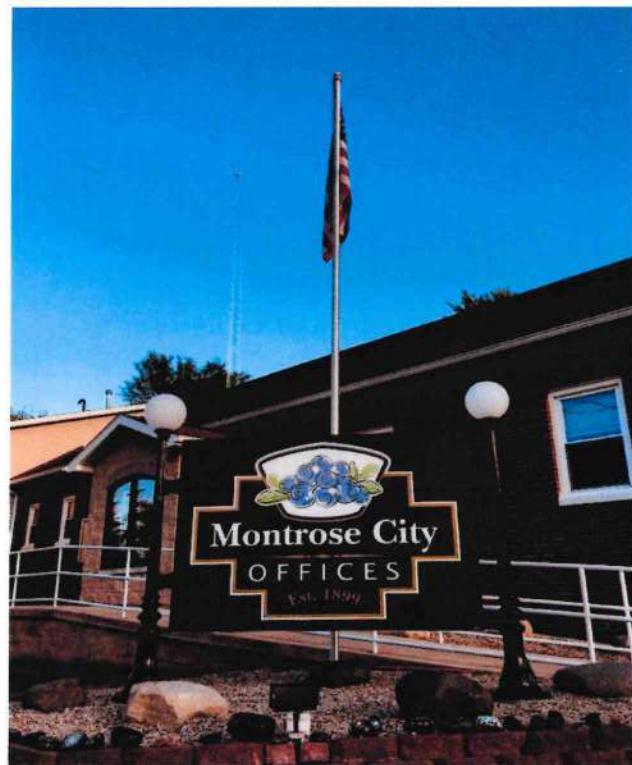


CITY OF MONTROSE

CITY COUNCIL

PACKET

July 22, 2025



CITY OF MONTROSE MEMORANDUM

Date: July 17, 2025

To: Mayor Banks and Montrose City Council Members

From: Interim City Manager, Joe Karlichek 

Subject: COVER LETTER TO MAYOR & CITY COUNCIL – AGENDA

Mr. Mayor Banks and City Council,

I hope you find this meeting agenda packet informative and a guide to help assist you in your decision making efforts. There is much work in assembling the meeting packet. It could not have been done without the assistance of city staff and many others whom I have had the privilege of meeting and working with.

The following are items to be aware of in the structure of the council meeting;

- At the beginning of the meeting you will notice there is a “Closed Session.” Representatives from Meadowbrook (MML) and Attorney representing the City of Montrose will be on site.
- In addition to the Closed Session is a required Public Hearing relative to OPRA Exemption.
- In your packet you will see a total of five (5) “Action Items” aside from the Reports considered to be consent items needing a single motion.
- Mr. Ron Drzewicki, Revitalize, LLC will be present to make Presentation and update on the project 106 West State Street.
- Mr. Geric Rose, from Fleis & Vanderbrink, to provide any answers to questions you may have relative to the close out of Changer Order.

It is this administration’s goal to support the Mayor and City Council in its policies and activities and enable a smooth environment for the public and council to engage in professional public policy decisions, doing so in a most transparent and efficient way.

Joe Karlichek
Interim City Manager



Regular City Council Meeting July 22, 2025
Montrose City Office 139 S. Saginaw Street 7:00 P.M.

AGENDA

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE TO THE FLAG

CLOSED SESSION

Pursuant to MCL 15.268 (e) City Administration requests a Closed Session to consult with the City's attorneys regarding trial or settlement strategy in connection with pending litigation in Jennifer Whiting v City of Montrose/Barbara Valentine, for the reason that an open meeting would have a detrimental financial effect on the litigating or settlement position of the City.

CITIZEN OF THE MONTH

1. Mayor Banks to present Montrose Digital Media "kids"
2. Choose a Citizen of the Month for The Month of August

PUBLIC HEARINGS

1. Obsolete Property Rehabilitation Act (OPRA) Exemption Certification

PRESENTATIONS

1. Ron Drzewicki, Revitalize, LLC

REPORTS (*It is recommended the Mayor & City Council accept these reports collectively through a single motion*).

- A. Approval of regular Meeting Minutes April 8, April 29, May 13, May 20, June 5 (2025)
- B. Approve City Council Bills June 2025
- C. Receive and file Police, Fire, Code Enforcement June 2025 Activity Report
- D. Receive and file Genesee County 9-1-1 Director's June 2025 Activity Report
- E. Receive and file DPW Supervisor Activity Report
- F. Receive and file City Clerk Activity Report
- G. Receive and file City Interim Treasurer/Finance Activity Report
- H. Receive and file City Manager Activity Report
- I. Receive and file Water End Points Report
- J. City Council Report & Notification City Administration SWOT Analysis

PUBLIC COMMENTS

The purpose of this agenda item is to allow persons to comment. This is not a forum for debate or for which questions will be answered. The City Council will consider all comments and questions and decide if they wish to address those items during council comments. All persons addressing the City Council are asked to limit their comments to no more than three (3) minutes.

MATTERS OF CITY COUNCIL ACTION

1. Consider Approving Obsolete Property Rehabilitation Act (OPRA) Resolution
2. Consider Approve Change Order No. 4 and Payment to Kennedy Excavating, Inc
3. Consider amending City Council Rules and Adopt New Agenda Format
4. City Council consider to authorize the distribution of the housing study for review in accordance with State Law
5. Consider City Manager Employment Contract

PUBLIC COMMENTS

The purpose of this agenda item is to allow persons to comment. This is not a forum for debate or for which questions will be answered. The City Council will consider all comments and questions and decide if they wish to address those items during council comments. All persons addressing the City Council are asked to limit their comments to no more than three (3) minutes

REPORTS FROM BOARDS AND COMMISSIONS

- A. Downtown Development Authority Board
 - Chairwoman Machuk
- B. Election Commission
 - City Clerk Rush
- C. Genesee County Community Development Allocation Committee
 - Mayor Pro-Tem Mr. Mark Richard
- D. Genesee County Metropolitan Alliance
 - Mayor Pro-Tem Mr. Mark Richard
- E. Genesee County Small Cities & Villages Association
 - Mayor Pro-Tem Mr. Mark Richard
- F. Genesee County Water and Waste Service's Advisory Committee
 - Councilman Mr. Heslop
- G. Planning Board
 - Councilwoman Mrs. Machuk
- H. 911 Consortium
 - Councilman Mr. Pangle
- I. Zoning Board of Appeals
 - Councilman Arnold
- J. Montrose Area Chamber of Commerce
 - Councilwoman Mrs. Hoose

REPORTS FROM CITY MANAGER AND CITY ATTORNEY

City Manager – None

City Attorney – Not Present

MAYOR AND COUNCIL COMMENTS

COMMUNICATIONS TO THE COUNCIL – NONE

ADJOURNMENT – Mayor to seek motion to adjourn city council meeting.

Next scheduled City Council meeting Tuesday August 26, 2025, 7:00 p.m.

April 22, 2025



CALL TO ORDER: Mayor Tom Banks called the regular Council meeting to order at 7:01 p.m. The meeting was held at the City Offices located at 139 S. Saginaw Street, Montrose, MI.

ROLL CALL: Present council members were Mayor Tom Banks, Lori Machuk, Todd Pangle, Ryan Heslop, Melissa Wallace-Hoose, Robert Arnold, Mayor Pro-Tem Mark Richard. Also present was City Manager Barbara Valentine, City Clerk Tina Rush, and 16 citizens.

PLEDGE OF ALLEGIANCE: Mayor Tom Banks led The Pledge of Allegiance.

PUBLIC HEARINGS: NONE

PRESENTATIONS: *SPICER ENGINEERING:* City Manager's report from Valentine read as follows; Steve Rutkowski is here to speak on the following; Hickory Street - Paving, Curb & Gutter, Storm Sewer, Water, and Sanitary Sewer; The Depot, there are issues with safe access to mechanical and storage areas for Staff and Vendors that needs to be addressed and Engineering Structural Surveys of the Traditional Downtown District (Old Towne) Buildings. This will have to be paid by the DDA because the City Council cannot authorize Taxpayer Funds be used for Private Property Improvements, however, the DDA (Downtown Development Authority) is tasked with the responsibility of doing exactly that as a quasi-governmental agency. It is the purpose of the DDA to direct Development, and as we all heard with Revitalize and Triterra presentation, it starts with Engineering. We need to capitalize on this MEDC Project. Sample Reports have been provided for you per usual, but I do want to point out that the building used as an example is currently being remodeled by a local resident in Mayville and will be a Bakery.

The Metro Act Permit Process that *will* allow the City to protect infrastructure and require utility companies (Consumers, Genesee County Water & Sewer, Spectrum, Brightspeed, Independent Fiber Companies, etc.) to meet specific requirements that our Engineers determine necessary. It is the Utility companies that will pay for the Engineering, not the City. This maximizes Project Benefits and requires utility companies to plan twice and dig once.

