FERRYSBURG CITY COUNCIL MEETING

AGENDA

MONDAY, MARCH 6, 2023
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 February 20, 2023, City Council meeting minutes as printed.

b. Adopt a Resolution for Charitable Gaming Licenses for “Walden Green School Foundation”.

7. New Business:

a. Discussion, and to take action if appropriate, to adopt Ordinance No. 326, an Ethics Ordinance.

b. Discussion, and to take action if appropriate, to approve a bid for tree removals in the City right-of-way from Atkin & Schaefer for $12,000.00.

c. Discussion, and to take action if appropriate, to approve an agreement with Republic Services to provide a one-day residential trash pick up on Saturday, May 20.

d. Discussion, and to take action if appropriate, to approve the appointment of Garry Post to the Recreation Commission for an unexpired term ending July 1, 2025.

e. Discussion, and to take action if appropriate, to approve the appointment of Matt Hopple to the Board of Review as an alternate member for an unexpired term ending July 1, 2024.

f. Work Session: Term Limits.

g. Work Session: Community Energy Plan

8. Public Comments:

9. Reports: City Manager

    City Council Members

    Mayor

10. Adjournment
CITY OF FERRYSBURG
CITY COUNCIL MINUTES
February 20, 2023

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 5 citizens.

23-017 Moved by Council Member Sias, seconded by Council Member O’Donnell, to approve the February 06, 2023, City Council minutes as printed. The motion passed unanimously.

23-018 Moved by Council Member Montgomery, seconded by Council Member Sias, to table the recommendation from the Recreation Commission to approve a proposal from PM Blough, Inc., for $2,000 to assist with a grant application for Fire Barn Park and move the discussion to after reconvening in open session. 6 yeas, 1 nay (O’Donnell), motion passed.

23-019 Moved by Council Member Carlson, seconded by Council Member Cate, to approve the expenditure of Mayor Blease to attend the Michigan Municipal League (MML) CapCon conference. 6 yeas, 0 nays, 1 abstain (Blease).

23-020 Moved by Council Member Sias, seconded by Council Member Cate, to deny the expenditure of Mayor Pro Tem O’Donnell to attend the Michigan Municipal League (MML) CapCon Conference. Roll call vote: 4 yeas, 2 nays (Blease, Carlson) 1 abstain (O’Donnell).

23-021 Ordinance No. 326, an Ethics Ordinance was introduced on first reading.

23-022 Moved by Council Member Carlson, seconded by Council Member Murdoch to accept the Visionary Plan as revised to amend recommendations on page 3, item 1. Motion passed.

23-023 Consensus of City Council was to schedule a work session as a regular agenda item on March 6, 2023.

23-024 Moved by Council Member Montgomery, seconded by Council Member Carlson to adjourn to a closed session at 8:30 p.m. to consider the purchase or lease of real property prior to obtaining an option to purchase. Roll call vote: 6 yeas, 1 nay (O’Donnell), motion passed.

23-025 Moved by Council Member Montgomery, seconded by Council Member Cate, to reconvene in open session at 9:00 p.m. The motion passed unanimously.
23-026 Moved by Council Member Sias, seconded by Council Member Montgomery to authorize the City Manager to negotiate a proposal for City Council consideration. The motion passed unanimously.

23-027 Moved by Council Member Montgomery, seconded by Council Member Carlson to remove agenda item “7a.” off the table. The motion passed unanimously.

23-028 Moved by Council Member Montgomery, seconded by Council Member Cate to approve a recommendation from the Recreation Commission to approve a proposal from PM Blough, Inc., for $2000 to assist with a grant application for Fire Barn Park. 6 yea, 1 nay (O’Donnell), motion passed.

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

The meeting was adjourned at 9:15 p.m.

