FERRYSBURG CITY COUNCIL MEETING

AGENDA

MONDAY, DECEMBER 5, 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 November 21, 2022, City Council meeting minutes as printed.
   b. Approve financial institutions for investment services.

7. New Business:
   a. Public Hearing: To Review and to Hear Any Objections to Proposed Special Assessment No. 26 for the improvements to Lake Road.
   b. Discussion, and to take action if appropriate, to adopt a Resolution Confirming Special Assessment District No. 26, Lake Road.
   c. Discussion, and to take action if appropriate, to adopt Ordinance No. 325, an ordinance to amend the City Code by amending Chapter 154, Zoning, to add definitions related to electronic vehicle charging stations in Section 2.20, include a checklist requirement regarding electronic vehicle charging stations in Section 5.50 a), encourage the planning and incorporation of electronic vehicle charging stations in Section 5.80 b), and to include a new Section 6.100 which authorizes and regulates electronic vehicle charging stations.
   d. Introduction of Ordinance No. 326, an Ethics Ordinance.
   e. Discussion, and to take action if appropriate, to adopt a resolution for a Spark Grant Application for Fire Barn Park for the Fire Barn Park Universal Accessible Pickleball Courts project.
   f. Discussion, and to take action if appropriate, to adopt a resolution for a Spark Grant Application for Wm. Ferry Park for the William Ferry Park Waterfront Renovation and Kayak Launch project.
   g. Discussion, and to take action if appropriate, to adopt a resolution for a Spark Grant Application for Coast Guard Park for the Coast Guard Park Picnic and Play Area Restroom Building project.
   h. Work Session: 2023 City Council Goals

8. Public Comments:

9. Reports: City Manager
   City Council Members
   Mayor

10. Adjournment
CITY OF FERRYSBURG
CITY COUNCIL MINUTES
NOVEMBER 21, 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.


Absent: None

Also present: City Manager Bessinger, City Clerk/Treasurer Schaner, and 2 citizens.

22-184 Moved by Council Member O’Donnell, seconded by Council Member Sias, to approve the November 7, 2022, City Council minutes as printed. The motion passed unanimously.

22-185 Moved by Council Member O’Donnell, seconded by Council Member Sias, to approve the schedule for the 2023 City Council Goals. The motion passed unanimously.

22-186 Introduction of Ordinance No. 325, an ordinance to amend the City Code by amending Chapter 154, Zoning, to add definitions related to electronic vehicle charging stations in Section 2.20, include a checklist requirement regarding electronic vehicle charging stations in Section 5.5 a), encourage the planning and incorporation of electronic vehicle charging stations in Section 5.80 b), and to include a new Section 6.100 which authorizes and regulates electronic vehicle charging stations.

22-187 Moved by Council Member Sias, seconded by Council Member Montgomery to approve a quote from PM Blough, Inc. in the amount of $6750.00 for Professional Services for MDNR SPARK Grant Applications for Fire Barn Park, William Ferry Park and Coast Guard Park. The motion passed unanimously.

22-188 Moved by Council Member O’Donnell, seconded by Council Member Montgomery, to adopt the resolution approving the submittal of a Michigan Coastal Management Grant application for a nature-base project for erosion control at the Grand River shoreline of the Kitchel Lindquist Hartger Dunes Preserve. The motion passed unanimously.

22-189 Moved by Council Member O’Donnell, seconded by Council Member Carlson, to adopt a Policy Regarding Livestreaming of Meetings. The motion passed unanimously.

22-190 Moved by Council Member Montgomery, seconded by Council Member Cate, to schedule a work session as a regular agenda item on December 5, 2022. The motion passed unanimously.
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
December 1, 2022

TO: Mayor and City Council Members
FROM: Craig Bessinger, City Manager

RE: City Investments

Per the City’s Investment Policy, City Council is to authorize financial institutions for City investments.

With deposit interest rates increasing, City Treasurer Amber Schaner has contacted a number of financial institutions for investment opportunities and is requesting City Council approval for investing in CDs with the companies below. The City currently does business with a couple of the companies below, and this approval will include updated signatures (adding Treasurer Amber Schaner). The goal is to spread out the City’s investments for the funds to be Federally insured.