Spicer Engineer Steve Rutkowski introduced himself to the council saying he has been with Spicer Group for 13 years and works out of the company's headquarters in Saginaw, Michigan. Spicer has been in business since 1944. The company has done a couple of projects in the past for the city. Two projects touching base on, one being the Depot access to the basement. To have a safer way to access the furnace. The other being the structural assessment of the downtown buildings to provide potential grant funding down the road. Another project Spicer is currently looking at is the Hickory Street project. Spicer will be compiling some costs for the project. MDOT funding is out, and the application is due by June 12th. The funding is a 50/50 match up to \$250,000.00. Steve Rutkowski handed out brochures to the council on the scope of services Spicer provides. Spicer is a full-service municipal engineering firm.

- **MOTION** by Machuk **SECOND** by Hoose to add Jim Thompson from SLC to be able to do a presentation. All Ayes. Motion Carried.

MONTROSE CITY COUNCIL REGULAR MEETING MINUTES

April 22, 2025

- **MOTION** by Machuk **SECOND** by Arnold to move No. 7 on the agenda, discussion direction building depart complaints (Diffin and Sothen), to No. 3 on the agenda, so they don't have to wait as long to get to their issues. All Ayes. Motion Carried.
- **MOTION** by Machuk **SECOND** by Richard to move No. 4 down, discussion/direction of Spicer Group LOE fore the Dept", and add Mr. Anthony Powell from Powell Sons and Tree Service as item No. 4. All Ayes. Motion Carried.

SLC METERS – SLC representative Jim Thompson passed out a packet with a quote, \$23,535.69 more than what was included in tonight's council packet indicating that this information is for upgrading the equipment to finish what they started. With a mixture of cellular and fixed endpoints, the new cellular endpoints have a twenty-year battery life. Tier rate cellular data costs would be \$1.01 per endpoint per month and \$8,000.00 per year for all your data and software. Mark Wright from Badger Meter sold the system to the city about ten or eleven years ago and mentioned that we still have a pro-rated warranty for the endpoints, which can be turned in for a discounted product. Badger meter usually lasts 14-16 years with a 20-year warranty.

REPORTS

1. ***FIRE DEPARTMENT REPORTS:*** Council member Heslop questioned the response time for incident #25058 and why it had a 19-minute response time.
2. ***POLICE DEPARTMENT REPORTS:*** NONE
3. ***BUILDING INSPECTION SERVICES REPORT:*** *Report on file at the city office.*

PUBLIC COMMENTS: Citizen Harry Powell spoke on an incident by calling 9-1-1 and Genesee County transferring him to Saginaw County even though his vehicle was pinged in Genesee County and added that this has happened twice this year. Council member Pangle said he would investigate. Business owner Anthony Powell said he worked with the city before and lost out on a bid to another company that was out of the city during a storm. Powell asked if there was a way to have a list or some kind of bidding process to keep things local if possible. Powell also claimed that he has a contract with the city which he does not. The business owner of CloverTree, Timothy Franks, presented the council quotes on what services his company provides. Another resident spoke about his business that is nearby and gave his thoughts on the bidding system. Citizen Helen Kuzniar complained about her son, Anthony Powell, not receiving the emergency tree removal bid for the tree located at 115 Howard Street.

MATTERS OF COUNCIL ACTION:

1. ***APPROVAL OF 3/25/25 REGULAR MEETING MINUTES:***
 - **MOTION** by Richard **SECOND** by Pangle to approve the March 25, 2025, minutes. All Ayes. Motion Carried.
2. ***APPROVAL OF CHECK REGISTER AND TREASURER REPORT:***

MONTROSE CITY COUNCIL REGULAR MEETING MINUTES

April 22, 2025

- **MOTION** by Pangle **SECOND** by Arnold that we pay our bills. Roll Call Vote: Pangle – Aye, Machuk – Aye, Arnold – Aye, Hoose – Aye, Mayor Pro-Tem Richard – Aye, Heslop – Aye, and Mayor Banks – Aye. All Ayes. Motion Carried. All Ayes. Motion Carried.

3. ***DISCUSSION/DIRECTION BUILDING DEPT. COMPLAINTS (DIFFIN & SOTHEN)***: Diffin expressed concerns regarding the building inspector's requirement for a letter from his mortgage company confirming that his mortgage is paid in full. The requirement is impacting his ability to proceed with the demolition permit. Diffin is seeking clarification on whether the delay in processing his permit is due to the city's policies or specifically due to the building inspector's request. Valentine replied she has not spoken with Building Inspector Matt Leoni; this is strictly a building department matter. Discussion ensued regarding the potential decision to retain the current building inspector or go out for RFPs. Valentine heeded the council that if they do an RFP, they are required to hire one of the companies that submit a bid.

- **MOTION** by Heslop **SECOND** Pangle that we direct the City Manager to explore alternative inspection services from neighboring communities. All Ayes. Motion Carried.

4. ***ANTHONY POWELL***: Discussion took place concerning last year's tree trimming at 115 Howard Street which was done by Powell and Sons, and the current emergency tree service bid removal for the same location, which was \$3,500.00 higher than other comparable bids. City Attorney Genovich spoke on issues with the current circumstances indicating that the city manager acted appropriately according to the city ordinances, however, if the council would like to entertain amending the current procurement ordinance, Foster & Swift can create a draft. Pangle asked for clarification if the council could still reject any or all bids and Genovich replied yes.

- **MOTION** by Richard **SECOND** by Arnold to direct Foster Swift draft to draft us a procurement ordinance with preference on keeping it local. Roll Call Vote: Heslop – Aye, Machuk – Aye, Mayor Pro-Tem Richard – Aye, Arnold – Aye, Hoose – Aye, Pangle – Aye, and Mayor Banks – Aye. All Ayes. Motion Carried.

5. ***DISCUSSION/DIRECTION WATER METER PROJECT***: City Manager's report from Valentine read as follows; Jim Thompson with SLC spoke briefly at the last meeting regarding Water Meters and the service his company provides. He stated then that he "wanted an opportunity to take a shot" at meeting our project needs. HOWEVER, he has not contacted the office to be put on the Agenda, nor has he presented any competitive pricing or another Bid beyond the 1-pager that was provided to you on April 8th. I included this information here so you can decide how you would like to deal with it if he does come to the meeting. Prior to voting, the council decided to discuss this at the May 13th city council meeting.

- **MOTION** by Pangle **SECOND** by Richard that we table the issue of water meters until we have a working meeting to give us the opportunity to ask more questions and do a little compare contrast and to have Sam included in that meeting. All Ayes. Motion Carried.

6. ***DISCUSSION/DIRECTION OF SPICER GROUP LOE FOR THE DEPOT***:

- **MOTION** by Richard **SECOND** by Hoose that we table this until the May 13th council meeting. All Ayes. Motion Carried.

MONTROSE CITY COUNCIL REGULAR MEETING MINUTES

April 22, 2025

7. *DISCUSSION/RECOMMENDATION TO DDA REGARDING SPICER GROUP LOA FOR STRUCTURAL ENGINEERING INSPECTION PLAN:* Discussion ensued on the necessity of having an evaluation of the downtown area, to ensure that structures are safe and to have a plan on file to allow the DDA to be eligible for future grants. Business owner Zach Hall expressed concerns with an engineer finding problems with their structures which would require the property owner to update.

- **MOTION** by Heslop **SECOND** by Banks that we return it to the DDA with a recommendation from council. Roll Call Vote: Arnold – Nay, Mayor Pro-Tem Richard – Aye, Machuk – Abstain, Pangle – Nay, Heslop – Aye, Hoose – Nay, Mayor Banks – Nay. Four (4) Nays. Two (2) Ayes. One (1) Abstain. Motion dies.
- **MOTION** by Pangle **SECOND** by Hoose that we return it to the DDA without a recommendation. Roll Call Vote: One (1) Nay – Heslop. Motion carried.

8. *DISCUSSION/DIRECTION BRF RECOMMENDATIONS FROM DDA:* Informational only.

9. *DISCUSSION/DIRECTION TO CITY ATTORNEY: BID PROCESS, E&O INSURANCE CLAIM, AND AS NEEDED ITEMS:* Genovich reiterated that she will get with the city manager and come up with a new proposed bidding ordinance. Discussion ensued on whether the council should follow the council rules of procedure which govern the council and specifically states under G. Discussion and Voting 1. **Rules of Parliamentary Procedure**, “The rules of parliamentary practice in accordance with Robert’s Rules of Order shall govern the Council in all cases to which they are applicable, provided that they not conflict with these rules, City ordinances or applicable state statutes”.

- **MOTION** by Richard **SECOND** by Arnold that we set aside instead of table discussion until the next city council meeting. All Ayes. Motion Carried.

10. *RECOGNITION TO CELEBRATE PROFESSIONAL MUNICIPAL CLERKS WEEK MAY 4 TO MAY 10, 2025:* Rush thanked the council for recognizing this week. The council discussed some ideas to show appreciation, a proclamation, a paid day off, spa package, breakfast, flowers, or treat her to lunch. No action taken.

11. *RRC TRAINING SIGNUPS UPDATE:* Valentine gave an oral update on who has signed up for RRC training.

