generous than other communities.

Eight respondents provide short-term disability, long-term disability, or a combination of both. The City of Ferrysburg offers long-term disability and has a generous carry over sick leave policy that could support short term paid time off in cases of illness.
Retirement Benefits

- Four of the nine respondents offer a defined benefit retirement program, although two do so on a grandfathered basis. Many public employers are shifting away from a traditional defined benefit pension plan and moving to defined contribution programs where costs are more controllable. The City of Ferrysburg made a similar shift in 2014 with its defined benefit plan.

- Eight of the nine respondents offer a defined contribution program and provide an employer contribution ranging from 5% to 10% of salary, with one community offering a match up to 20% for the City Manager. The City of Ferrysburg offers a defined contribution retirement plan with a 10% employer contribution with a required 5% employee contribution, which is on the more generous side compared to the market.

- Only one respondent provides retiree health insurance. The City does not provide traditional retiree healthcare; however, it does offer a match up to $10,000 toward a retirement health savings plan.

The legacy costs associated with retiree healthcare are creating a trend in the municipal sector which is moving away from 100% employer-paid retiree healthcare. Costs are considerable for this benefit given the relatively low retirement age in the public sector (some allow retirement as early as age 50, many at age 55 or 60) and the uncontrolled increases in the cost of healthcare premiums.

To better control their budgets, long-range financial plans, and future liabilities, many municipal employers are moving toward a flat dollar cap for their retiree healthcare premium or are implementing a "defined contribution" style savings program which allows employees to save for the cost of healthcare in retirement, with or without employer contribution. Many retiree health savings plans allow for the conversion of unused paid time off, which is advantageous to both the employee and the employer, which saves the payroll tax that would otherwise be incurred through paying out time-off banks upon separation.

Full details on benefit offerings within the customized market can be found in Appendix B.
CLASSIFICATION & COMPENSATION STRUCTURE

Impact of Recommended Ranges

As mentioned earlier, the suggested pay structure reflects ranges that are 30% wide. Table 3 on the following page provides a suggested pay structure based on market findings from all surveyed communities for the positions included in this study.

Positions with salaries below range minimums are considered “green circled.” There are four employees currently earning a rate below the suggested minimum.

When considering an implementation plan, it is suggested that green circled individuals be prioritized and moved as quickly as possible to at least the minimum of the recommended pay range. Additionally, consideration might be given to address any long-serving employees or those with considerable experience who have pay levels below the range midpoint. However, individual performance will guide decisions regarding pay adjustments. It is advisable to suspend pay increases for employees with performance concerns, even for the green circled positions, until the issues are resolved.

Positions with salaries above range maximums are considered “red circled.” There is one employee currently earning a rate above the suggested maximum.

Red circled positions are not uncommon for long-serving staff or positions that are difficult to recruit and/or retain. Additionally, employees who are asked to take on a heavier workload may warrant placement at the higher end of the pay scale, and over time, may have exceeded the maximum of their established range.

With regard to red circled employees, we strongly caution against reducing pay or otherwise penalizing an employee with a salary level above the suggested maximum. This can be counter-productive and devastating to morale and the overall success of a pay program. Rather, “grandfathering” red circled employees or increasing salaries at a slower pace are more constructive approaches.

A more progressive approach to addressing red circled employees, or employees who have reached the maximum of their pay range, is to offer a merit bonus rather than a pay increase. This bonus would be tied to performance to recognize outstanding service. This can be done by offering up to a maximum amount, such as a flat dollar amount, or percentage of pay based on the employee’s level of performance. This type of program positions the City to recruit, retain, and reward top talent to serve its public. Keep in mind, however, that an exceptional performance evaluation tool should be in place, used accurately, reliably, and consistently, and the organization itself must have a culture that would support such an approach to pay.
Table 3: Suggested Pay Structure

<table>
<thead>
<tr>
<th>Grade</th>
<th>Position Title</th>
<th>Ferrysburg</th>
<th>RECOMMENDED PAY RANGES</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Minimum</td>
<td>Midpoint</td>
</tr>
<tr>
<td>A</td>
<td>Administrative Assistant (1)</td>
<td>14.57</td>
<td>17.29</td>
</tr>
<tr>
<td></td>
<td>Administrative Assistant (2)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Public Services Technician (1)</td>
<td>14.76</td>
<td>19.58</td>
</tr>
<tr>
<td></td>
<td>Public Services Technician (2)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Public Services Technician (3)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Public Services Technician (4)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>B</td>
<td>City Clerk / Treasurer</td>
<td>54,060</td>
<td>61,155</td>
</tr>
<tr>
<td>C</td>
<td>Public Services Supervisor</td>
<td>23.97</td>
<td>29.39</td>
</tr>
<tr>
<td>D</td>
<td>City Manager</td>
<td>n/a</td>
<td>n/a</td>
</tr>
</tbody>
</table>

Implementing Recommended Ranges

In determining its compensation policy, organizations have much to consider. For example:

- Some organizations strive to lead the market in either pay or benefits, or both. Others utilize below-average compensation programs which may result in short-term savings; however, that is often offset by the high cost of turnover and the indirect costs of poor morale, inconsistent customer service, and overall compromised operational performance.

- Most organizations seek a middle ground, establishing market competitive compensation programs that are fair to employees and fiscally responsible.

- Benefits may influence the stance an employer takes relative to the market. Depending on organizational priorities, some employers maintain employee wages low in relation to the market while maintaining a relatively generous benefit program, or vice versa.

- In moving employees through pay ranges, compensation systems ideally incorporate performance in some way.

- Staffing levels and organizational structures can influence the position an employer takes relative to the competitive market. Where employees are asked to do more with less, an organization may be inclined to meet or even exceed the market with regard to pay, benefits or both.
In considering how pay ranges might be utilized over time, job mastery and performance history are important factors that may guide upward adjustments for employees. The continuum provided in Chart 1 below illustrates how compensation levels within the recommended ranges may be considered with regard to job knowledge and performance.

**Chart 1: Continuum of Job Mastery**

<table>
<thead>
<tr>
<th>Range Minimum</th>
<th>Range Midpoint</th>
<th>Range Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>New to the job, still learning position or has performance issues</td>
<td>Has complete job knowledge and meets expectations in terms of job performance</td>
<td>Has complete mastery of the position and is an exemplary performer</td>
</tr>
</tbody>
</table>

Newer employees who are not yet functioning on a completely independent level, or employees who are not meeting performance standards, may be appropriately placed at or near the range minimum. Over time, training and experience on the job will typically lead to competency for most employees. These employees will likely fall somewhere in the middle of their range, near the midpoint. An employee with complete mastery of their position and a history of exceptional performance may command a salary toward the top of their range near the recommended maximum.

**Range Options**

There are a few popular options for pay range administration, including a traditional step system, an open range, or a combined approach. Tables 5 and 6 on the following page provide examples of both a traditional and combined pay system.

**Traditional Step System**

A traditional step system simply breaks a pay range into increments. In a system with ranges that are 30% wide, nine steps are typical and provide for increments of about 3% to 3.75% between steps.

In a traditional step system, pay increases are awarded based on time on the job, conditioned upon satisfactory performance (i.e., move from step 1 to step 2 after one year on the job with a satisfactory or better performance review). Table 4 on the following page provides a step progression based on a Traditional Step System.