- Huntington Bank
- Best Financial Credit Union
- Consumers Credit Union
- Lake Michigan Credit Union
- AAC Credit Union

c: Amber Schaner, City Clerk
City of Ferrysburg
Notice of Public Hearing
Special Assessment District
Lake Road Improvements

Notice is hereby given of a Public Hearing to be held by the Ferrysburg City Council on Monday, December 5, 2022, at or after 7:00 p.m. at Ferrysburg City Hall, 17520 Ridge Avenue, Ferrysburg, Michigan. Purpose of the public hearing is to hear any objections to a proposed special assessment roll for the proposed improvements to Lake Road. The proposed Special Assessment District includes property located in the City of Ferrysburg 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

Appearance and protest at the public hearing is required for a property owner to appeal the amount of the special assessment to the State Tax Tribunal. An owner or party in interest may appear in person at the public hearing or have an agent appear in person for him or her at the hearing. Additionally, an owner or party of interest may file his or her appearance or protest by letter to the City. If done by letter, the appearance or protest should be mailed or delivered to the City so that it is received no later than December 5, 2022, noon.

Plans, cost estimates, and the proposed special assessment roll 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
November 25, 2022 and December 2, 2022
<table>
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<tr>
<th>Parcel</th>
<th>Number</th>
<th>% of Total</th>
<th>Total SA</th>
<th>Annual Principal</th>
<th>1st Year Interest</th>
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<td>Laborn</td>
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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.
December 5, 2022

LAKE ROAD IMPROVEMENTS
SPECIAL ASSESSMENT DISTRICT
RESOLUTION NO. 2

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

WHEREAS, the Ferrysburg City Council on November 7, 2022, adopted a resolution: declaring its intention to make as a public improvement, repaving Lake Road; approving the plans and specifications and cost estimate; requesting the City Assessor to prepare a special assessment roll; and scheduling a public hearing to review the special assessment roll and to hear any objections thereto for December 5, 2022, and

WHEREAS, the Ferrysburg City Council on December 5, 2022, held a public hearing to review the special assessment roll and to hear any objections thereto,

NOW, THEREFORE, BE IT RESOLVED THAT the Ferrysburg City Council confirms Special Assessment District No. 26 (Lake Road) as prepared by the City Assessor in the amount of $55,200, payable in ten (10) annual installments with the first installment being due July 1, 2023 and with the remaining installments being due on July 1 of each succeeding year to together with an interest payment at the rate of three percent (3%) per annum on the unpaid balance.

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, December 5, 2022, at or after 7:00 p.m.

Amber Schaner, City Clerk
An Ordinance to amend the City Code by amending Chapter 154, Zoning, to add definitions related to electronic vehicle charging stations in Section 2.20, include a checklist requirement regarding electronic vehicle charging stations in Section 5.50 a), encourage the planning and incorporation of electronic vehicle charging stations in Section 5.80 b), and to include a new Section 6.100 which authorizes and regulates electronic vehicle charging stations.

THE CITY OF FERRYSBURG ORDAINS:

Section 1. Chapter 154 Zoning, Article 2 Definitions, Section 2.20 Definitions, is hereby amended to add the following definitions in alphabetical order:

ACCESSORY STRUCTURE is a freestanding structure, other than a building, on the same lot or parcel as a principal building that is customarily incidental in nature and is subordinate to the principal building and use.

ELECTRIC VEHICLE is a vehicle that is licensed and registered for operation on public and private highways, roads, and streets, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board via a battery for automotive purpose. "Electric vehicle" includes:
   a) Battery electric vehicle; and
   b) A plug-in hybrid electric vehicle.

ELECTRIC VEHICLE CHARGING STATION is a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.
   a) "Level-1 station" is considered slow charging: voltage including the range from zero through 120.
   b) "Level-2 station" is considered medium charging: voltage is greater than 120 and includes 240.
   c) "Level-3 station" is considered fast or rapid charging: voltage is greater than 240.

ELECTRIC VEHICLE (EV) CAPABLE PARKING SPACE is a parking space with an installed electrical panel with dedicated circuits and raceways that are capped for future electric vehicle parking spaces. The spaces are ready for the installation of electric lines and electric vehicle chargers.