12. *DISCUSSION/UPDATE REGARDING THE CREATION OF THE HOUSING AND ECONOMIC DEVELOPMENT COALITION IN CONJUNCTION WITH MONTROSE TOWNSHIP:* City Manager’s report from Valentine read as follows; At the time the Master Plan was started we also received a Grant for a Housing Study to be done in conjunction with Montrose Township. We have the preliminary report and Township Supervisor Coetta Adams, and I met with Adam Young with Wade Trim to discuss the findings. During the meeting we discussed a few changes to the Report on pages 47 and 48 of the included study (not the packet page numbers). Coetta and I are both aware that once we receive a Grant of this nature we are under the microscope regarding what we do with the information, and how that can volley into more Grant Opportunities. With that in mind, we chose to explore the creation of a Housing and Economic Development Coalition between the

MONTROSE CITY COUNCIL REGULAR MEETING MINUTES

April 22, 2025

City of Montrose and the Township of Montrose. Our first meeting is on May 7th at 4:00pm. We hand selected members of the community that have experience in housing and economic development tools, and we are requesting permission from the Council to proceed. No action taken, informational only.

REPORTS FROM BOARDS & COMMISSIONS:

DOWNTOWN DEVELOPMENT AUTHORITY BOARD: Discussed earlier in the council meeting.

ELECTION COMMISSION: Rush reported that 147 ballots have been mailed out, only 30 have been returned.

GENESEE COUNTY COMMUNITY DEVELOPMENT ALLOCATION COMMITTEE: Mayor Pro-Tem Richard said he will be attending this Thursday's meeting and will bring back more information.

GENESEE COUNTY METROPOLITAN ALLIANCE: Grants for I-475 corridor shot down. Looking at some bonds and bridges. One is for \$2,000,000, \$5,000,000, and one is for \$7,000,000. Also, 2026/2029 TIP grant funding will be available soon.

GENESEE COUNTY SMALL CITIES & VILLAGES ASSOCIATION: An individual spoke from Auburn Hills. Mayor Pro-Tem Richard also reminded the council that the City of Montrose will be hosting the May 7th GCSC&V Association meeting at the Depot. MIOSHA Representative Jeff Edgerton is the speaker and will be explaining what MIOSHA services have to offer that are free, for example, free consulting and free inspections.

GENESEE COUNTY WATER AND WASTE SERVICE'S ADVISORY COMMITTEE: NONE

PLANNING BOARD: Machuk said they discussed rezoning and the DDA and their role in the city.

911 CONSORTIUM: NONE

ZONING BOARD OF APPEALS: NONE. Next meeting is not until February 2026.

MONTROSE AREA CHAMBER OF COMMERCE: NONE

TRAINING OPPORTUNITIES:

1. **MSU FRC (FISCALLY READY COMMUNITIES) TRAINING:** Next training date is Monday May 19th @ 2:00 p.m.

2. **RRC TRAINING:** Valentine reported who is currently signed up.

REPORTS FROM CITY MANAGER AND CITY ATTORNEY:

CITY MANAGER: Report on file at the city office.

CITY ATTORNEY: NONE

MONTROSE CITY COUNCIL REGULAR MEETING MINUTES

April 22, 2025

PUBLIC COMMENTS: NONE

MAYOR AND COUNCIL COMMENTS: Pangle spoke on an M-Live article regarding closing the Flushing and Mt. Morris district courts and moving them all to downtown Flint by the year 2030. Also, the Genesee County Administrative Offices will be moving to the Brownstone Tower. Heslop suggested forming a small group for brainstorming and deal with city issues and/or citizen concerns. Heslop also asked if city council has formally adopted a Code of conduct. Genovich said she is looking into creating an ordinance for conflict of interest on all boards that would also cover general professionalism.

COMMUNICATIONS TO THE COUNCIL: NONE

ADJOURNMENT:

MOTION by Richard **SECOND** by Arnold to adjourn. All Ayes. Motion Carried.

Mayor Banks adjourned the meeting at 10:08 p.m.

Prepared by City Clerk, Tina Rush

DRAFT

MONTROSE CITY COUNCIL REGULAR MEETING MINUTES

May 13, 2025



CALL TO ORDER: Mayor Tom Banks called the regular Council meeting to order at 7:00 p.m. The meeting was held at the City Offices located at 139 S. Saginaw Street, Montrose, MI.

ROLL CALL: Present council members were Mayor Tom Banks, Mayor Pro-Tem Mark Richard, Robert Arnold, Ryan Heslop, Todd Pangle, Lori Machuk, and Melissa Wallace-Hoose. Also present was City Manager Barbara Valentine, City Clerk Tina Rush, and 11 citizens.

PLEDGE OF ALLEGIANCE: Mayor Tom Banks led The Pledge of Allegiance.

PUBLIC HEARINGS: NONE

PRESENTATIONS: *REVITALIZE – 106 W STATE STREET MEDC PROJECT:* The representative who was to speak on behalf of the revitalize project was currently unavailable.

- **MOTION** by Richard **SECOND** by Arnold to move Revitalize presentation to No. 5. All Ayes. Motion Carried.
- **MOTION** by Arnold **SECOND** by Pangle to move agenda item No. 5, "Closed Session" and item No. 6, "Return to open session", to No. 1 and No. 2 onto the agenda. All Ayes. Motion Carried.

PUBLIC COMMENTS: City Secretary Christine Schultz read aloud a rebuttal letter regarding inaccurate comments made by a citizen at the last city council meeting. Citizen Pam Riley spoke regarding a conversation she had with Mayor Tom Banks prior to the last council meeting.

MATTERS OF COUNCIL ACTION:

1. *CLOSED SESSION PURSUANT TO THE MICHIGAN OPEN MEETINGS ACT, MCL 15.268, TO CONSIDER MATERIAL EXEMPT FROM DISCUSSION OR DISCLOSURE BY STATE OR FEDERAL STATUTE, SPECIFICALLY AN ATTORNEY-CLIENT PRIVILEGED WRITTEN LEGAL OPINION:*

- **MOTION** by Arnold **SECOND** by Pangle to go into closed session pursuant to the Michigan Open Meetings Act, MCL 15.268, to consider material exempt from discussion or disclosure by state or federal statute, specifically an attorney-client privileged written legal opinion. Roll Call Vote: Pangle – Aye, Machuk – Aye, Arnold – Aye, Hoose – Aye, Mayor Pro-Tem Richard – Aye, Heslop – Aye, and Mayor Banks – Aye. All Ayes. Motion Carried. Mayor Banks closed the regular meeting at 7:13 p.m. to go into closed session. Mayor Banks also indicated that the city attorney and city clerk go into closed session.

2. *RETURN TO OPEN SESSION AND BRING BACK REGULAR MEETING TO ORDER:*

- **MOTION** by Arnold **SECOND** by Machuk that we return to open session. Roll Call Vote: Mayor Pro-Tem Richard – Aye, Hoose – Aye, Heslop – Aye, Arnold – Aye, Pangle – Aye, Machuk – Aye, and Mayor Banks – Aye. All Ayes. Motion Carried.

*Mayor Banks brought the regular meeting to order at 8:10 p.m.

- **MOTION** by Arnold **SECOND** by Hoose that we move agenda item No. 5 to No. 1, that is the "Revitalize Presentation" to No. 1, so that we can discuss and possibly vote on. (Council member Arnold's motion said to move it to item No. 1, but it is essentially item

MONTROSE CITY COUNCIL REGULAR MEETING MINUTES

May 13, 2025

No. 3 on the agenda now because of action taken for agenda items No. 1 and No. 2). All Ayes. Motion Carried.

3. PRESENTATIONS: REVITALIZE – 106 W STATE STREET MEDC PROJECT: Attorney Dean Yeotis, President of Ramby, LLC, spoke about the history of Ramby and the history of the building. Connor from Triterra spoke about the OPRA act and about Ramby injecting about \$2.3 million into the project. Four apartments upstairs, one downstairs and two storefronts. The OPRA exemption would abate local taxes for a 12-year period. Environmental studies have already taken place. Currently in a 90-day window period with the state. With the hope to start working sometime between August 2025 and February of 2026.

4. DISCUSSION/DIRECTION REGARDING THE RAMBY PROJECT: City Manager's report from Valentine read as follows; Information has been included regarding the possible recommendation for funding of up to 50% or \$975,000. The OPRA is required for the project to move forward. I anticipate the presentation will provide more details and an opportunity for the council to ask any questions they may have.

- **MOTION** by Richard **SECOND** by Pangle that we prepare for the 1st OPRA resolution. Roll Call Vote: Heslop – Aye, Machuk – Aye, Mayor Pro-Tem Richard – Aye, Arnold – Aye, Hoose – Aye, Pangle – Aye, and Mayor Banks – Aye. All Ayes. Motion Carried.

5. DISCUSSION/DIRECTION OF DEPOT SAFETY ISSUE & SPICER PROPOSAL: Mayor Pro-Tem Richard reported that he had the opportunity to inspect the Depot and speak with Sam and there is concern about confined space. Richard also recommended stairs be installed to allow access to the basement and mechanical equipment. Valentine reminded the council that bids for a contractor will need to be submitted for the work to be completed but Spicer will administer the project.