**Open Range System**

Some employers prefer to use a percentage-based, open range approach to progressing employees through their ranges. Under this plan, a set percent is used for employees’ annual pay increases. This provides the most flexibility to the employer, or maximum discretion.

**Combined System**

A combined system uses both formal steps and a flexible, open range. With this method, step increases based on longevity are utilized initially (provided the employee is evaluated at a minimum level of satisfaction) with merit-based progression after a certain tenure level is achieved. This combined system recognizes the “learning curve” found in early years of employment and focuses on performance once longer tenure and associated job mastery is achieved. Table 5 on the following page provides a step progression based on a Combined System.
### Table 4: Traditional Step System

<table>
<thead>
<tr>
<th>Grade</th>
<th>Minimum Step 1</th>
<th>Step 2</th>
<th>Step 3</th>
<th>Step 4</th>
<th>Midpoint Step 5</th>
<th>Step 6</th>
<th>Step 7</th>
<th>Step 8</th>
<th>Maximum Step 9</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>$40,522</td>
<td>$42,041</td>
<td>$43,561</td>
<td>$45,080</td>
<td>$46,600</td>
<td>$48,120</td>
<td>$49,639</td>
<td>$51,159</td>
<td>$52,678</td>
</tr>
<tr>
<td>B</td>
<td>$53,235</td>
<td>$55,231</td>
<td>$57,227</td>
<td>$59,224</td>
<td>$61,220</td>
<td>$63,216</td>
<td>$65,213</td>
<td>$67,209</td>
<td>$69,205</td>
</tr>
<tr>
<td></td>
<td>$25.59</td>
<td>$26.55</td>
<td>$27.51</td>
<td>$28.47</td>
<td>$29.43</td>
<td>$30.39</td>
<td>$31.35</td>
<td>$32.31</td>
<td>$33.27</td>
</tr>
<tr>
<td>C</td>
<td>$58,348</td>
<td>$60,536</td>
<td>$62,724</td>
<td>$64,912</td>
<td>$67,100</td>
<td>$69,288</td>
<td>$71,476</td>
<td>$73,664</td>
<td>$75,852</td>
</tr>
<tr>
<td></td>
<td>$28.05</td>
<td>$29.10</td>
<td>$30.16</td>
<td>$31.21</td>
<td>$32.26</td>
<td>$33.31</td>
<td>$34.36</td>
<td>$35.42</td>
<td>$36.47</td>
</tr>
<tr>
<td>D</td>
<td>$79,343</td>
<td>$82,319</td>
<td>$85,294</td>
<td>$88,270</td>
<td>$91,245</td>
<td>$94,220</td>
<td>$97,196</td>
<td>$100,171</td>
<td>$103,147</td>
</tr>
<tr>
<td></td>
<td>$36.15</td>
<td>$39.58</td>
<td>$41.01</td>
<td>$42.44</td>
<td>$43.87</td>
<td>$45.30</td>
<td>$46.73</td>
<td>$48.16</td>
<td>$49.59</td>
</tr>
</tbody>
</table>

### Table 5: Combined Step System

<table>
<thead>
<tr>
<th>Grade</th>
<th>Minimum Step 1</th>
<th>Step 2</th>
<th>Step 3</th>
<th>Step 4</th>
<th>Midpoint Step 5</th>
<th>Open Range: Performance Based</th>
<th>Maximum Step 9</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>$40,522</td>
<td>$42,041</td>
<td>$43,561</td>
<td>$45,080</td>
<td>$46,600</td>
<td>variable</td>
<td>$52,678</td>
</tr>
<tr>
<td></td>
<td>$19.48</td>
<td>$20.21</td>
<td>$20.94</td>
<td>$21.67</td>
<td>$22.40</td>
<td></td>
<td>$25.33</td>
</tr>
<tr>
<td>B</td>
<td>$53,235</td>
<td>$55,231</td>
<td>$57,227</td>
<td>$59,224</td>
<td>$61,220</td>
<td>variable</td>
<td>$69,205</td>
</tr>
<tr>
<td></td>
<td>$25.59</td>
<td>$26.55</td>
<td>$27.51</td>
<td>$28.47</td>
<td>$29.43</td>
<td></td>
<td>$33.27</td>
</tr>
<tr>
<td>C</td>
<td>$58,348</td>
<td>$60,536</td>
<td>$62,724</td>
<td>$64,912</td>
<td>$67,100</td>
<td>variable</td>
<td>$75,852</td>
</tr>
<tr>
<td></td>
<td>$28.05</td>
<td>$29.10</td>
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<td>$31.21</td>
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<td>$36.47</td>
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<tr>
<td>D</td>
<td>$79,343</td>
<td>$82,319</td>
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<td>variable</td>
<td>$103,147</td>
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<tr>
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<td>$36.15</td>
<td>$39.58</td>
<td>$41.01</td>
<td>$42.44</td>
<td>$43.87</td>
<td></td>
<td>$49.59</td>
</tr>
</tbody>
</table>

### System Administration

It is suggested that the City establish a compensation policy for moving employees through pay ranges over time. As outlined above, there are many methods for progressing employees through a pay range; for example, time on the job (longevity), merit or performance-based pay, or some combination of the two. Further, if using a step system, increases can be applied based on fractions of a step; full step increases are not required of the system options presented within this report.

Many employers are interested in linking pay to performance. To succeed in implementing a merit pay environment, there must be an exceptional performance evaluation tool in place that is used accurately and reliably, and the organization itself must have a culture that would support such an approach to pay. With those two linchpins in place, the employer then must have the financial resources to support the pay for performance program.

Well-designed and properly administered pay-for-performance programs that are tied closely to overarching organizational missions, goals, and objectives, can add substantial value to an organization. However, pay for performance is not a cost-of-living adjustment. Cost of living is something that should be applied to the pay system at-large. Individual performance rewards are separate and distinct from that and lose their impact and credibility when overlapped with other types of adjustments.
When considering performance rewards, an organization can utilize either a performance increase that becomes part of an employee's annual pay; or a one-time reward that does not automatically renew each year. The reward that becomes part of regular pay is typically in recognition of sustained exceptional performance, assuming additional duties, achieving additional education or training, etc. The non-renewable reward is usually associated with achievement of specific goals or in recognition of a special project or some other finite accomplishment. Some systems incorporate both types of rewards to accommodate varying circumstances.

Should the City incorporate pay-for-performance tied to performance evaluation, careful consideration will need to be given to whether rewards are integrated into base pay or treated as a bonus subject to renewal, or some combination of the two.

Placing New Employees Within Established Ranges
To preserve internal equity, original appointment to any position would ideally be made at the minimum rate of the suggested pay range. Advancement could then proceed through successive increases as prescribed in the City's compensation policy.

However, each new hire will inevitably be unique, and may in fact represent a situation in which greater experience and expertise are objectives in recruitment. The labor market may also dictate the need to offer a higher salary. Therefore, new hires should be assessed individually and placed at a range level consistent with City needs and market demands.

Maintaining the System Over Time
A classification and compensation program, once designed and implemented, is not self-sustaining. It needs proper maintenance to continue to serve its purpose. Maintaining the program requires reviewing, adjusting, and controlling both the classification and salary structures so they continue to be effective.