ELECTRIC VEHICLE (EV) -READY PARKING SPACE is a parking space with an installed electrical panel capacity, a dedicated branch circuit, and a conductor in the raceway. The conductor terminates in a junction box, ready for the installation of an electric vehicle charger.
Section 2. Chapter 154 Zoning, Article 5 Site Plan Requirements, Section 5.50 Required Site Plan Contents, subsection a), is hereby amended to revise checklist item 12 to read in its entirety as follows:

12. Location, dimensions, and completion schedule of all existing and proposed drives, sidewalks, curb openings, curbing, loading/unloading areas, parking areas and parking spaces, and vehicular and pedestrian circulation routes. Parking areas shall indicate the number of spaces and the dimensions of a typical space and aisle. Barrier-free parking spaces shall be indicated. Electric vehicle charging station equipment locations and EV ready, capable, and/or installed charging station spaces shall be indicated, and the number provided if proposed.

Section 3. Chapter 154 Zoning, Article 5 Site Plan Requirements, Section 5.80 Site Plan Review Standards, subsection b) is hereby amended to include a new subparagraph 3), to read in its entirety as follows:

3) Based on the increase in electric vehicles, it is encouraged, but not required, that all new and expanded non-residential and multi-family development parking areas are EV-capable or EV-ready for Level-2 electric vehicle charging stations or are equipped with Level-2 electric vehicle charging stations.

Section 4. Chapter 154 Zoning, Article 6 Parking and Loading Requirements, is hereby amended to include a new Section 6.100 Electric Vehicle Charging Stations, to read in its entirety as follows:

Section 6.100 Electric Vehicle Charging Stations

A. Intent. To plan for the increase of electric vehicles and to expedite the establishment of a convenient, cost-effective electric vehicle infrastructure, this section authorizes required or excess parking spaces to be used as electric vehicle charging stations.

B. Accessory Use and Accessory Structures. Electric vehicle charging station spaces are classified as accessory uses, and electric vehicle charging stations are classified as accessory structures. Electric vehicle charging station spaces and electric vehicle charging stations and equipment are permitted in all public and private parking lots.

C. Review. The conversion of standard parking spaces to electric vehicle charging station spaces and the installation of electric vehicle charging station equipment shall be reviewed and approved administratively in accordance with this section. For new and expanded parking lots subject to site plan review, the Planning Commission shall review and approve electric vehicle charging station spaces and the installation of electric vehicle charging station equipment.

D. Encouragement of New Electric Vehicle Charging Stations.

1. All new and expanded public and private parking lots are encouraged to include electric vehicle charging stations or be EV-capable or EV-ready.
2. All new dwellings are encouraged to be constructed with a 220-240-volt / 40 amp outlet on a dedicated circuit and in close proximity to designated vehicle parking to accommodate the potential future hardwire installation of a Level-2 electric vehicle charging station.

E. Requirements for Electric Vehicle Charging Stations.

1. An electric vehicle charging station space may be included in the calculation for the minimum required parking spaces required in accordance with Section 6.40. There is no limit on the number of electric vehicle charging stations. However, the applicant shall demonstrate by the historical usage of the parking area for internal combustion engine vehicles and the anticipated demand for electric vehicle charging stations that there is sufficient parking for both drivers of electric vehicles and internal combustion engine vehicles. At a minimum, the applicant shall provide the number of existing parking spaces and the average number of available parking spaces at peak business hours for one week. The Zoning Administrator or Planning Commission, as applicable, shall make all final determinations regarding the minimum number of parking spaces for internal combustion engine vehicles to ensure compliance with Section 6.40.

2. Electric vehicle charging station spaces shall comply with the dimensional requirements of Section 6.70 1.

3. Electric vehicle charging station equipment may be located on any part of a property but shall be no less than 10 feet from property lines and public right-of-way and shall not be located within a clear sight triangle per Section 3.90 i. Electric vehicle charging station equipment approved for on-street parking within the public right-of-way is exempt from the setback requirement.

4. Electric vehicle charging station equipment shall be protected with bollards or a comparable method. If curbing is used, the equipment shall be located at least two (2) feet behind the face of the curb.

5. At least five (5) feet of clear area shall be maintained if installed on or adjacent to an internal sidewalk, walkway, or another area accessible to pedestrians, cyclists, or wheelchair users abutting a parking lot. Electric vehicle charging station equipment shall not obstruct these passageways.