- **MOTION** by Richard **SECOND** by Heslop to accept the proposal from Spicer to address the safety issues at the Depot. Roll Call Vote: Pangle – Aye, Heslop – Aye, Arnold – Aye, Machuk – Aye, Mayor Pro-Tem Richard – Aye, Hoose – Aye, and Mayor Banks – Aye. All Ayes. Motion Carried.

6. DISCUSSION/DIRECTION OF THE WATER METER PROJECT:

- **MOTION** by Arnold **SECOND** by Richard that we set up a committee that includes Council Members Heslop, Pangle, Mayor Pro-Tem Mark Richard, DPW Supervisor Spence and Secretary Schultz to discuss different options. Roll Call Vote: Heslop – Aye, Machuk – Aye, Mayor Pro-Tem Richard – Aye, Hoose – Aye, Pangle – Aye, and Mayor Banks – Aye. All Ayes. Motion Carried.
- **MOTION** by Pangle **SECOND** by Richard to add new treasurer to the agenda. Roll Call Vote: Pangle – Aye, Heslop – Aye, Machuk – Aye, Mayor Pro-Tem Richard – Aye, Hoose – Aye, and Mayor Banks – Aye. All Ayes. Motion Carried.

7. DISCUSSION/DIRECTION REGARDING CONTRACT OF NEW CITY TREASURER: Discussion ensued on who has the authority to hire employees and according to the Charter it is the city manager. Valentine commented this council requires contracts with employees and contracts are required to be approved by the council. Rush clarified that she is the first clerk in Genesee County that

MONTROSE CITY COUNCIL REGULAR MEETING MINUTES

May 13, 2025

was required to have a contract. Genovich read aloud the administrative ordinance, which is not clear and commented that the council should approve the contract because the employee should be paid.

- **MOTION** by Pangle **SECOND** by Richard that we approve contract for treasurer by our city manager. Roll Call Vote: Arnold – Aye, Mayor Pro-Tem Richard – Aye, Machuk – Aye, Pangle – Aye, Heslop – Aye, Hoose – Aye, and Mayor Banks – Aye. All Ayes. Motion Carried.

8. DISCUSSION/DIRECTION OF REGARDING EMPLOYEE PTO: Valentine indicated that employees are fronted PTO hours based on their years of service and continually accrue each month up to the end of each fiscal year, however, several employees have not been able to take time off due to understaffing at the city office, workload, and projects. Sam said he sent an email to all the council members expressing concerns about losing this much PTO. Pangle questioned additional pay for the hourly employees and whether it is in the budget and Valentine replied it is in the budget because the city is not paying over-time, just straight PTO. Genovich recommended a motion addressing the union contract and another for non-union employees.

- **MOTION** by Arnold **SECOND** by Richard to direct the city manager to negotiate with the Union for a letter of agreement for a one-time payout for the 2025 accrued PTO and it will come back to council. Roll Call Vote: Heslop – Aye, Arnold – Aye, Machuk – Aye, Mayor Pro-Tem Richard – Aye, Pangle – Aye, Hoose – Aye, and Mayor Banks – Aye. All Ayes. Motion Carried.
- **MOTION** by Arnold **SECOND** by Richard that we prepare a proposed amendment to the personal handbook at the same time as the letter of understanding. Roll Call Vote: Pangle – Aye, Hoose – Aye, Mayor Pro-Tem Richard – Aye, Machuk – Aye, Heslop – Aye, Arnold – Aye, and Mayor Banks – Aye. All Ayes. Motion Carried.

9. ANY FURTHER ACTION FROM COUNCIL:

- **MOTION** by Pangle **SECOND** by Richard to take no action concerning items discussed in closed session at this time and revisit in 2 weeks. All Ayes. Motion Carried.

REPORTS FROM CITY MANAGER AND CITY ATTORNEY:

CITY MANAGER: City Manager Valentine mentioned working with the township regarding zoning ordinances and the RRC.

CITY ATTORNEY: Couple of items on the next agenda the Procurement Policy discussed at the last meeting, draft an Ethics ordinance, and continue to review the insurance claim regarding the grant issue with former city manager Rankin.

PUBLIC COMMENTS: NONE

MAYOR AND COUNCIL COMMENTS: Arnold mentioned volunteering at the World Expo of Beer in Frankenmuth and the good the Jaycees are doing for the community. Pangle said he's happy we have a treasurer. Hoose the same. Machuk welcomed the new treasurer. Mayor Banks commented welcome to our nightmare. Mayor Pro-tem Richard, Small Cities went quite well,

MONTROSE CITY COUNCIL REGULAR MEETING MINUTES

May 13, 2025

Jeff Edgerton did a presentation on how to get some grants of up to \$5,000 for the office or DPW department to have a safe work environment. Heslop welcomed the new treasurer and indicated that at the last council meeting we talked about setting up a working group session. We have some issues where we have some differences in opinions on what constitutes a priority in the direction we are heading and how do we go about getting there, where we want to go and get some consensus. That's how this government body functions, and it would be worthwhile to sit down and discuss our priorities. Heslop added that he thinks it would be beneficial, and it would get rid of some of the concerns and frustration with certain members about where we are heading, that's how we must function as a working group. Rush recommended facilitator Lew Bender who works with the MML (Michigan Municipal League) and MMAC. Mr. Bender is very well known in the State of Michigan and has worked with over 200 Municipalities specializing in municipalities' and facilitating municipalities.

ADJOURNMENT:

MOTION by Richard SECOND by Arnold adjourn. All Ayes. Motion Carried.

Mayor Banks adjourned the meeting at 9:20 p.m.

Prepared by City Clerk, Tina Rush

MONTROSE CITY COUNCIL SPECIAL MEETING MINUTES

May 20, 2025



CALL TO ORDER: Mayor Tom Banks called the regular Council meeting to order at 8:31 p.m. The meeting was held at the City Offices located at 139 S. Saginaw Street, Montrose, MI.

ROLL CALL: Present council members were Mayor Tom Banks, Mayor Pro-Tem Mark Richard, Robert Arnold, Ryan Heslop, Todd Pangle, Lori Machuk, and Melissa Wallace-Hoose. Also present was City Attorney from Foster & Swift, Mallory Reader, City Manager Barbara Valentine, City Clerk Tina Rush, and numerous citizens.

PLEDGE OF ALLEGIANCE TO THE FLAG: Mayor Tom Banks led The Pledge of Allegiance.

PUBLIC COMMENTS: City of Montrose Assessor Robert Naumann read aloud a letter on behalf of City Manager Barbara Valentine and City treasurer Nicole Moore after both were hired unanimously 7-0. Citizen Daltson Atwell expressed his appreciation for the City Assessor and for City Manager Barbara Valentine. Montrose Township resident Sadie Leonard complained about FOIA requests and receiving code enforcement letters for her rentals. Montrose Township resident Larry Leonard complained about receiving ordinance violation letters for his rentals. Montrose Township resident Harry Powell spoke on behalf of City Treasurer, Nicole Moore. City Clerk Tina Rush asked the council to excuse herself from the council table, so that she could speak as a resident. Rush spoke on the disarray within the community and how it is affecting work at the city offices. Rush also heeded council asking them not to make decisions based on here-say, Facebook posts and inuendo's. Sadie Leonard complained about getting a receipt for her water bill that has an old employee's name on it. Representative Deanna from RetroFoam thanked Valentine for following through on the insulation grant that was not completed by the previous city manager and asked the current council to continue following up with the MiHOPE insulation grant. City Secretary Christine Schultz spoke on the difficulties regarding B S & A and the reason for not having her name on the receipts instead of an old employee's name due to a setting issue within the B S & A program. Clint Diffin complained about FOIA requests, outstanding issues with his insulation grant and receiving code enforcement letters.

SPECIAL BUSINESS:

1. *TO DISCUSS AND DECIDE WHETHER TO INITIATE THE PROCESS OF TERMINATING THE CITY'S EMPLOYMENT CONTRACT WITH THE CITY MANAGER, BARBARA VALENTINE:* Mayor Banks read aloud a prepared letter explaining the process for terminating the city manager and asked the city attorney to read aloud the resolution to remove for No Cause, (on file at the City Offices). Mayor Pro-Tem Richard Council member mentioned that he has been a part of human resources for the State of MI and knows the process of whether an employee should be fired and/or reprimanded. Ryan Heslop read aloud a letter giving an overview of the organizational structure of the City of Montrose, outlining the hierarchy and the order of procedure within the local government. Heslop detailed roles such as the mayor, city manager, council members, and other officials, clarifying how the council operates and the relationships between different positions within the community's governance. Heslop continued by asking for a workshop to enhance and foster a collaborative environment to reduce existing animosity, but ensuring that all members are well-informed so that the council and staff can improve communication to move forward with positive goals. Mayor Banks commented when we first hired the city manager we knew

MONTROSE CITY COUNCIL SPECIAL MEETING MINUTES

May 20, 2025

there were issues with another municipality, we hired the best candidate, however, when he would meet with Barbara, she would talk about another council member, then when she would meet with another council member, and she would speak about someone else, possibly himself and said that he couldn't trust someone to carry on civilly and professionally as a member of the city management team, then how am I supposed to work with them except to fight a losing battle. Mayor Pro-Tem reminded the council this is a strong manager/mayor council, that each individual communicates through the city manager and not directly to staff. Council member Arnold said he feels that he has only received ½ information and ½ truth's but didn't clarify what it was regarding. Council member Hoose said she has received emails from Barbara that are totally inappropriate and has listened to conversations regarding a business owner's actions within the community. Hoose also commented that she was upset that Valentine questioned her mental continuity with another council member and she felt that if reprimanding would solve the problem instead of firing, she would. Machuk commented that she had no issues with Valentine's history with another municipality, but she does not want to air dirty laundry and is not basing her decision on Facebook.