Respectfully submitted,

___Scot Blease___                  ___Amber Schaner___
Mayor                             City Clerk
Subject: FW: Walden Green- Spring Auction Charitable Gaming License

From: Vickie Buckner <vickiebuckner@waldengreen.org>
Sent: Friday, February 24, 2023 4:59 PM
To: Craig Bessinger <cbessinger@ferrysburg.org>
Cc: Zack & Bethany Selleck <bethanyjselleck@gmail.com>; Mark Roessing <markroessing@waldengreen.org>
Subject: Re: Walden Green- Spring Auction Charitable Gaming License

Hi Craig,
Thank you!
The auction will be at Walden Green Montessori.
April 29, 2023.
Vickie

Vickie Buckner
Business Manager
Walden Green Montessori
616-842-4523 x101

On Feb 24, 2023, at 4:56 PM, Craig Bessinger <cbessinger@ferrysburg.org> wrote:
Bethany,
I will place this on the march 6 City Council agenda for their consideration. Where will this event take place?

Craig Bessinger
City of Ferrysburg

From: Bethany Selleck <bethanyjselleck@gmail.com>
Sent: Friday, February 24, 2023 4:42 PM
To: Craig Bessinger <cbessinger@ferrysburg.org>
Cc: Mark Roessing <markroessing@waldengreen.org>
Subject: Walden Green- Spring Auction Charitable Gaming License

Hi Craig,

I am the current president of the Walden Green PTO we are planning/organizing our annual Spring auction for Saturday April, 29. We are in the process of requesting a Charitable Gaming License in order to have a 50/50 raffle at our upcoming auction. In order to do this the State of Michigan requires several pieces of information to qualify our organization.

Below is the form they are requesting that we have filled out. I am wondering when the next City of Ferrysburg meeting is scheduled for and if we may receive the signatures and votes needed for this this form at that time. If you need to discuss this further you can reach me on my cell phone (269) 760-8718.

Thank you!
Kind Regards,
Bethany Selleck
LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES
(Required by MCL 432.103(F)(i))

At a Regular meeting of the Ferrysburg City Council
called to order by Mayor Blease on March 5, 2023
at a.m./p.m. the following resolution was offered:

Moved by ________________________ and supported by ________________________

that the request from Walden Green School Foundation of City of Ferrysburg,

county of Ottawa, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining charitable
gaming licenses, be considered for ________________________.

APPROVAL
Yeas: ________________________
Nays: ________________________
Absent: ________________________

DISAPPROVAL
Yeas: ________________________
Nays: ________________________
Absent: ________________________

I hereby certify that the foregoing is a true and complete copy of a resolution offered and
adopted by the Ferrysburg City Council at a Regular meeting held on March 6, 2023.

SIGNED:

Amber Schaner, City Clerk/Treasurer

17520 Ridge Avenue, PO Box 38, Ferrysburg, MI 49409-0038
LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES

(Required by MCL 432.103(K)(iii))

At a Regular meeting of the Ferrysburg City Council
REGULAR OR SPECIAL
called to order by Mayor Blease on March 5, 2023
DATE
at a.m./p.m. the following resolution was offered:
TIME

Moved by ___________________________ and supported by ___________________________

that the request from Walden Green School Foundation of City of Ferrysburg,
NAME OF ORGANIZATION City of Ferrysburg
CITY
county of Ottawa, COUNTY NAME, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses, be considered for ___________________________.

APPROVAL/RECOMMENDATION

<table>
<thead>
<tr>
<th>APPROVAL</th>
<th>DISAPPROVAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yeas:</td>
<td>Yeas:</td>
</tr>
<tr>
<td>Nays:</td>
<td>Nays:</td>
</tr>
<tr>
<td>Absent:</td>
<td>Absent:</td>
</tr>
</tbody>
</table>

I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted by the Ferrysburg City Council at a Regular
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD meeting held on March 6, 2023.
DATE

SIGNED: ___________________________
TOWNSHIP, CITY, OR VILLAGE CLerk

Amber Schaner, City Clerk/Treasurer
PRINTED NAME AND TITLE

17520 Ridge Avenue, PO Box 38, Ferrysburg, MI 49409-0038
ADDRESS

COMPLETION: Required
PENALTY: Possible denial of application
BSL.CG-1153(R6/09)
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:

(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.