The City should determine the standard process that will be used to maintain the classification plan going forward. For example, how will changes to job descriptions be handled? How will new positions be placed within the system? Who will review requests and what appeals mechanism, if any, will be provided?

The City should carefully consider its options and lay out the methodology best suited to its needs and culture.

Classifying New Positions
As a result of reorganization, new programs, or changes in management procedures, new jobs may be established, and the complexity of existing jobs may change. To maintain internal equity and the usefulness of the pay system, the following procedures are recommended:

1. For new positions, a standard job analysis questionnaire should be used to define the specific duties, responsibilities, and requirements of the position.

2. A current and accurate job description should then be developed.

3. Verification of market pay rates through the statewide survey, or a customized survey, will validate the appropriate pay rate for a new position.
**Updating the Compensation Plan**

Economic conditions, the availability of people, and the prevailing labor market rates will all impact salary structures. To accurately reflect the labor market, it is recommended that the compensation plan be reviewed and adjusted annually. When making annual adjustments to the overall system, consideration should be given to local economic factors and the posture the organization chooses to take relative to the labor market.

*In this sense, pay adjustments are a two-step process.* The first is a general adjustment of the entire pay system to reflect inflationary or cost-of-living increases. And the second is individual level adjustments based on performance, longevity, or whatever measures the City choose to reflect its compensation philosophy.

Various sources exist for inflation figures, cost-of-living estimates, and other economic indicators such as the Consumer Price Index (CPI). One of these could be applied to the compensation structures provided within this report to make the annual cost-of-living adjustment.

When making annual adjustments to the overall system, consideration should be given to local economic factors and the posture the organization chooses to take relative to the labor market. Additionally, it is recommended that the City complete a classification and compensation study every five to seven years to check the adequacy of present pay rates and internal ranking of jobs. In doing so, the City will help validate its continued competitive position in the market.

In devising a pay and benefits system, an employer is well-served to consider its mission and organizational goals and align its compensation policy accordingly. The data and objective analysis provided within this report will help position the City of Ferrysburg for these important policy considerations.
APPENDIX A

Market Survey Data: Pay
<table>
<thead>
<tr>
<th>Comparable Community</th>
<th>Title Used</th>
<th>Duties Compare</th>
<th>Range (Base Pay)</th>
<th>Actual Pay or Max</th>
<th>FT / PT</th>
<th>Hrs / Week</th>
<th>Yrs of Svc</th>
<th>Other Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clare</td>
<td>City Manager</td>
<td></td>
<td>84,448 84,989</td>
<td>84,448 84,989</td>
<td>FT 40</td>
<td></td>
<td></td>
<td>As reported in the 2021/22 W&amp;S survey</td>
</tr>
<tr>
<td>Coopersville</td>
<td>City Manager</td>
<td></td>
<td>84,448 84,989</td>
<td>84,448 84,989</td>
<td>FT 40</td>
<td></td>
<td></td>
<td>As reported in the 2021/22 W&amp;S survey</td>
</tr>
<tr>
<td>Douglas</td>
<td>City Manager</td>
<td>City Manager does not do zoning or code enforcement but otherwise the duties are generally the same.</td>
<td>95,643 99,258</td>
<td>95,643 99,258</td>
<td>FT 40</td>
<td></td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>East Tawas</td>
<td>City Manager</td>
<td>Same as listed with exception of Zoning Administrator. They have a separate Planning Director.</td>
<td>80,036 96,902</td>
<td>80,036 96,902</td>
<td>FT 40</td>
<td>&gt;4</td>
<td></td>
<td>Receives cell phone ($70) and car allowance ($400) monthly</td>
</tr>
<tr>
<td>Frankfort</td>
<td>City Manager</td>
<td>Does not oversee the Clerk/Treasurer, Police, or Fire Department.</td>
<td>99,258 110,448</td>
<td>99,258 110,448</td>
<td>FT 40</td>
<td>22</td>
<td></td>
<td>$650 Vehicle Allowance</td>
</tr>
<tr>
<td>Grand Haven</td>
<td>City Manager</td>
<td>Very similar, but have other staff handle zoning administration and code enforcement.</td>
<td>110,448 127,015 143,562</td>
<td>110,448 127,015 143,562</td>
<td>FT 40</td>
<td>19</td>
<td></td>
<td>Position is currently open</td>
</tr>
<tr>
<td>Harrison</td>
<td>City Manager</td>
<td></td>
<td>70,762 76,500</td>
<td>70,762 76,500</td>
<td>FT 40</td>
<td></td>
<td></td>
<td>As reported in the 2021/22 W&amp;S survey</td>
</tr>
<tr>
<td>Lake Odessa (village)</td>
<td>Village Manager / Village Clerk</td>
<td>Similar duties including the Clerk position, but does not do zoning administration or code enforcement.</td>
<td>73,902 76,500</td>
<td>73,902 76,500</td>
<td>FT 40</td>
<td>3</td>
<td></td>
<td>$10,000 Clerk Stipend</td>
</tr>
<tr>
<td>Marine City</td>
<td>City Manager</td>
<td></td>
<td>76,500 108,805</td>
<td>76,500 108,805</td>
<td>FT 40</td>
<td></td>
<td>1</td>
<td>As reported in the 2021/22 W&amp;S survey</td>
</tr>
<tr>
<td>North Muskegon</td>
<td>City Manager</td>
<td></td>
<td>108,805 127,015</td>
<td>108,805 127,015</td>
<td>FT 40</td>
<td></td>
<td></td>
<td>No City Manager, Clerk periodically has some of the City Manager duties assigned from the City Council President.</td>
</tr>
<tr>
<td>Pinckney (village)</td>
<td>N/A</td>
<td></td>
<td>71,968 108,805</td>
<td>71,968 108,805</td>
<td>FT 40</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Spring Lake (village)</td>
<td>Village Manager</td>
<td></td>
<td>145,000 159,619</td>
<td>145,000 159,619</td>
<td>FT 40</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vassar</td>
<td>City Manager</td>
<td></td>
<td>80,340 93,730 107,120</td>
<td>80,340 93,730 107,120</td>
<td>FT 40</td>
<td>21</td>
<td></td>
<td>Paid monthly car allowance</td>
</tr>
<tr>
<td>Whitehall</td>
<td>City Manager</td>
<td>Not code enforcement officer but oversees Police Dept</td>
<td>113,775 137,153 159,619</td>
<td>113,775 137,153 159,619</td>
<td>FT 40</td>
<td>20</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Zeeland</td>
<td>City Manager</td>
<td>Does not serve as Zoning Admin and Code Enforcement Officer.</td>
<td>159,619 159,619 159,619</td>
<td>159,619 159,619 159,619</td>
<td>FT 40</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Market Average**

| 2021/22 MML Statewide Data | 82,247 92,497 103,146 | 95,508 25% |
| Ferryburg                | City Manager |                | 100,600 100,600 | 100,600 100,600 | FT 40   | 19         |            | |