- **MOTION** by Banks **SECOND** by Pangle to move to adopt the preliminary resolution to initiate removal of the City Manager, Barbara Valentine without cause. Roll Call Vote: Arnold – Aye, Hoose - Aye, Heslop – Nay, Pangle – Aye, Mayor Pro-Tem Richard – Nay, Machuk – Aye, and Mayor Banks – Aye. Five (5) Ayes. Two (2) Nays. Motion Carried.

2. *TO DISCUSS AND DECIDE WHETHER TO TERMINATE THE CITY'S EMPLOYMENT CONTRACT WITH THE CITY TREASURER, NICOLE MOORE:* Mayor Banks read aloud a prepared letter explaining the process for terminating the city treasurer and opened the floor for council members to speak. Council member Arnold said that there was a lot of information that he wishes he could have given to the council prior to hiring Mrs. Moore. Pangle said he would have liked more information as well. Hoose said they feel they do not have enough information, and that this is going too fast. Machuk commented that she likes to research things and prior to researching on Facebook, she was contacted by outside people. Machuk then read aloud the email from Valentine regarding the hiring of Nicole Smith. Machuk said she requested more information on who had applied, who was on the hiring panel and how this decision was made but was denied when she came into the city offices. Mayor Banks said that Valentine directed them to have the city attorney contact her directly and she would give the attorney that information. Machuk also said she contacted a previous employer of Ms. Moore and spoke to their clerk and heard some things. Arnold clarified that it's different having an elected official versus an employee and heeded council on a decision based on politics. Mayor Banks expressed frustration on being rushed to approve a contract with the treasurer.

- **MOTION** by Arnold **SECOND** by Richard, that we give Nicole a chance to defend herself against the accusations and a chance to answer the questions, I think that she should continue her job in the meantime and that we prepare questions for the next council session which is less than a week away now, and provide them to her so she can answer set questions, and we can hash out what's going on, I think that's the fair thing to do to Nicole and a fair thing to do to council, until then she continues on as she is right now as the treasurer of the City of Montrose and continues doing the work that

MONTROSE CITY COUNCIL SPECIAL MEETING MINUTES

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she is on. Roll Call Vote: Pangle – Aye, Machuk – Nay, Arnold – Aye, Hoose – Aye, Mayor Pro-Tem Richard – Aye, Heslop – Aye, and Mayor Banks – Nay. Five, (5) Ayes. Two (2) Nays. Motion Carried.

MAYOR AND COUNCIL COMMENTS: Arnold said he was disappointed at the way this ended. Mayor Pro-Tem Richard reiterated that based on the documents he saw and his training with the State of MI, it would most likely be discipline, written reprimand, or corrective action, which protects the State from lawsuits. Heslop expressed concern that although he's happy we are give Moore the opportunity to defend herself, he did not hear any assertions that we should be doing the same for Valentine and hopes she asserts her right to request a hearing on the matter so that she can defend herself in public as well.

ADJOURNMENT:

MOTION by Richard SECOND by Pangle to adjourn. All Ayes. Motion Carried.

Mayor Banks adjourned the meeting at 9:32 p.m.

Prepared by City Clerk, Tina Rush

DRAFT

CHECK REGISTER FOR CITY OF MONTROSE
CHECK DATE FROM 06/01/2025 - 06/30/2025

卷之三

Check Date

Check Date	Bank	Check	Vendor	Vendor Name	Invoice Vendor	Description	Amount
Bank SB CK CHOICE ONE BANK							
Check Type: Paper Check							
06/25/2025	SB CK	21071	301	ACORN & COMPANY LLC	ACORN & COMPANY LLC	Blueberry Park Security Ca	70.00
06/25/2025	SB CK	21072	288	APM - ADVANCED OUTDOOR	APM - ADVANCED OUTDOOR	Mosquito Services for June	6,580.00
06/25/2025	SB CK	21073	093	BARBARA VALENTINE	BARBARA VALENTINE	Reimburse for MERS Deducti	1,821.68
06/25/2025	SB CK	21074	976	CITY OF CLIO	CITY OF CLIO	Code Enforcement Services	1,332.22
06/25/2025	SB CK	21075	145	CITY OF MONROSE	CITY OF MONROSE	City Offices for June 2025	72.54
					CITY OF MONROSE	DPW Garage for June 2025	78.00
						The Depot for June 2025	66.80
						Lion's Park Restrooms for	64.30
						Blueberry Park Restrooms f	94.68
						Jennings Library for June	83.81
06/25/2025	SB CK	21076	010	CONSUMERS ENERGY	CONSUMERS ENERGY	Utility Bills for May 2025	460.13
06/25/2025	SB CK	21077	035	EGLE - STATE OF MICHIGA	EGLE - STATE OF MICHIGA	Water Samples Tested May 2	1,923.02
06/25/2025	SB CK	21078	292	FOSTER SWIFT COLLINS &	FOSTER SWIFT COLLINS &	Attorney Fee's for May Pol	3,625.00
					FOSTER SWIFT COLLINS &	Mayor, City Council, Inter	11,803.40
						FOIA Attorney Fee's for Ma	1,300.00
							16,728.40
06/25/2025	SB CK	21079	020	GENESEE COUNTY DRAIN CO	GENESEE COUNTY DRAIN CO	Sewer Treatment Charges fo	14,299.23
					GENESEE COUNTY DRAIN CO	Water Treatment Charges fo	27,986.69
					GENESEE COUNTY DRAIN CO	Water Samples for May 2025	50.00
06/25/2025	SB CK	21080	380	GENESEE COUNTY GOV. CLE	GENESEE COUNTY GOV. CLE	Quarterly Governmental Mee	42,335.92
06/25/2025	SB CK	21081	410	GILL ROY'S COMPLETE HAR	GILL ROY'S COMPLETE HAR	Water Samples Mailed May 2	15.00
					GILL ROY'S COMPLETE HAR	4" Vise Grip Pliers & 2-Pk	14.37
							25.48
06/25/2025	SB CK	21082	024	GOLD & SONS AUTOMOTIVE	GOLD & SONS AUTOMOTIVE	SD Drill Bit for DPW Garag	39.85
06/25/2025	SB CK	21083	584	IVERSON'S LUMBER COMPAN	IVERSON'S LUMBER COMPAN	Diablo Rebar Demon Hammer	28.49
					IVERSON'S LUMBER COMPAN	Concrete Anchor for Repair	9.89
							22.00
06/25/2025	SB CK	21084	157	KENT COMMUNICATION	KENT COMMUNICATION	Postage to Mail 2025 Summe	31.89
06/25/2025	SB CK	21085	854	MARQUEE ENGRAVING	MARQUEE ENGRAVING	2 New Nameplates, Interim	381.50
06/25/2025	SB CK	21086	892	MAYN STREET FLOWERS & G	MAYN STREET FLOWERS & G	16 Hanging Planters, 4 - 3	50.00
06/25/2025	SB CK	21087	071	MENARDS	MENARDS	Flowers & Soil for City Of	3,500.00
						7 Pc Metric Nutriver Set	42.56
							8.99
							51.55
06/25/2025	SB CK	21088	834	MICHIGAN MUNICIPAL LEAG	MICHIGAN MUNICIPAL LEAG	City Insurance	18,319.00
06/25/2025	SB CK	21089	119	MICHIGAN RURAL WATER AS	MICHIGAN RURAL WATER AS	Membership Dues 07/01/2025	570.00
06/25/2025	SB CK	21090	042	MONROSE TOWNSHIP	MONROSE TOWNSHIP	Fire/Police Contract for J	35,602.44
06/25/2025	SB CK	21091	105	NETSOURCE ONE	NETSOURCE ONE	June's Monthly Support for	325.54
06/25/2025	SB CK	21092	258	PRIORITY WASTE LLC	PRIORITY WASTE LLC	Refuse Services for July 2	9,877.86
06/25/2025	SB CK	21093	056	QUILL CORPORATION	QUILL CORPORATION	Office & DPW Supplies for	714.85



CITY OF MONTROSE MEMORANDUM

Date: July 9, 2025

To: Mayor Banks and Montrose City Council Members *(GP)*

From: Police Chief Jamie Cochran and Fire Chief George Taylor & Code Enforcement Officer Scott Murlick

Subject: Police, Fire and Code Enforcement Report – June 2025

Background: The purpose of this report is to provide the city council and city residents with a report of public safety activity within the City of Montrose.

POLICE DEPARTMENT RESPONSES

The Montrose Township Police Department responded to fifty-one (51) calls in June.

- (10) Traffic Violations.
- (10) Verbal Warnings.
- (0) Accidents.
- (4) Assists to other Departments.
- (0) Motor Assist.
- (1) Medical Calls.
- (491) Property Inspections.