§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 SOCIAL MEDIA

I. Purpose

To prohibit the inappropriate use of electronic communication systems, media imaging systems, networks, devices, and equipment and dissemination of inappropriate information, images, recordings, photographs or other materials by City personnel. This includes the use of social media. Social media is broadly defined as internet-based communications technology that provides immediacy, interactivity and the sharing of information across multiple platforms. The City allows the use of social media, where appropriate, to further the goals and missions of the
City. However, the City has an overriding interest and expectation in deciding what is "spoken" on behalf of the City through social media. This policy establishes guidelines for the use of social media by City Employees.

II. Applicability

This policy applies to all City Employees and approved volunteers, consultants, service providers and contractors performing business on behalf of the City ("Employees").

III. Policy

It is the policy of the City that all individuals identified in paragraph II abide by the policy set forth herein when using City information systems, which are defined as: computers and the services of both internal and external databases and information exchange networks, the internet, email, voice mail, mobile data terminals, facsimile machines, mobile telephones, lap top computers and social media ("Information Systems"). Communications sent by email may be subject to disclosure under the Freedom of Information Act or in litigation. No Employee shall have any expectation of privacy with regard to any information transmitted or stored on the City’s Information Systems.

IV. Procedure

A. Transmission of electronic messages and information on communications media provided for Employees of the City shall be treated with the same degree of propriety, professionalism and confidentiality as official written correspondence or public records.

B. The City allows City Employees with access to City Information Systems to utilize these devices whenever necessary. However, all Information Systems are the property of the City and use of any of these Information Systems is a privilege that is subject to revocation. Information Systems are intended for use in conducting official City business with limited exceptions noted in this policy.

C. Employees are advised that they do not maintain any right to privacy or ownership in Information Systems equipment of its contents or to include or install personally owned software.

D. The City’s administration reserves the right to access any of the records within the Information Systems at any time and to retain or dispose of those records in accordance with current law, and may require employees to provide passwords to files that have been encrypted or password protected.

E. The City reserves the right to access, for quality control purposes and/or for violations of this policy, date, electronic and voice transmissions of Employees conducting business in the City.

F. Personal and/or private use of City Information Systems to access social media sites is prohibited. However, City Information Systems may be used by Employees to check personal emails so long as it does not interfere with the Employee’s duties.
G. Accessing or transmitting materials from City Information Systems that involve the use of obscene language, images, jokes, sexually explicit materials, or messages that disparage or threaten the City, any person, group, or classification of individuals is prohibited regardless of whether the recipient has consented to or requested such materials.

H. Confidential, proprietary or sensitive information may be disseminated or made available through shared directories or networked systems only to individuals with a need and a right to know and when there is sufficient assurance that appropriate security of such information will be maintained. The dissemination of confidential, proprietary or sensitive information, including photographs, on social media sites or personal web pages is prohibited.

I. No Employee shall access or allow others to access any file or database of the City unless that person has a need and a right to such information. Personal identification and access codes shall not be revealed to any unauthorized source.

J. Employees are not to open email messages unless they are certain of the trustworthiness of the source.

K. Employees may not utilize email messages as a secure and confidential means of communication since subsequent direction of the message cannot be controlled.

L. Employees may not knowingly accept messages with inappropriate content as described in the policy and will immediately report it to their supervisor and then completely delete any such message inadvertently received when directed to do so.

M. Creating a web site or social media page that has any appearance of officially representing the City is prohibited without the express written approval of the City Council or designee. Any information added to the official City web page(s) or site(s) must have the written approval of the City Manager or designee prior to being accessible by the general public. Any Facebook, Instagram, Twitter or other similar social media page/account created on behalf of the City shall be for governmental information dissemination only and not in any way create a traditional public forum.