*2021/22 MML Statewide Survey includes regions 1-6 with populations between 2,000 and 10,000 for position of City Manager or City Administrator (range: n=15; actual: n=97).
<table>
<thead>
<tr>
<th>Comparable Community</th>
<th>Title Used</th>
<th>How Do Duties Compare</th>
<th>Range (Base Pay)</th>
<th>Actual Pay or Max</th>
<th>FT / Hrs / Yrs of Svc</th>
<th>Other Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clare</td>
<td>Clerk</td>
<td></td>
<td>48,900 FT 40</td>
<td></td>
<td></td>
<td>As reported in the 2021/22 W&amp;S survey</td>
</tr>
<tr>
<td>Coopersville</td>
<td>Finance Director /</td>
<td>Clerk and Treasurer are separate positions. Treasurer responsible for collection,</td>
<td>70,219 FT 40</td>
<td></td>
<td></td>
<td>As reported in the 2021/22 W&amp;S survey. Clerk salary is 69,463</td>
</tr>
<tr>
<td></td>
<td>Treasurer</td>
<td>management, and financial accounting, processes payroll, input and pay accounts</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>payable. Clerk is official custodian, administers employee benefits, runs elections,</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>meeting minutes, etc.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Douglas</td>
<td>Treasurer</td>
<td>Clerk earns $70,475/yr with 13 years of service</td>
<td>71,400 FT 40 2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>East Tawas</td>
<td>Clerk / Treasurer</td>
<td>Same as listed with exception of Payroll Processing which is done by the Deputy</td>
<td>50,918 FT 40 17.9</td>
<td></td>
<td></td>
<td>Also receives a cell phone stipend of $30 monthly</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Treasurer</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Frankfort</td>
<td>Clerk / Treasurer</td>
<td>Similar duties</td>
<td>54,995 FT 40 1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grand Haven</td>
<td>Finance Director</td>
<td>Oversees payroll, benefit administration, treasure and staff accountants. Also</td>
<td></td>
<td></td>
<td></td>
<td>not a comparable position earning range of $87,235 -</td>
</tr>
<tr>
<td></td>
<td></td>
<td>manages contract services to NORA and OCCDA. NO clerk functions.</td>
<td></td>
<td></td>
<td></td>
<td>$113,422/yr (current salary is $88,000)</td>
</tr>
<tr>
<td>Harrison</td>
<td>Treasurer / Clerk</td>
<td></td>
<td>41,234 FT 40</td>
<td></td>
<td></td>
<td>As reported in the 2021/22 W&amp;S survey</td>
</tr>
<tr>
<td>Lake Odessa (village)</td>
<td>Treasurer</td>
<td>Does not do clerk position. Does not oversee staff.</td>
<td>55,350 FT 40 1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Marine City</td>
<td>Treasurer</td>
<td>Clerk and Treasurer are separate positions. Treasurer handles Finance; Clerk handles</td>
<td>68,300 FT 40</td>
<td></td>
<td></td>
<td>Clerk earns $65,000/yr</td>
</tr>
<tr>
<td></td>
<td></td>
<td>custody of the City records.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>North Muskegon</td>
<td>Clerk</td>
<td></td>
<td>60,320 FT 40</td>
<td></td>
<td></td>
<td>As reported in the 2021/22 W&amp;S survey. Finance Director</td>
</tr>
<tr>
<td>Pinckney (village)</td>
<td>Clerk Accountant /</td>
<td>two separate positions</td>
<td>51,418 PT 32</td>
<td></td>
<td></td>
<td>Both positions are at same rate</td>
</tr>
<tr>
<td></td>
<td>Treasurer</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Spring Lake (village)</td>
<td>Clerk/Treasurer</td>
<td></td>
<td>67,190 FT 40</td>
<td></td>
<td></td>
<td>As reported in the 2021/22 W&amp;S survey</td>
</tr>
<tr>
<td>Vassar</td>
<td>Clerk / Treasurer</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Whitehall</td>
<td>City Treasurer</td>
<td>City Treasurer is responsible for payroll and benefits. City Clerk responsible for</td>
<td>65,819 76,789 87,758 FT 40</td>
<td>8</td>
<td></td>
<td>Clerk earns range of $63,900 - $71,870/yr with current</td>
</tr>
<tr>
<td></td>
<td></td>
<td>elections, official custodian of records, everything council related, cemetery sexton,</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>FOIA</td>
<td></td>
<td></td>
<td></td>
<td>salary of $69,405 and 8 years in position</td>
</tr>
<tr>
<td>Zeeland</td>
<td>City Clerk / Personnel Assistant</td>
<td>Does not do anything with Finance. Oversees all Elections and assists with all</td>
<td>63,984 73,582 83,179 FT 40</td>
<td>13</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Personnel duties</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Market Average</td>
<td>Insufficient data</td>
<td></td>
<td>60,953</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2021/22 MML Statewide Data</td>
<td></td>
<td></td>
<td>53,178 61,170 69,161 FT 40 30%</td>
<td></td>
<td></td>
<td>As reported in the 2021/22 W&amp;S survey. Clerk salary is 69,463</td>
</tr>
<tr>
<td>Ferryburg</td>
<td>Clerk / Treasurer</td>
<td></td>
<td>54,050 FT 40 1</td>
<td></td>
<td></td>
<td>26%</td>
</tr>
</tbody>
</table>

* 2021/22 MML Statewide Survey includes regions 1-6 with populations between 2,000 and 10,000 for positions of Clerk/Treasurer, Clerk, Treasurer, and Clerk/Treasurer/Finance Director (range: n=28; actual: n=102).
## Public Services Supervisor

<table>
<thead>
<tr>
<th>Comparable Community</th>
<th>Title Used</th>
<th>Duties Compare</th>
<th>Range (Base Pay)</th>
<th>Actual Pay or Max</th>
<th>FT / PT</th>
<th>Hrs / Week</th>
<th>Yrs of Svc</th>
<th>Other Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clare</td>
<td>Director of Public Works</td>
<td></td>
<td>31.20</td>
<td>FT 40</td>
<td></td>
<td></td>
<td></td>
<td>As reported in the 2021/22 W&amp;S survey</td>
</tr>
<tr>
<td>Coopersville</td>
<td>Public Works / Streets Superintendent</td>
<td></td>
<td>28.05</td>
<td>FT 40</td>
<td></td>
<td></td>
<td></td>
<td>As reported in the 2021/22 W&amp;S survey</td>
</tr>
<tr>
<td>Douglas</td>
<td>DPW Supervisor</td>
<td></td>
<td>33.97</td>
<td>FT 40</td>
<td>9</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>East Tawas</td>
<td>Public Works Superintendent</td>
<td>Certifications required - CDL, 33, MAPSI, MPSI, and additional training as it comes up.</td>
<td>29.28</td>
<td>FT 40</td>
<td>22</td>
<td></td>
<td></td>
<td>Also receives a cell phone stipend of $70 monthly</td>
</tr>
<tr>
<td>Frankfort</td>
<td>DPW Foreman</td>
<td></td>
<td>27.88</td>
<td>FT 40</td>
<td>22</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grand Haven</td>
<td>Streets &amp; Utilities Manager</td>
<td></td>
<td>30.24 34.77 38.31</td>
<td>FT 40</td>
<td></td>
<td></td>
<td></td>
<td>Public Works Director earns range of $87,235 - $113,422/yr*</td>
</tr>
<tr>
<td>Harrison</td>
<td>Public Works/Street Superintendent</td>
<td></td>
<td>28.41</td>
<td>FT 40</td>
<td>5</td>
<td></td>
<td></td>
<td>As reported in the 2021/22 W&amp;S survey</td>
</tr>
<tr>
<td>Lake Odessa (village)</td>
<td>DPW Superintendent</td>
<td>Duties are the same. Require D3 and S3 licenses.</td>
<td>34.44</td>
<td>FT 40</td>
<td></td>
<td></td>
<td></td>
<td>Add'l pay licenses: D4 $300, D3 $600, D2 or Greater $1,200, S4 $200, S3 or Greater $600</td>
</tr>
<tr>
<td>Marine City</td>
<td>DPW Supervisor</td>
<td></td>
<td>36.81</td>
<td>FT 40</td>
<td>38</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>North Muskegon</td>
<td>Director of Public Works</td>
<td></td>
<td>31.92</td>
<td>FT 40</td>
<td></td>
<td></td>
<td></td>
<td>As reported in the 2021/22 W&amp;S survey</td>
</tr>
<tr>
<td>Pinckney (village)</td>
<td>DPW Director</td>
<td></td>
<td>42.31</td>
<td>FT 40</td>
<td>4 PTE and one seasonal, do sewer and water, require CDL and other must acquire certifications while employed.</td>
<td>Contracted through Spring Lake Trwp.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Spring Lake (village)</td>
<td>Director of Public Works</td>
<td></td>
<td>25.81</td>
<td>FT 40</td>
<td></td>
<td></td>
<td></td>
<td>As reported in the 2021/22 W&amp;S survey</td>
</tr>
<tr>
<td>Vassar</td>
<td>Director of Public Services</td>
<td></td>
<td>31.64 36.52 42.19</td>
<td>40.76 FT 40 30</td>
<td></td>
<td></td>
<td></td>
<td>Add'l pay pay for water license and CDL</td>
</tr>
<tr>
<td>Zeeland</td>
<td>Public Works Superintendent</td>
<td>Asst. City Mgr / Finance Director oversees City Services / Infrastructure</td>
<td>36.14 41.56 46.98</td>
<td>43.66 FT 40 30</td>
<td></td>
<td></td>
<td></td>
<td>As reported in the 2021/22 WLS survey; Asst. City Mgr / Finance Director earns range of $103,043 - $133,952/yr*</td>
</tr>
</tbody>
</table>