FIRE DEPARTMENT RESPONSES

The Fire Department responded to five (5) calls-for-fire-service or other emergencies such as vehicle accidents, building fire/alarm, medical, in June 2025.

CODE ENFORCEMENT RESPONSES

The Code Enforcement Officer received a total of 62 new complaints in May 2025. Code Enforcement Officer Mr. Scott Murlick closed all 46 of the new complaints. 30% are grass & weed, 20% blight related issues and 50% inoperable vehicle/unregistered vehicles/parking in yard/sidewalk complaints. In addition, 20 junk/inoperable vehicles have been removed from the city limits.

Any complaints that remain open may mean the Code Enforcement Officer has given them a set amount of time, or a date, to come into voluntary compliance before writing a citation.

Recommendation: It is recommended the city council approve and file the June 2025 Police, Fire and Code Enforcement Report.

Montrose Township Police Department

CITY STATS JUNE 2025

MAY	TYPE OF CALLS	JUNE
51	General Radio Calls	35
3	Felony Arrests	0
0	Misdemeanor Arrests	4
0	Operating While Intox. (OWI)	0
2	Traffic Violations	5
6	Verbal Warnings	10
2	Accidents	0
0	Public Assists	0
10	Assist Other Department	4
1	Motorist Assist	0
2	Medical Calls	1
468	Property Inspections	491
0	Vacation Checks	3

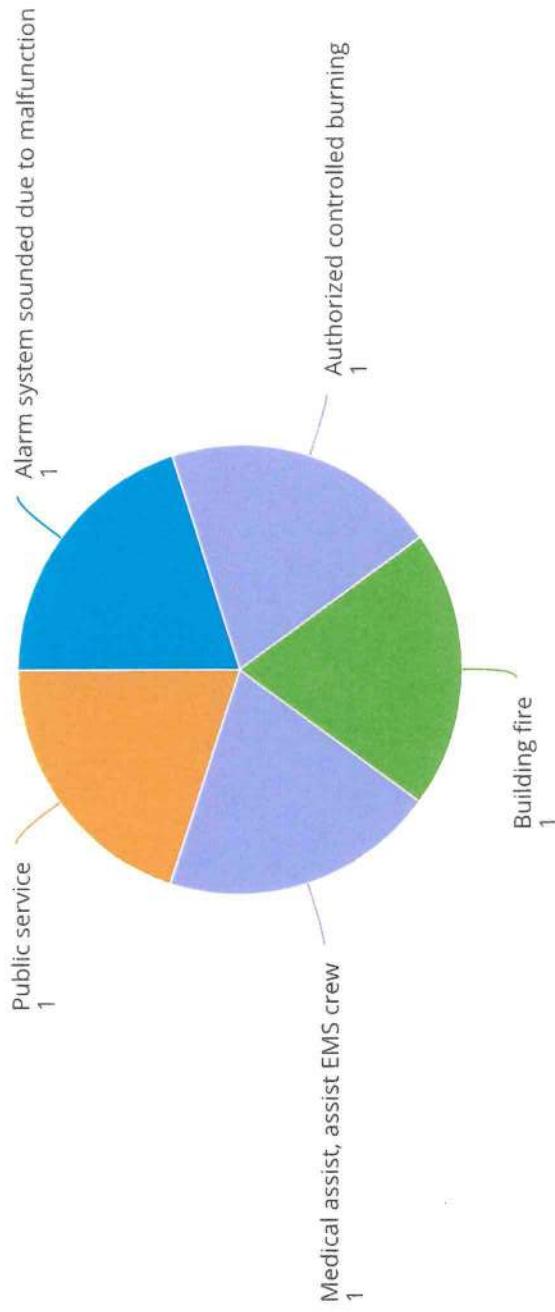
City Calls/Response Times

Jul 3, 2025 7:03:14 PM Fire Incidents

Filter statement

Filters **Days in Alarm DateTime** 6/1/25 to 6/30/25 | **Is Active** true | **Is Locked** true

Type of Call



Total Calls

Months in Alarm DateTime	City
06/2025	5
City	5

City Calls/Response Times

Jul 3, 2025 7:03:14 PM | Fire Incidents

Filter statement

Filters Days in Alarm Date/Time 6/1/25 to 6/30/25 Is Active true Is Locked true

City Calls Per Month

Alarm Date	Incident Type	Incident Number	Street Number	Street Name	Street Type	City
6/20/25	Building fire	26-128	311	Coke	Drive	1
6/21/25	Alarm system sounded due to malfunction	25-130	311	Coke	Drive	1
6/26/25	Medical assist, assist EMS crew	25-138	355	State	Street	1
6/28/25	Authorized controlled burning	25-140	235	Baldwin	Street	1
6/30/25	Public service	25-141	146	Maple	Street	1
						5

City Calls/Response Times

[Jul 3, 2025 7:03:14 PM] Fire Incidents

Filter statement

Filters

Days in Alarm Datetime 6/1/25 to 6/30/25 | Is Active true | Is Locked true

Response Times For Each Call.

Census Tract	Incident Number	Total Response Time Alarm To Arrival
126.02	25-130	00h:07m:00s
	25-138	00h:10m:00s
	25-140	00h:11m:00s
	25-141	00h:13m:00s
	26-128	00h:08m:00s

(D)

CITY OF MONTROSE MEMORANDUM

Date: July 8, 2025

To: Mayor Banks and Montrose City Council Members

From: Joe Karlichek, Interim City Manager *(AW)*

Subject: Genesee County 9-1-1 Executive Director Report June 2025

Background: The purpose of this communication is to provide you the 9-1-1 Director's Report to the city council and city residents with a report of Genesee County 9-1-1 Activity and information your citizens and this council may see of value.

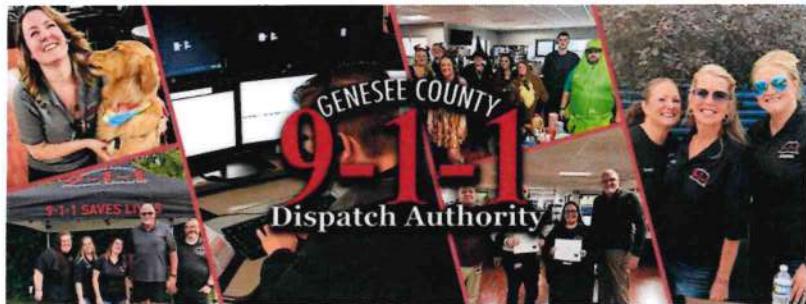
Genesee County 9-1-1 services 31 local cities, villages & townships (CVT's). Fenton City has its own PSAP. Genesee County 9-1-1 is funded via a "surcharge" most typically find on any assigned phone line (cell, desk, fax, etc.).

The report provides you all updates from 9-1-1 relative to dispatched Police, Fire and EMS calls, community relations and other matters you may find of value.

The Executive Director's Report is attached to this memorandum for your review.

Recommendation: It is recommended the city council approve and file the June 2025 9-1-1 Director's Report.

Executive Board and General Membership



Report shared with:

Genesee County Fire Chiefs Association
Genesee County Police Chiefs Association
Genesee County Board of Commissioners
Med Control

July 3, 2025

Re: Executive Directors Report – June 2025

9-1-1 Call takers and Dispatchers calls for Service:

In the month of June our Call Takers and Dispatchers dispatched the following number of incidents:

Police Incidents: **39,254**

Fire Incidents: **2,738**

EMS Incidents: **6,276**

Total Incidents: **48,268**

Incoming 9-1-1 Calls: **30,855**

Incoming 99-11 Calls: **5,433**

Total Incoming 9-1-1 Calls: **36,288**

Type of Calls:

VOIP Calls: **2,264**

Cellular Calls: **27,692**

Cell 9-1-1 Hang Ups: **4,636**

Wireless Calls: **577**

Land 9-1-1 Hang Ups: **349**

Public Safety Line – Incoming: **1,619**

Executive Board and General Membership

9-1-1 Call takers and Dispatchers calls for Service - Continued:

Text Sessions Incoming: **539**

Text Sessions Outbound: **201**

All Outbound Calls: **6,763**

The daily Average number of Calls into the 9-1-1 Center in the month of June was **1,210** and our daily call volume for the month was from **1080** per day to **1,513** per day.

Overtime Hours Worked due to Staffing Shortages, and Vacations:

Our call takers and dispatchers have worked **1,960 hours** of overtime in the month of June. FYTD, **13,952** hours. We had three employees who were on medical leave during the month of June. We have one employee with restricted hours, three who cannot work OT and one employee who can work OT but cannot be mandated.

Freedom of Information Act (FOIA) Requests Year to Date:

Our part time FOIA Coordinator processed **361** in the month of June, year to date **2,128** FOIA's processed.

Professional Standards Policy for the Month of June:

One Complaints.

1 Exonerated - Sustained.

Personnel in Training and Staffing:

Staffing currently.