6. Any parking space located in a public or private parking lot that is designated as an electric vehicle charging station or electric vehicle parking space shall have a sign posted that includes the maximum charging time allowed by the property owner and a notice that the parking of non-electric vehicles is prohibited. This does not apply to single-family and two-family dwellings.
7. Commercial electric vehicle charging stations are prohibited on residential properties.

Section 5. This Ordinance was approved and adopted by the City Council on the____ day of ____________, 2022 and shall take effect upon publication in the Grand Haven Tribune, a newspaper of general circulation in the City of Ferrysburg.

__________________________
Scott Blease, Mayor

__________________________
Amber Schaner, City Clerk

CERTIFICATION

I, the undersigned City Clerk of the City of Ferrysburg, Ottawa County, Michigan, do hereby certify that the above Ordinance, or a summary thereof, was published in the Grand Haven Tribune, a newspaper of general circulation in the City on_______________________, 2022.

Dated:_______________, 2022

__________________________
Amber Schaner
CITY OF FERRYSBURG
Ordinance No. 326

An Ordinance to amend Chapter 32 of the City Code as amended, adding Section 32.80 Ethics

THE CITY OF FERRYSBURG ORDAINS:

Section 1. Section 32.80 of Chapter 32 of the City Code, is added to read as follows:

§32.80 ESTABLISHED.

There is hereby added an Ethics Chapter of the city.

32.81 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.

§32.82 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 Ferrysburg, 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.

§ 32.83 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.

§32.84 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 benefiting 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, unless provided for in the City’s personnel manual. 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:

(I) 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.

§32.85 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.

§ 32.86 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.

§32.87 DUTIES OF CLERK.

The Clerk shall accept all complaint alleging violations of this chapter.

§ 32.88 REQUEST FOR OPINION FROM THE CITY ATTORNEY.

(A) Any elected official may request, with the approval of the City Manager, 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, 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.

§32.89 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.

§32.90 COMPLAINT PROCEDURE.

(A) Any citizen of the city may submit a compliant in writing using the Ethics Complaint Form,
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 21 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.

§32.91 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 21 days of the date of the final written order. The person filing the appeal shall also, within 21 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.

§32.92 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:

(I) 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 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.
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 one (1) 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.)
____________________, 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 City of Ferrysburg in investigating the Complaint and the reasonable costs incurred by the Respondent in responding to the Complaint as provided in the Ethics Ordinance.
RESOLUTION
AUTHORIZING THE SUBMITTAL OF A
MICHIGAN SPARKS GRANT

WHEREAS, the City has invested in improvements and Fire Barn Park, and,

WHEREAS, the Recreation Commission has completed a site plan for further improvements at Fire Barn Park to be implemented in 3 phases, and

WHEREAS, the Ferrysburg City Council has approved the site plan and supports the proposed improvements at Fire Barn Park, and,

WHEREAS, the location of the proposed project is within the jurisdiction of the City of Ferrysburg, and

WHEREAS, the Ferrysburg City Council supports the submission of an application titled, “Fire Barn Park Universal Accessible Pickleball Courts” to the Spark Grant Program for at Fire Barn Park and,

WHEREAS, the proposed project, if completed, will be a benefit to the community, and,

WHEREAS, the Ferrysburg City Council is not committing to any financial obligations.

NOW THEREFORE, BE IT RESOLVED that the City Council hereby authorizes submission of a Spark Grant Application for $________________________, by the DNR.

Offered by Council Member ____________________________.

Seconded by Council Member ____________________________.

Yeas: ____________________________

Nays: ____________________________

Absent: ____________________________

Resolution: ____________________________

I, Amber Schaner, City Clerk for the City of Ferrysburg, do hereby certify that the foregoing resolution was adopted at a regular meeting of the City Council of the City of Ferrysburg, on December 5, 2022.

Amber Schaner, City Clerk
RESOLUTION
AUTHORIZING THE SUBMITTAL OF A
MICHIGAN SPARKS GRANT

WHEREAS, the City has invested in improvements at William Ferry Park, and,

WHEREAS, the location of the proposed project is within the jurisdiction of the City of Ferrysburg, and

WHEREAS, the Recreation Commission has discussed plans to make the park more user friendly for persons who fish, bike, jog and utilize the pavilion, grills, and playground at William Ferry Park, and

WHEREAS, the Ferrysburg City Council supports the submission of an application titled, “William Ferry Park Waterfront Renovation and Kayak Launch” to the Spark Grant Program and,

WHEREAS, the proposed project, if completed will be a benefit to the community, and

WHEREAS, the Ferrysburg City Council is not committing to any financial obligations.