### Market Average

|          | Insufficient data | 33.73 |

<table>
<thead>
<tr>
<th>2021/22 MML Statewide Data *</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Ferrysburg Public Services Supervisor</td>
<td>28.42 32.46 34.49 32.60 28%</td>
</tr>
</tbody>
</table>

* 2021/22 MML Statewide Survey includes regions 1-6 with populations between 2,000 and 10,000 for positions of Public Works/Streets Superintendent, Public Works Director, Public Works Deputy Director, and Water/Sewer Systems Administrator (range: m=21; actual: m=78).
<table>
<thead>
<tr>
<th>Comparable Community</th>
<th>Title Used</th>
<th>How Do Duties Compare</th>
<th>Range (Base Pay)</th>
<th>Actual Pay or Max</th>
<th>FT / PT</th>
<th>Hrs / Week</th>
<th>Yrs of Svc</th>
<th>Other Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clare</td>
<td>Heavy Equipment Operator</td>
<td></td>
<td>16.53</td>
<td>19.71</td>
<td>22.89</td>
<td>varies</td>
<td>FT 40</td>
<td>As reported in the 2021/22 W&amp;S survey</td>
</tr>
<tr>
<td>Coopersville</td>
<td>Public Works Maintenance Worker</td>
<td></td>
<td>17.45</td>
<td>18.87</td>
<td>20.29</td>
<td>varies</td>
<td>FT 40</td>
<td>As reported in the 2021/22 W&amp;S survey</td>
</tr>
<tr>
<td>Douglas</td>
<td>DPW Worker</td>
<td>requires CDL, S-3 for some, Equipment Certifications</td>
<td>22.69</td>
<td>24.54</td>
<td>26.39</td>
<td>varies</td>
<td>FT 40</td>
<td>varies</td>
</tr>
<tr>
<td>East Tawas</td>
<td>DPW Staff</td>
<td></td>
<td>19.30</td>
<td></td>
<td></td>
<td>varies</td>
<td>FT 40</td>
<td>varies</td>
</tr>
<tr>
<td>Grand Haven</td>
<td>Equipment Operator II</td>
<td>requires S-1 license with ability to use backhoe.</td>
<td>20.70</td>
<td>23.28</td>
<td>25.86</td>
<td>varies</td>
<td>FT 40</td>
<td>All paid the same hourly wage</td>
</tr>
<tr>
<td>Harrison</td>
<td>Public Works Maintenance Worker</td>
<td></td>
<td>13.00</td>
<td></td>
<td></td>
<td>varies</td>
<td>FT 40</td>
<td>As reported in the 2021/22 W&amp;S survey</td>
</tr>
<tr>
<td>Lake Odessa (village)</td>
<td>DPW Worker</td>
<td>Duties are the same, Licensing is not required for hire but is expected over time,</td>
<td>21.02</td>
<td>22.67</td>
<td>24.32</td>
<td>varies</td>
<td>FT 40</td>
<td>As reported in the 2021/22 W&amp;S survey</td>
</tr>
<tr>
<td>Marine City</td>
<td>DPW</td>
<td></td>
<td>27.54</td>
<td></td>
<td></td>
<td>varies</td>
<td>FT 40</td>
<td>4 FTE and one seasonal</td>
</tr>
<tr>
<td>North Muskegon</td>
<td>Public Works Maintenance Worker</td>
<td></td>
<td>16.76</td>
<td>19.37</td>
<td>21.97</td>
<td>varies</td>
<td>FT 40</td>
<td>As reported in the 2021/22 W&amp;S survey</td>
</tr>
<tr>
<td>Pinckney (village)</td>
<td>DPW Worker</td>
<td>does sewer and water, requires CDL and many certifications expected over time,</td>
<td>24.00</td>
<td></td>
<td></td>
<td>varies</td>
<td>FT 40</td>
<td>One Laborer is a Village Employee and other Laborers work for Spring Lake Twp.</td>
</tr>
<tr>
<td>Spring Lake (village)</td>
<td>DPW Laborer</td>
<td></td>
<td>20.19</td>
<td>23.22</td>
<td>26.25</td>
<td>varies</td>
<td>FT 40</td>
<td>As reported in the 2021/22 W&amp;S survey</td>
</tr>
<tr>
<td>Vassar</td>
<td>Public Works Maintenance Worker</td>
<td></td>
<td>18.03</td>
<td>20.29</td>
<td>22.54</td>
<td>varies</td>
<td>FT 40</td>
<td>As reported in the 2021/22 W&amp;S survey</td>
</tr>
<tr>
<td>Whitehall</td>
<td>DPW Maintenance Worker</td>
<td></td>
<td>20.12</td>
<td>24.27</td>
<td>28.43</td>
<td>28.43</td>
<td>FT 40</td>
<td>Add’t pay pay for water license and CDL</td>
</tr>
<tr>
<td>Zeeland</td>
<td>Heavy Equipment Operator</td>
<td></td>
<td>22.44</td>
<td>25.80</td>
<td>29.17</td>
<td>varies</td>
<td>FT 40</td>
<td>28 As reported in the 2021/22 W&amp;S survey; Streets Supervisor earns range of $30.76 - $39.99/hr; Cemetery/Parks Supervisor earns range of $27.96 - $36.17/hr</td>
</tr>
<tr>
<td><strong>Market Average</strong></td>
<td></td>
<td></td>
<td>19.58</td>
<td>22.20</td>
<td>24.81</td>
<td>24.81</td>
<td>22.78</td>
<td>27%</td>
</tr>
<tr>
<td><strong>2021/22 MML Statewide Data</strong></td>
<td></td>
<td></td>
<td>19.17</td>
<td>21.72</td>
<td>24.26</td>
<td>24.26</td>
<td>21.93</td>
<td>27%</td>
</tr>
<tr>
<td><strong>Ferrysburg</strong></td>
<td>Public Services Technician</td>
<td></td>
<td>14.76</td>
<td>19.58</td>
<td>24.40</td>
<td>varies</td>
<td>FT 40</td>
<td>65% receives add’l $0.50/hr for water certificate</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>17.67</td>
<td></td>
<td></td>
<td>varies</td>
<td>FT 30</td>
<td>65%</td>
</tr>
</tbody>
</table>