6 Floor Supervisors, 2 Administration Supervisors (1 Q&A Supervisor, 1 Training Supervisor).

We have currently 37 fully trained employees, and 3 employees are on short/longer term medical leave, and 4 with overtime medical restrictions. (+3-MOU Call taker only), (+3 in phones training), (4 Stalled on Phones) (+1 in radio training) (+5 Part-time), 2 phones only (LOU).

Executive Board and General Membership

Applications Processed:

On July 1, 2025, we started accepting applications again for new hires.

Resignations & Retirement:

None.

Monthly Training:

Training was conducted on June 10 and 11, 2025. The topic was 9-8-8 policy. This was implemented to support 9-1-1 and 988 communities in developing and implementing uniform, consistent expectations and offer best practices for mental health and substance use disorder-response related policies and procedures.

EMS - Critical Status:

In the Month of June, we had the following incidents that occurred that led to us having Critical Status activations.

Dates	Times in Critical	Sum of Critical Duration (hrs.)	Max of T1 Pending	Max of T2 Pending
3-Jun	1	1.02	1	3
5-Jun	1	0.23	2	4
6-Jun	1	1.37	1	7
8-Jun	3	4.60	1	8
9-Jun	1	0.58	1	8
13-Jun	2	3.18	1	7
16-Jun	1	1.00	1	6
21-Jun	1	0.63	1	6
22-Jun	1	4.03	1	6
24-Jun	1	2.80	1	5
Grand Total	13	19.45	2	8

Executive Board and General Membership

Quality Assurance:

Supervisors Jake Reitano completed 618 Q&A's in June.

CALL TYPE	Average Score
911 HANGUP	1 100.00%
ALARM	1 100.00%
ALERT	1 100.00%
ARCING WIRE	1 100.00%
ARMED	
ROBBERY	2 100.00%
CHASE	12 100.00%
DISORDERLY	4 94.00%
DOMESTIC	3 100.00%
EMS T-1	12 100.00%
EMS T-2	4 100.00%
ENTRAPMENT	11 100.00%
FULL ARREST	220 99.43%
HARRASSMENT	1 100.00%
NOISE	1 100.00%
PDA	5 98.00%
PI	1 100.00%
RESCUE	1 100.00%
SHOOTING	39 100.00%
SLIM	1 100.00%
STABBING	15 100.00%
STRUCTURE	274 99.57%
SUSP	2 100.00%
TXTX	1 100.00%
UDAA	3 100.00%
UNK ACCIDENT	1 96.00%
WELFARE	1 100.00%
Grand Total	618 99.54%

As of 07-01-2025. 618 calls reviewed, with 12 calls "non-compliant" or below 90% proficiency so far this year.

Executive Board and General Membership

Award, Citations, and Recognition:

Please join us in Congratulating our team members with anniversary dates this month of June.



Executive Board and General Membership

"A Day of Giving":

On June 6, 2025, our staff received lunch from the Genesee Intermediate School District in honor of "A Day of Giving", and big thanks to them for thinking of our staff.



Executive Board and General Membership

Supervisor Mike "Buck" Treiger:

On June 19, 2025, a day of remembrance of our great friend and Supervisor.

One year ago, today we lost one of our own after his courageous fight against cancer. "Buck" was not only an avid hunter he was one of the most caring, compassionate and humorous people you could ever meet. Buck spent 16 years serving the citizens and visitors of Genesee County, the last 8 of those as a Supervisor.

Though there is not a day that goes by that we don't think of or are reminded of him, today we turn on his light in his memory.



Executive Board and General Membership

Dalton Airport:

On June 22, 2025, our Public Relations Team members Brittney Unrath and Kirstie Brokaw attended the annual Dalton Airport pancake breakfast.



Executive Board and General Membership

City of Burton, Rotary International, Dispatcher of the Year:

On June 19, 2025, Telecommunicator Kylie Conquest was named the Burton Rotary 2024 - Telecommunicator of the Year. Kylie was joined by her wife Sarah and other family members as well as Deputy Director Dave Plumb and members of our 9-1-1 team. It is not very often that people think about the people behind the headset who are the first to answer the call. Congratulations Kylie!



Executive Board and General Membership

APCO International Article written by Deputy Director Dave Plumb:

Leadership U

APCO's executive leadership program instills the skills and attitudes needed to lead public safety communications organizations.

By Dave Plumb

As we navigate public safety careers, we may have a vision of what it will take to get us to the next level. Those who are interested in learning and growing as a leader in our industry should investigate APCO's Certified Public Safety Executive (CPE) course. I have attended some amazing courses in my 33 years in public safety, yet the CPE course far exceeded my expectations. The six-month program (apcointl.org/cpe) is designed for those who are experienced managers or supervisors who want to develop executive-level skills to become a leader at your agency or within the public safety communications industry. It is the only program that I have found for executive leadership that focuses specifically on public safety communications.

The CPE program is not for everyone, and not everyone who applies is accepted. You can qualify for the program by holding a current certification as an APCO Registered Public Safety Leader (RPL) and have six years of experience at the supervisor, manager or director level. But you don't have to hold an RPL to qualify. You could also hold an associate's degree or higher. If you are selected, you will be expected to commit time and thought to the program. This isn't a program you can hide in, and you are expected to regularly participate in discussions. The program is divided into two 12-week programs and concludes with a two-week in-person capstone.

CPE 101 begins exploring what leadership really means and the difference between a manager and a leader. It takes a deep dive into leadership styles such as servant, situational and adaptive. This helped me identify the type of leader I was, and the type of leader I aspired to be. It also helped me identify the types of leaders I have reported to over my career, and the types who report to me. I learned that I needed to look at things through colleagues' eyes, and it allowed me to better serve those I work with. This section of the course is also where I started to bond with my peers. I found it useful to learn that even though we all came from different backgrounds, center sizes and experience, we had similar

Executive Board and General Membership

struggles and issues in our centers. We all had a common goal and supported one another while sharing our lessons learned.

The CPE program isn't like most online courses. I can't stress enough the importance of committing to keeping up on the assignments, online posts and discussion. Having just completed the year-long Registered Public-Safety Leader Programs. (RPL), I was accustomed to the regular check-ins and interactions required for both programs.

In CPE 202, we spent time looking at how our organization functioned, both areas we were doing well in and areas we needed to improve. It forced us to be honest with ourselves and with one another. We looked at our agencies' cultures, what was working well and what needed to change. We looked at what it will take to create the right culture to draw candidates and keep those new to our agency while helping our current workforce evolve. It helped us identify where we fit in with the needed change and how to keep up with change in the future. It helped give us a vision, and we helped one another through this process.

After spending six months working and interacting with classmates through discussion boards and video conference sessions, being in a room with peers helped tie it all together.

For me, the best part of the CPE program was the in-person segment of the course, CPE 303. After spending six months working and interacting with classmates through discussion boards and video conference sessions, being in a room with peers helped tie it all together. As I entered the first day of class and the discussions began, I started to see the passion from my classmates.

"Dr. Steve" (Steve Edwards) guides the class through engaging discussions and case studies. The learning environment is the best I have experienced. I have never taken a course that I couldn't wait to get back to the next day or I wasn't watching the clock to hit 5 p.m. and hoping to be let out early. There were days we went beyond five o'clock and no one complained. There is regular nightly reading, creation of PowerPoint presentations and case study reviews. Coursework keeps you busy so you won't spend much time on the beach or getting a tan during two weeks at APCO Headquarters in Daytona Beach, Florida.

Executive Board and General Membership

Among the takeaways from this segment of the course is a newfound enjoyment for studying and interpreting leadership styles. This applies to the characters who appear in my own case studies, and it applies to assessing the leadership approach of characters in movies. Watching "Moneyball" recently, the Billy Beane character helped me realize that "I hate losing more than I wanna win."

The camaraderie built by the capstone class was the best part of the experience. We grew closer as colleagues and friends, and most of us keep in touch today. We asked tough questions, challenged one another and grew together. I found myself inspired by these leaders and am grateful that I was part of this amazing group. APCO's selection process puts the right people together and facilitates cooperation.

If you are a public safety executive or aspire to be one, I encourage you to apply for this course. If you don't get in the first time, then try again. If you are truly committed to growing as a leader, you won't regret it, but please know that CPE Class 16 will always be Dr. Steve's favorite.

If you are considering taking the CPE course and have questions, reach out to me or any of the CPE graduates. We are happy to discuss our experiences.

Dave Plumb, CPE, RPL, is the Genesee County (Michigan) 9-1-1 Deputy Director. He has over 30 years' experience in public safety, serves as a Fire Chief in his community and has over 20 years' experience in public safety communications. He can be reached at djp@geneseecounty911.org.

Executive Board and General Membership

HAP Building Renovations:

Renovations to the 4th floor are coming up on the finish line soon! Weekly meetings occur with the Lurvey Construction team and the 9-1-1 providers, Motorola, PFN, INdigital, MPSCS, Thomas, Shelby Furniture, Fire & Security Alarm., Cresent Digital, Cleaning Companies, and Westshore.



Main Lobby remodeled.



The Executive Board Room is done.

1

Executive Board and General Membership

HAP Building Renovations are Underway - Continued:



The Point-to-Point relay is complete.

111



Kitchen is done.

Executive Board and General Membership

HAP Building Renovations are Underway - Continued:



9



Locker rooms are done.