NOW THEREFORE, BE IT RESOLVED that the City Council hereby authorizes submission of a Spark Grant Application for $__________________, by the DNR.

Offered by Council Member ____________________

Seconded by Council Member ____________________

Yeas: ____________________

Nays: ____________________

Absent: ____________________

Resolution: ____________________

I, Amber Schaner, City Clerk for the City of Ferrysburg, do hereby certify that the foregoing resolution was adopted at a regular meeting of the City Council of the City of Ferrysburg, on December 5, 2022.

Amber Schaner, City Clerk
RESOLUTION
AUTHORIZING THE SUBMITTAL OF A
MICHIGAN SPARKS GRANT

WHEREAS, the City received the former U.S. Coast Guard Rifle Range from the U.S. Department of the Interior, Bureau of Outdoor Recreation, under President Nixon’s Legacy of Parks Program to be used in perpetuity for public park or public recreation purposes, and

WHEREAS, these 80 acres are known as Coast Guard Park and the City has invested in improvements at Coast Guard Park, and,

WHEREAS, the location of the proposed project is within the jurisdiction of the City of Ferrysburg, and

WHEREAS, the Recreation Commission has discussed plans to construct a new restroom to replace the portable restroom at Coast Guard Park, and

WHEREAS, the Ferrysburg City Council supports the submission of an application titled, “Coast Guard Park Picnic and Play Area Restroom Building” to the Spark Grant Program and,

WHEREAS, the proposed project, if completed will be a benefit to the community, and

WHEREAS, the Ferrysburg City Council is not committing to any financial obligations.

NOW THEREFORE, BE IT RESOLVED that the City Council hereby authorizes submission of a Spark Grant Application for $____________________, by the DNR.

Offered by Council Member ____________________________,

Seconded by Council Member ____________________________,

Yeas: ____________________________

Nays: ____________________________

Absent: ____________________________

Resolution: ____________________________

I, Amber Schaner, City Clerk for the City of Ferrysburg, do hereby certify that the foregoing resolution was adopted at a regular meeting of the City Council of the City of Ferrysburg, on December 5, 2022.

____________________________
Amber Schaner, City Clerk
<table>
<thead>
<tr>
<th><strong>City Goals -2023</strong></th>
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<tbody>
<tr>
<td>1 City Infrastructure, street improvements, drainage &amp; underground utilities</td>
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<td>City Infrastructure, including, but not limited to, street improvements, drainage, and underground facilities</td>
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<tr>
<td>2 Continue economic development</td>
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<tr>
<td>Redevelop the empty storefronts</td>
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<tr>
<td>Economic development for new business</td>
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<tr>
<td>Economic development growth &amp; retention, including the idea of developing a central &quot;downtown&quot; business district</td>
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<tr>
<td>3 Get funding for pedestrian and bike path for Smith's Bridge</td>
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<tr>
<td>Procure funding for pedestrian &amp; bike path &amp; Fisherman's platform for Smith's Bridge</td>
</tr>
<tr>
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<tr>
<td>4 Put in kayak launch</td>
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<tr>
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<tr>
<td>5 Keep &amp; maintain a balanced budget</td>
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<tr>
<td>6 Safety of residents &amp; visitors/reducing traffic speed, continued service calls from police, fire EMT, DPW, etc.</td>
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<tr>
<td>7 ADA Universal design for city hall, parks DPW, Fire Barn, etc.</td>
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<td>8 Promote Ferrysburg Nature Preserve</td>
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<td>Promote &amp; inform residents of the Ferrysburg Nature Preserve &amp; improve access</td>
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<tr>
<td>9 Continued collaboration with other municipalities</td>
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<td>10 Regional transportation</td>
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<td>Regional transportation (Mat's &amp; Harbor Transit)</td>
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<td>11 Improve Communication with City residents, including creating a welcome packet for new residents and fostering involvement in City government</td>
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<tr>
<td>12 City Branding</td>
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