* 2021/22 MML, Statewide Survey includes regions 1-6 with populations between 2,000 and 10,000 for position of Public Works Maintenance Worker and Heavy Equipment Operator (range n=90; actual: n=39).
### Classification and Compensation Study

**Salary Survey Results, June 2022**

**City of Ferrysburg**

<table>
<thead>
<tr>
<th>Administrative Assistant</th>
<th>Comparable Community</th>
<th>Title Used</th>
<th>How Do Duties Compare</th>
<th>Range (Base Pay)</th>
<th>Actual Pay or Max</th>
<th>FT / PT</th>
<th>Hrs / Week</th>
<th>Yrs of Svc</th>
<th>Other Details</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Min</td>
<td>Mid</td>
<td>Max</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clare</td>
<td></td>
<td>Utility Billing Clerk &amp; Deputy Clerk</td>
<td>two positions performing these duties</td>
<td>18.38</td>
<td></td>
<td>FT</td>
<td>40</td>
<td></td>
<td>As reported in the 2021/22 W&amp;S survey; both positions earn same rate</td>
</tr>
<tr>
<td>Coopersville</td>
<td></td>
<td>Utility Billing Clerk &amp; Office Clerk II</td>
<td>two positions performing these duties</td>
<td>22.06</td>
<td></td>
<td>FT</td>
<td>40</td>
<td></td>
<td>As reported in the 2021/22 W&amp;S survey; both positions earn same rate</td>
</tr>
<tr>
<td>Douglas</td>
<td></td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>East Tawas</td>
<td></td>
<td>Deputy Treasurer</td>
<td>Same as listed plus payroll, accounts payable, and accounts receivable; Admin Assistant and Deputy Clerk also perform these duties</td>
<td>18.00</td>
<td></td>
<td>FT</td>
<td>40</td>
<td>2</td>
<td>Deputy Clerk earns $20.00/hr with 10 yrs of service; PT Admin Asst earns $13.46/hr with 8 yrs of service; also receives a cell phone stipend of $30/month.</td>
</tr>
<tr>
<td>Frankfort</td>
<td></td>
<td>Deputy Clerk</td>
<td>Works in the Clerk/Tres Department, not building dept</td>
<td>22.00</td>
<td></td>
<td>FT</td>
<td>40</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Grand Haven</td>
<td></td>
<td>Administrative Assistant</td>
<td>Multiple positions share these types of duties</td>
<td>19.83</td>
<td>22.81</td>
<td>25.78</td>
<td>varies</td>
<td>varies</td>
<td></td>
</tr>
<tr>
<td>Harrison</td>
<td></td>
<td>Utility Billing Clerk</td>
<td></td>
<td>13.50</td>
<td></td>
<td>FT</td>
<td>40</td>
<td></td>
<td>As reported in the 2021/22 W&amp;S survey</td>
</tr>
<tr>
<td>Lake Odessa (village)</td>
<td></td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Marine City</td>
<td></td>
<td>Administrative Clerk</td>
<td>reports to Treasurer; duties also performed by Deputy Clerk who reports to the City Clerk.</td>
<td>19.38</td>
<td></td>
<td>FT</td>
<td>40</td>
<td>1</td>
<td>Deputy Clerk earns $19.77 with 7 yrs of service.</td>
</tr>
<tr>
<td>North Muskegon</td>
<td></td>
<td>Deputy Treasurer</td>
<td></td>
<td>18.00</td>
<td>20.50</td>
<td>23.00</td>
<td></td>
<td></td>
<td>As reported in the 2021/22 W&amp;S survey; Executive Assistant $17-$20/hour, Administrative Assistant for Public Works - $15-$18/hour</td>
</tr>
<tr>
<td>Pinckney (village)</td>
<td></td>
<td>Secretary</td>
<td>person in role is also police officer (50/50 split role)</td>
<td>22.88</td>
<td></td>
<td>FT</td>
<td>20</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Spring Lake (village)</td>
<td></td>
<td>Deputy Treasurer, UB Clerk, Deputy Clerk</td>
<td>Duties split between three positions</td>
<td>20.19</td>
<td>23.22</td>
<td>26.25</td>
<td></td>
<td></td>
<td>Three positions that fulfill the same duties and are in the same pay band</td>
</tr>
<tr>
<td>Vassar</td>
<td></td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>As reported in the 2021/22 W&amp;S survey</td>
</tr>
<tr>
<td>Whitehall</td>
<td></td>
<td>Deputy Treasurer</td>
<td>Duties split between Deputy Treasurer, DPW Office Coord, and Admin Asst</td>
<td>19.21</td>
<td>22.41</td>
<td>25.81</td>
<td>18.56</td>
<td>4</td>
<td>DPW Coordinator and Admin Assistant have same pay range</td>
</tr>
<tr>
<td>Zeeland</td>
<td></td>
<td>Utility Billing Clerk</td>
<td></td>
<td>20.40</td>
<td>23.46</td>
<td>26.52</td>
<td>24.30</td>
<td>4</td>
<td>As reported in the 2021/22 W&amp;S survey; Administrative Assistant earns range of $21.01 - $27.31/hr</td>
</tr>
<tr>
<td><strong>Market Average</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>19.53</strong></td>
<td><strong>22.48</strong></td>
<td><strong>25.43</strong></td>
<td><strong>19.87</strong></td>
<td><strong>30%</strong></td>
<td></td>
</tr>
<tr>
<td>2021/22 MML Statewide Data *</td>
<td></td>
<td></td>
<td></td>
<td><strong>15.17</strong></td>
<td><strong>20.65</strong></td>
<td><strong>23.13</strong></td>
<td><strong>21.19</strong></td>
<td><strong>27%</strong></td>
<td></td>
</tr>
<tr>
<td>Ferrysburg</td>
<td></td>
<td>Administrative Assistant</td>
<td></td>
<td>14.57</td>
<td>17.29</td>
<td>20.00</td>
<td>18.00</td>
<td>4</td>
<td>&lt;1</td>
</tr>
</tbody>
</table>

* 2021/22 MML Statewide Survey includes regions 1-6 with populations between 2,000 and 10,000 for positions of Administrative Assistant, Utility Billing Clerk, Finance/Account Clerk I and II, and Deputy Treasurer (range: n=48; actual: n=100).
APPENDIX B