N. Employees shall not utilize Information Systems to spoof, masquerade or assume any identity or credentials of another individual.

O. The use of social media shall conform to all City policies prohibiting discrimination, retaliation and harassment of co-workers.

P. Employees shall not disclose the content of discussions and deliberations of a public body that took place during a session that was closed pursuant to the Michigan Open Meetings Act.

Q. Employees shall not disclose information that is exempt from disclosure by the Michigan Freedom of Information Act.

R. Employees shall not disclose matters pertaining to strategy, positions, offers, and the like regarding pending litigation or negotiations regarding claims to which the City is a party.
S. Employees shall not disclose disciplinary proceedings regarding other employees.

T. Employees shall not disclose information that is subject to the privacy standards of HIPAA and of HIPAA policies adopted by the City.

§ 32.87 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.

§32.88 DUTIES OF CLERK.

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

§ 32.89 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.

§32.90 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.

§32.91 COMPLAINT PROCEDURE.

(A) Any citizen of the city may submit a complaint 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 58th 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.

§32.92 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 Michigan Court Rules 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.

§32.93 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 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.

Section 5. This Ordinance was approved and adopted by the City Council on the____day of__________, 2023 and shall take effect upon publication in the Grand Haven Tribune, a newspaper of general circulation in the City of Ferrysburg.
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) month 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.
February 24, 2023

TO: Craig Bessinger, City Manager
FROM: Amber Schaner, City Clerk
RE: Tree Removal Bids

On January 25, we mailed an invitation to bid to twenty-one (21) firms with bids being due on Tuesday, February 21. We received the following bids for the removal of 10 trees:

<table>
<thead>
<tr>
<th>Company</th>
<th>Amount</th>
<th>Insurance Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Atkin &amp; Schaefer</td>
<td>$12,000.00</td>
<td>Yes</td>
</tr>
<tr>
<td>Lance's Climbing Service</td>
<td>$12,370.00</td>
<td>No</td>
</tr>
<tr>
<td>Toads' Tree Service</td>
<td>$14,020.00</td>
<td>Yes</td>
</tr>
<tr>
<td>Asplundh</td>
<td>$27,582.74</td>
<td>No</td>
</tr>
<tr>
<td>Woodland Tree Services Inc.</td>
<td>$54,290.00</td>
<td>Yes</td>
</tr>
<tr>
<td>Get-R-Cut</td>
<td>$18,496.00</td>
<td>No</td>
</tr>
<tr>
<td>Tom's Tree Service</td>
<td>$23,000.00</td>
<td>Yes</td>
</tr>
<tr>
<td>Archer Tree Service</td>
<td>$26,800.00</td>
<td>Yes</td>
</tr>
<tr>
<td>RV TREES LLC</td>
<td>$15,000.00</td>
<td>Yes</td>
</tr>
</tbody>
</table>

C: Matthew Schidbeck, Public Services Supervisor
February 24, 2023

TO: Craig Bessinger, City Manager
FROM: Amber Schaner, City Clerk
RE: Trash Pickup Bids

On January 31, we mailed an invitation to bid to five (5) firms with bids being due on Wednesday, February 22. We received the following bid:

<table>
<thead>
<tr>
<th>Company</th>
<th>Cost Per Hour</th>
<th>Cost Per Ton</th>
<th>Insurance Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>Republic Services</td>
<td>220.50</td>
<td>49.61</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Since the DEQ does not allow the dumping of tires into landfills the quotes excluded the pick-up of tires.