Market Survey Data: Benefits
<table>
<thead>
<tr>
<th>CITY OF FERRYSBURG</th>
</tr>
</thead>
<tbody>
<tr>
<td>BENEFITS SURVEY, JUNE 2022</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>PAID TIME OFF &amp; BONUSES</strong></th>
<th>City of Ferrysburg</th>
<th>Douglas</th>
<th>East Tawas</th>
<th>Frankfort</th>
<th>Grand Haven</th>
<th>Lake Odessa</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scheduled Working Hours Per Day (i.e. 8, 7.5, 12)</td>
<td>8</td>
<td>8</td>
<td>8</td>
<td>8</td>
<td>8</td>
<td>8</td>
</tr>
<tr>
<td># Annual Paid Holidays</td>
<td>9</td>
<td>9</td>
<td>10</td>
<td>11</td>
<td>10</td>
<td>11</td>
</tr>
<tr>
<td>Do you offer combined paid time off (PTO) or separate Vacation / Sick / Personal time off?</td>
<td>Separate</td>
<td>Separate</td>
<td>Combined</td>
<td>Separate</td>
<td>Combined</td>
<td>Separate</td>
</tr>
<tr>
<td># Vacation / PTO Days Earned:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>@ 1 year</td>
<td>10</td>
<td>5</td>
<td>10</td>
<td>5</td>
<td>20</td>
<td>10</td>
</tr>
<tr>
<td>@ 5 years</td>
<td>15</td>
<td>10</td>
<td>15</td>
<td>15</td>
<td>20</td>
<td>15</td>
</tr>
<tr>
<td>@ 10 years</td>
<td>15</td>
<td>15</td>
<td>15</td>
<td>16</td>
<td>25</td>
<td>20</td>
</tr>
<tr>
<td>@ 15 years</td>
<td>20</td>
<td>20</td>
<td>20</td>
<td>16</td>
<td>25</td>
<td>20</td>
</tr>
<tr>
<td>@ 20 years</td>
<td>25</td>
<td>20</td>
<td>20</td>
<td>20</td>
<td>30</td>
<td>25</td>
</tr>
<tr>
<td>Maximum Carry Over of Vacation/PTO Allowed (in days) or Use-It or Lose-It policy?</td>
<td>Use-It or Lose-It</td>
<td>40</td>
<td>Carry over is capped on years of service. 0-10 yrs max carry over of 240 hrs. 10+ years max carry over of 320 hrs.</td>
<td>5 days</td>
<td>64</td>
<td>40</td>
</tr>
<tr>
<td>Is accrued Vacation/PTO time paid out upon separation or retirement? If so, what is the a maximum payout?</td>
<td>Paid out, no maximum</td>
<td>Yes, no maximum</td>
<td>Yes, no maximum</td>
<td>Yes, based on how much accrued when they leave</td>
<td>Roll into MERS HCSP acct</td>
<td>Yes, no maximum</td>
</tr>
<tr>
<td># Annual Sick Days</td>
<td>12</td>
<td>8</td>
<td>N/A</td>
<td>10</td>
<td>N/A</td>
<td>12</td>
</tr>
<tr>
<td>Maximum Carry Over of Sick Days allowed (in days) or Use-It or Lose-It policy?</td>
<td>1,040 hours (130 days)</td>
<td>40</td>
<td>N/A</td>
<td>6</td>
<td>N/A</td>
<td>75</td>
</tr>
<tr>
<td>Is accrued Sick time paid out upon separation or retirement? If so, what is the a maximum payout?</td>
<td>Before 2015 half of balance at 100% of pay. After 2015 half of balance at 50% pay.</td>
<td>No</td>
<td>N/A</td>
<td>Yes, based on how much accrued when they leave</td>
<td>N/A</td>
<td>No</td>
</tr>
<tr>
<td># Annual Paid Personal Days</td>
<td>3</td>
<td>3</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>2</td>
</tr>
<tr>
<td>Longevity Pay</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>@ 5 years</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>@ 10 years</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>@ 15 years</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>@ 20 years</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| CITY OF FERRYSBURG  
BENEFITS SURVEY, JUNE 2022 | City of Ferrysburg | Douglas | East Tawas | Frankfort | Grand Haven | Lake Odessa |
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>INSURANCE</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Insurance Plan Type (i.e. PPO, HMO, etc.)</td>
<td>PPO</td>
<td>HMO</td>
<td>HMO</td>
<td>PPO</td>
<td>PPO</td>
<td>PPO</td>
</tr>
<tr>
<td>Is your plan a high deductible plan? (yes or no)</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Does the employer contribute to a Health Savings Plan? If so, what is the annual contribution?</td>
<td>No $5,500</td>
<td>Did not respond</td>
<td>No $10,000 / $13,000</td>
<td>varies - not mandatory</td>
<td>No $1,400 / $2,800</td>
<td>No $500 / $1,000</td>
</tr>
<tr>
<td>Annual Employee Contribution to Healthcare Premium</td>
<td>15% 0%</td>
<td>Did not respond</td>
<td>11%</td>
<td>$14.80 / $35.77 / $44.71</td>
<td>20%</td>
<td></td>
</tr>
<tr>
<td>Annual Deducible (single/family)</td>
<td>Max: $2,500 member $5,000 family</td>
<td>LD - $475 / $950</td>
<td>HD - $3,000 / $6,000</td>
<td>$3,000 / $6,000</td>
<td>$10,000 / $13,000</td>
<td>$1,400 / $2,800</td>
</tr>
<tr>
<td>Annual Payment in Lieu of Insurance 50% of premium</td>
<td>$1,800</td>
<td>20% of State Cap</td>
<td>$0</td>
<td>$750 / $1,050 / $1,500</td>
<td>$3,000 Health</td>
<td>$3,300 Health/Dent/Vis</td>
</tr>
<tr>
<td>Employer-Paid Dental (yes or no)</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Employer-Paid Vision (yes or no)</td>
<td>$300/year Yes, $300 Reimbursement</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$150 annual reimbursement Yes</td>
<td></td>
</tr>
<tr>
<td>Employer-Paid Life Insurance (benefit level - i.e. $25K, 1 x Salary)</td>
<td>CM: $50,000, Dept head: $25,000, employee $15,000</td>
<td>$50K</td>
<td>$50K</td>
<td>$50K</td>
<td>$20K 1 x salary for managers</td>
<td>$50K</td>
</tr>
<tr>
<td>Employer-Paid Disability (short term, long term, or both)</td>
<td>LT</td>
<td>ST</td>
<td>ST &amp; AD&amp;D</td>
<td>Both</td>
<td>Both</td>
<td>Both</td>
</tr>
<tr>
<td><strong>PENSION / RETIREMENT</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>What type(s) of retirement programs do you offer? (i.e. Defined Benefit Pension, Defined Contribution, Hybrid, etc.)</td>
<td>Before 2014 DB, after 2014 DC</td>
<td>DC City Manager, DB all others, 457 All</td>
<td>DC</td>
<td>DB &amp; DC</td>
<td>DC</td>
<td>DB &amp; DC</td>
</tr>
<tr>
<td>Pension Plan:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>MERS (1 employee)</td>
<td></td>
</tr>
<tr>
<td>Pension Plan Type (i.e. MERS B2)</td>
<td>MERS B-3</td>
<td>MERS B3 Hourly, MERS B3 Salary</td>
<td>MERS B2</td>
<td>MERS B4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Multiplier (i.e. 2.25%)</td>
<td>2.25</td>
<td>2.25% Hourly</td>
<td>2%</td>
<td>2.50%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employer Contribution to Pension</td>
<td>5.00%</td>
<td>0%</td>
<td>2%</td>
<td>10%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Defined Contribution Plan (i.e. 401, 457)</td>
<td>401</td>
<td>401 &amp; 457</td>
<td>401A</td>
<td>457</td>
<td>401k (all employees meeting criteria)</td>
<td></td>
</tr>
<tr>
<td>EmployER Match / Contribution</td>
<td>10%</td>
<td>City Manager 12% payroll into 401, 100% match up to 20% of payroll in 457</td>
<td>8%</td>
<td>No</td>
<td>6%</td>
<td>Up to 10%</td>
</tr>
<tr>
<td>EmployER Contribution</td>
<td>5%</td>
<td>Voluntary</td>
<td>Voluntary</td>
<td>6%</td>
<td>Up to IRS limit</td>
<td></td>
</tr>
<tr>
<td>Retiree Health Insurance (yes or no)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>EmployER Pays</td>
<td>match up to $10K</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Age or other eligibility criteria</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Upon retirement, can retire at 55 so fills gap until they get Medicare</td>
</tr>
<tr>
<td></td>
<td>City of Ferrysburg</td>
<td>Marine City</td>
<td>Spring Lake</td>
<td>Whitehall</td>
<td>Zeeland</td>
<td></td>
</tr>
<tr>
<td>--------------------------------</td>
<td>--------------------</td>
<td>-------------</td>
<td>-------------</td>
<td>-----------</td>
<td>---------</td>
<td></td>
</tr>
<tr>
<td><strong>PAID TIME OFF &amp; BONUSES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Scheduled Working Hours Per Day (i.e. 8, 7.5, 12)</td>
<td>8</td>
<td>8</td>
<td>8</td>
<td>8</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td># Annual Paid Holidays</td>
<td>9</td>
<td>7</td>
<td>10</td>
<td>11</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Do you offer combined paid time off (PTO) or separate Vacation / Sick / Personal time off?</td>
<td>Separate</td>
<td>Separate</td>
<td>Separate</td>
<td>Combined</td>
<td>Separate</td>
<td></td>
</tr>
<tr>
<td><strong># Vacation / PTO Days Earned:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>@ 1 year</td>
<td>10</td>
<td>10.75</td>
<td>10</td>
<td>25</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>@ 5 years</td>
<td>15</td>
<td>12.5</td>
<td>10</td>
<td>30</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>@ 10 years</td>
<td>15</td>
<td>15.25</td>
<td>13</td>
<td>35</td>
<td>15</td>
<td></td>
</tr>
<tr>
<td>@ 15 years</td>
<td>20</td>
<td>19.75</td>
<td>16</td>
<td>40</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>@ 20 years</td>
<td>25</td>
<td>20</td>
<td>20</td>
<td>40</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>Maximum Carry Over of Vacation/PTO Allowed (in days) or Use-It or Lose-It policy?</td>
<td>Use-It or Lose-It</td>
<td>None, but allow new employee's to roll over into first quarter</td>
<td>hired before 07/2013 - 760 hrs; hired after 07/2013 - 320 hours</td>
<td>40</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is accrued Vacation/PTO time paid out upon separation or retirement? If so, what is the a maximum payout?</td>
<td>Paid out, no maximum</td>
<td>Yes</td>
<td>Yes, no maximum</td>
<td>Yes, no maximum</td>
<td>Yes, based on how much accrued when they leave</td>
<td></td>
</tr>
<tr>
<td># Annual Sick Days</td>
<td>12</td>
<td>12</td>
<td>12</td>
<td>N/A</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Maximum Carry Over of Sick Days allowed (in days) or Use-It or Lose-It policy?</td>
<td>1,040 hours (130 days)</td>
<td>Yes, no limit</td>
<td>87.5</td>
<td>N/A</td>
<td>18</td>
<td></td>
</tr>
<tr>
<td>Is accrued Sick time paid out upon separation or retirement? If so, what is the a maximum payout?</td>
<td>Before 2015 half of balance at 100% of pay. After 2016 half of balance at 50% pay.</td>
<td>Yes, 50% paid out</td>
<td>No</td>
<td>N/A</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td># Annual Paid Personal Days</td>
<td>3</td>
<td>N/A</td>
<td>4</td>
<td>N/A</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>Longevity Pay</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>$250</td>
<td>$500</td>
<td></td>
</tr>
<tr>
<td>@ 5 years</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>@ 10 years</td>
<td></td>
<td></td>
<td></td>
<td>$500</td>
<td>$750</td>
<td></td>
</tr>
<tr>
<td>@ 15 years</td>
<td></td>
<td></td>
<td></td>
<td>$750</td>
<td>$1,000</td>
<td></td>
</tr>
<tr>
<td>@ 20 years</td>
<td></td>
<td></td>
<td></td>
<td>$1,000</td>
<td>$1,250</td>
<td></td>
</tr>
<tr>
<td>Maximum</td>
<td></td>
<td></td>
<td></td>
<td>$1,000</td>
<td>$1,500</td>
<td></td>
</tr>
</tbody>
</table>
| CITY OF FERRYSBURG  
<table>
<thead>
<tr>
<th>BENEFITS SURVEY, JUNE 2022</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>INSURANCE</strong></td>
</tr>
<tr>
<td>Insurance Plan Type (i.e., PPO, HMO, etc.)</td>
</tr>
<tr>
<td>Is your plan a high deductible plan? (yes or no)</td>
</tr>
<tr>
<td>Does the employer contribute to a Health Savings Plan? If so, what is the annual contribution?</td>
</tr>
<tr>
<td>Annual Employee Contribution to Healthcare Premium</td>
</tr>
<tr>
<td>Annual Deductible (single/family)</td>
</tr>
<tr>
<td>Annual Payment in Lieu of insurance</td>
</tr>
<tr>
<td>Employer-Paid Vision (yes or no)</td>
</tr>
<tr>
<td>Employer-Paid Life Insurance (benefit level - i.e. $25K, 1 X Salary)</td>
</tr>
<tr>
<td>Employer-Paid Disability (short term, long term, or both)</td>
</tr>
<tr>
<td><strong>PENSION / RETIREMENT</strong></td>
</tr>
<tr>
<td>What type(s) of retirement programs do you offer? (i.e., Defined Benefit Pension, Defined Contribution, Hybrid, etc.)</td>
</tr>
<tr>
<td>Pension Plan:</td>
</tr>
<tr>
<td>Pension Plan Type (i.e., MERS B2)</td>
</tr>
<tr>
<td>Multiplier (i.e., 2.25%)</td>
</tr>
<tr>
<td>Employer Contribution to Pension</td>
</tr>
<tr>
<td>Defined Contribution Plan (i.e., 401k, 457)</td>
</tr>
<tr>
<td><strong>EmployER Match / Contribution</strong></td>
</tr>
<tr>
<td><strong>EmployEE Contribution</strong></td>
</tr>
<tr>
<td><strong>Retiree Health Insurance (yes or no)</strong></td>
</tr>
<tr>
<td><strong>EmployER Pays</strong></td>
</tr>
</tbody>
</table>

Age or other eligibility criteria