Based on the 2022 spring trash pick-up of 39.03 tons of trash and 53.68-man hours worked the total for Republic Services would be $13,772.72. Republic did the pickup in 2022. The 2022 spring trash pickup was 13,116.97.

c: Matthew Schidibeck, Public Services Supervisor
APPLICATION FOR APPOINTMENT

Board/Commission Appointment you are seeking: Recreation

Name: Garry Post

Street Address: 18827 North Shore Drive
City/State/Zip: Spring Lake MI 49456
E-mail address: garry.post@gmail.com
Telephone (Day): 720-768-4914
Telephone (Evening):

Best Time to Call: 

Are you a Registered Voter in the City: Yes

How Many Years Have You Been A City Resident: 10+

Occupation: Retired

Background/Experience/Interests: Long-time interest in preserving natural areas, outdoor recreation, hiking trails and the parks in our area. Former attorney, manufacturer, property manager.

State why you are applying to be appointed, indicate any special qualifications and experience you have which would be beneficial to the appointment you are seeking. Also indicate any special concerns or issues which you perceive to be important regarding the appointment you are seeking (attach additional sheets if necessary):

20 years involvement in protecting local lands that have become North Ottawa Dunes and Ottawa Sands. Also served on the K.L.H. Dune Preservation Board of Ottawa County Board.

Your Signature: __________________________ Date: 1-2-23

(Receive to: Ferrysburg City Clerk, 17520 Ridge Avenue, P.O. Box 38, Ferrysburg, MI 49409)
RECREATION COMMISSION
September 19, 2022

Meets the third Thursday of the month at 5:30 PM
At City Hall, 17520 Ridge Avenue

Madeline Brooks
18143 Cherokee Court
Spring Lake, MI 49456
Cell: 616-566-6694
Term: 7/1/24
e-mail: madmbrooks59@gmail.com

Vacancy
Term: 7/1/25
e-mail:

Rebecca Hopp
16868 Cecelia Lane
Spring Lake, MI 49456
Cell: 616-893-8553
Term: 7/1/23
hopp85@att.net

Christopher Schropp
523 Ridge Avenue
Spring Lake, MI 49456
Cell: 616-405-0530
Term: 7/1/24
e-mail: cc_schropp@yahoo.com

Jordin Weber – Vice Chairperson
16916 Cecelia Lane
Spring Lake, MI 49456
Cell: 616-566-0614
Term: 7/1/23
e-mail: jordin.billinghurst@gmail.com

Emily Stearley – Chairperson
16269 Suffolk Drive
Spring Lake, MI 49456
Cell: 616-312-9566
Term: 7/1/25
e-mail: emily.stearley@gmail.com

William Montgomery
17525 Ridge Avenue
Spring Lake, MI 49456
Cell: 616-717-8466
Council Representative
e-mail: wmontgomery@ferrysburg.org
APPLICATION FOR APPOINTMENT

Board/Commission Appointment you are seeking: ________________

Name: Matthew Hale

Street Address: 17750 170th Ave

City/State/Zip: Spring Lake MI 49456

E-mail address: mhwale@courtesy.com

Telephone (Day): 616-487-3103

Telephone (Evening): ________________

Best Time to Call: 8am - 8pm

Are you a Registered Voter in the City: yes

How Many Years Have You Been A City Resident: ________________

Occupation: Sales / Finance

Background/Experience/Interests: Good with Family / Youth Programs

EAGLE Background with Development / Management

of Legacy and New Fundraising Events

____________________________

State why you are applying to be appointed, indicate any special qualifications and experience you have which would be beneficial to the appointment you are seeking. Also indicate any special concerns or issues which you perceive to be important regarding the appointment you are seeking (attach additional sheets if necessary):

Became more connected to my community and help my neighbors

Your Signature: _______________________ Date: 3/1/23

(Return to: Ferrysburg City Clerk, 17290 Roosevelt Road, P.O. Box 38, Ferrysburg, MI 49409)
BOARD OF REVIEW
June 24, 2022

Kathy Kenyon
16495 Woodvale Blvd.
Spring Lake, MI 49456
Home: 616-502-1580
Term: 1/01/26
e-mail: kekenyon@yahoo.com

Timothy O’Donnell
540 Ferry Street
Spring Lake, MI 49456
Home: 616-844-0568
Term: Council Representative
e-mail: todonnell@ferrysburg.org

Terry Grotemat
17130 Spahr Road
Spring Lake, MI 49456
Home: 616-850-2636
Cell: 616-889-4525
Term: 1/01/25
e-mail: joannegrotemat@comcast.net

Vacancy – Chair/Alternate
Term: 1/1/24
At each regular election thereafter, three (3) Council Members shall be elected from the City at large. The three (3) candidates for Council Member receiving the highest number of votes shall hold office for a term of four (4) years from and after 8:00 P.M. on the second Monday following the election.

At each regular city election held hereafter a Mayor shall be elected from the City at large for a term of two (2) years to hold office until 8:00 P.M. on the second Monday following the next regular city election.
(Amendment adopted by electorate 11-3-70; Amendment adopted by electorate 11-5-91)

ELECTION OF COUNCIL MEMBERS AND MAYOR; TERM LIMITS

Section 4.2A Effective with elected terms of office commencing on or after November 21, 1994, no council member or mayor shall hold the same position for more than eight (8) successive years of elected terms of office.
(Amendment adopted by electorate 11-8-94; Amendment adopted by electorate 11-6-01)

FILLING VACANCY IN OFFICE OF COUNCIL MEMBER.

Section 4.3 In case of vacancy in the office of council member, the vacancy shall be filled by an appointee named by the remaining members of the City Council by a majority vote thereof. A council member appointed pursuant to this section shall take office immediately upon taking the oath of office and shall hold office for the remainder of the unexpired term in which the vacancy occurred.
(Amendment adopted by electorate 11-6-01; Amendment adopted by electorate 11-2-04)

Cross-reference:
Vacancy in office of Mayor, see § 30.01 of the City Code

ELIGIBILITY FOR OFFICE

Section 4.4 To be eligible for election to the office of councilmen or to be eligible for appointment to fill a vacancy in the office of councilmen a person shall be an elector of the city and shall have been a resident of the city or of the territory annexed to the city for a period of one year prior to the last day for filing nominating petitions or prior to the date of appointment to fill a vacancy.

ORGANIZATIONAL MEETING

Section 4.5 At 8:00 p.m. of the second Monday following such regular city election, the City Council shall meet for the purpose of organization and shall elect one of its members as mayor pro tem to serve until the next such organizational meeting.
Charter Amendment Procedures
Synopsis
prepared by City Attorney Bauer

Initiation. Charter Amendments may be initiated by City Council upon approval by a 3/5 vote of "members elect" (meaning that votes of appointed members do not count toward approval). The resolution must be approved at least 60 days prior to the general election. The general election is Tuesday, November 4, 2008 which would require approval at the September 2, 2008 regular meeting.

Approval by Governor. Prior to adopting a final resolution, the City Council must adopt a resolution authorizing the City Attorney to present the proposals to the Governor for review and comment. Actually, the Attorney General reviews the form of ballot proposals and then forwards the proposals to the Governor for signature. This process takes time. While there is no time set by statute, it would be prudent to submit the ballot proposals to the Attorney General approximately 60 days prior to September 2, 2008. Approval at the July 7, 2008 regular meeting would allow 57 days for submission and approval. Mr. George Elsworth reviews proposed charter amendments at the AG office. I will check with him regarding the acceptable time for submission.

Publication. There is no set time for publication of the ballot proposal. The final Resolution should provide adequate time to prepare for publication and for review by voters prior to the election on November 4, 2008.

Ballot Format. The ballots must contain an unbiased statement of the purpose of each proposal which shall not exceed more than 100 words. The proposed language must be posted in each polling place. I will prepare ballot language at the appropriate time.

Following Approval. Not more than 30 days following approval, certified copies of the amendments must be served on the Secretary of State and the County Clerk in accordance with statute.