The training room is almost done.

Executive Board and General Membership

HAP Building Renovations are Underway - Continued:



The coffee station off of the dispatch floor is just about done too!



IT Office coming together.

Executive Board and General Membership

HAP Building Renovations are Underway - Continued:



Lunchroom area is done.



Work out room done.

CITY OF MONTROSE

MEMORANDUM

Date: July 15, 2025

To: Mayor Banks and Montrose City Council Members *CK*

From: Sam Spence, DPW Director

Subject: Report to City Council on June 2025 DPW Activity

- All streets swept
- M-57 swept
- All parcels mowed weekly
- Downtown flowers watered at least twice a week
- Lions Park tables and benches were painted
- Dirt roads were graded with the Dump Truck
- All hydrants were inspected, flushed, and pumped down (winterized)
- Hickory Street shoulder work was completed
- All water samples were completed and reported

CITY OF MONTROSE MEMORANDUM

F

Date: July 17, 2025

To: Mayor Banks and Montrose City Council Members

From: City Clerk Activities 

Subject: Report on City Clerk Activities for June/July 2025

June 3 submitted an Early Voting Grant Reimbursement request in the amount of \$7,380.00.

Responded to a significant number of emails from City Attorney regarding Closed Session Agenda's regarding City Manager and City Treasurer positions.

Started coding "Pre-Paids" for July invoices paid in June. It is vital to correctly code invoices based on the posting date and the date of printing the actual check to pay the individual invoices. Also need to print additional records for the 2025/2026 fiscal year for the city auditors as this is one of the requirements to prepare for the upcoming budget audit.

The City has approximately 80 active vendors whose COL, (Certificate of Liability) and Worker's Comp expire at different times each year. I have tasks reminders that pop up each time a COL or Workman's Comp certificate expires, (which are different dates). It is very time-consuming contacting each individual company twice a year asking for the required documentation, however, if the City cannot provide these documents for the annual MML audit, then the city is charged anywhere between \$45 up to \$150 per incident.

Updating the City's W-9 and Tax-Exempt Certificates when there is a new vendor and/or the City's has expired. This entails signing the new certificates and scanning email and/or mailing accordingly.

New vendor, enter in vendor name and address, updating to the current date, printing off, signing certificates, scanning and emailing accordingly.

June 25th Held 2 ½ hour meeting with Interim Manager, DPW Supervisor, Finance Director, Secretary, new Building Inspector, and Code Enforcement Officer. The interim manager went over the items the council approved at the last council meeting and introduced the new building inspector Tim Mazur. Handed out to everyone the City's current process on how to handle permits that I was asked to create in July of 2022 for staff so that everyone knows the process and is on the same page.

July 7th research and retrieved records from 2019.

Researched general ledger numbers for DPW Supervisor.

Responded to a substantial number of emails received daily.

Returned significant numbers of phone calls from citizens regarding various city operating questions. Participated in FOIA webinar.

Participated in OMA webinar.

Updated City records for the council's absenteeism according to Council Rules of Procedures.

Successfully completed the transcription of six meeting minutes, with assistance from the City Secretary, (THANK YOU CHRISTINE!!). There were four additional sets than the normal one meeting per month.

*NOTE: "DRAFT" meeting minutes are a synopsis made available in the 8 days, FINAL Meeting Minutes are presented to Council for Approval. If the Meeting took 2 hours, the Final Meeting Minutes will take at least double that amount of time.

Researched and retrieved code enforcement information, the City has paid \$7,360.27 for 6 months.

Generated grass mowing invoice for the City from Larko's Lawn Service, (The city manager usually generates by calculating the square footage of what Larko's Lawn Service mowed).

Generated \$621.62 in revenue by creating lawn mowing invoices for the treasurer. This involves researching parcel ID numbers, retrieving property owner's name and address, creating an actual invoice, create mailing labels and sending invoices to property owners, therefore alleviating further costs to taxpayers.

Calculated the Michigan Municipal League Worker's Comp Audit which is completed by the treasurer.

Participated in a meeting with Interim Manager and Insurance Benefits Specialist Brian McCluskey.

Participated in an employee meeting.

Participated in a meeting with Netsource.

CITY OF MONTROSE

MEMORANDUM

DATE: July 22, 2025

TO: Mayor Banks and Montrose City Council Members *(AD)*

FROM: Kim Lynch, Interim Treasurer

SUBJECT: Report of Treasurers Department for June 2025

Throughout the month of June, the City of Montrose 2025 tax roll was created. All millages have been set and placed on the tax roll from Genesee County, the State Education tax, Montrose City & Montrose DDA. The summer tax bill also includes special assessments for Mosquito control, hydrants and garbage collection.

The property tax bills were mailed and will be collected from July 1st-September 15th without penalty and interest. We do accept partial payments from residents. Property tax information is available on the website.

The tax collection bank account that had a large sum of undisbursed monies has been reconciled. All jurisdictions have been paid and made whole for the 2024 tax collection season.

The primary focus for the upcoming month is to get the remaining bank accounts reconciled, tax disbursements made in a timely manner, emails caught up and start to reconcile balance sheet accounts such as accounts payable and accounts receivable.

As our accounts are reconciled, we will be able to provide stronger budget reports that include actual revenues and expenditures in the appropriate time periods.

I appreciate your patience as we transition this position. The City of Montrose administration has been wonderful to work with, and the community has been great too.

(H)

CITY OF MONTROSE

MEMORANDUM

Date: July 16, 2025

To: Mayor Banks and Montrose City Council Members 

From: Joe Karlichek, Interim City Manager

Subject: Interim City Manager Report to Mayor & City Council on activities

The following is a bullet point report on activity that occurred in the month of June 23 – July 17, 2025, on current/ongoing activity.

- Daily meetings and discussions with city administration staff.
- Met with and on routine basis communications to all city council members continuing to keep them informed of activity that is pertinent to their legislative roles so that they can properly inform their constituents.
- Reviewed all filing cabinets and discovered troves of outdated and unnecessary materials and moved them to recycling.
- Discussed and reviewed with City attorney all pertinent matters.
- Toured the Senior Center and met with the Director. Discussed the upcoming improvements to their kitchen following ARPA funding from the County (2024).
- Met with city engineer and prepared documents for the July 22, 2025, scheduled city council meeting.
- Discussed with Police Chief. police services and other matters in the city.
- Assisted 12 citizens at city hall relative to routine questions, permits, etc.
- Prepared city council memorandums & packets for June 22, 2025, meeting.
- Prepared Planning Commission Packets and held PC meeting Monday July 14, 2025.
- Prepared DDA Packets and held DDA meeting July 17, 2025.
- Meeting with MIOSHA and Deanna Campbell from Retro Foam and clearing out MiHope Grant. Closed out ALL properties with MSHDA and Retro Foam and final FSR is expected the week of July 21. This will close out the \$300,000.00 Grant the City initiated some time ago. Final report expected next council meeting.
- Held City Council Meeting June 24, 2025.
- Completed the onboarding process with Timothy Mazur (Building Inspector). Audited Permit files. Also rebuilt the way in which we handle Building Permits intrinsically and improved processes and communication flow.
- Multiple updates conducted to our current website.
- Beginning to review the Employee Personnel Handbook.
- Answered phone calls and emails over weekends from citizens concerns relative to zoning/garbage concerns.

CITY OF MONTROSE MEMORANDUM

- City Hall doors fixed by Flint Glass. I want to thank Mitch Biggs for connecting their organization and having them here to fix the doors.
- Closed out pending zoning permits with residents for various items, fencing/shed, etc.
- Worked with Mrs. Kimberly Lynch and our staff clean up Treasurers office and coordinate with various tax entities who had not received their tax check from the city.
- Closed out multiple requested documented items that had been pending dating back to February 2025.

Thank you to our City Clerk, City Secretary, DPW Director and to all who I have encountered during my first 30 days here in the city. Everyone has been terrific to work with, and it is an honor and privilege to serve as your interim city manager.

CITY OF MONTROSE MEMORANDUM

Date: July 7, 2025

To: Mayor Banks and Montrose City Council Members

From: Joe Karlichek, Interim City Manager

Subject: City Council Consider Filing Report on End Points & Staying with Badger Meter Company

Background: It has come to my attention from city council person(s) the prior administration was seeking to change vendors that provide electronic meter reading and other data for city administration and customers, including software differences. At the June 24, 2025, City Council meeting, this subject was brought up relative to "end points" and if there was any movement or changes to vendors the city was apparently undertaking earlier this year by the prior administration.

This city administration is committed to answering the questions of city council person(s). Consequently, upon further investigation it is of the opinion that the City of Montrose continue to utilize Badger Meter Company.

<https://www.badgermeter.com/company-information>

Some of the reasons to this conclusion are as follows;

- Badger Meter provides battery life of 20 years unlike 2 years. 70% of the meters are located inside structures. The city would have a difficult time managing 2 year batteries and the logistics changing out batteries on such a frequent basis.
- Badger provides 4 reports a day, unlike 1 a day. This is important for customers to have consistent reporting. Flow data & Alerts with the Badger Meter system has demonstrated consistent levels of superior customer service to businesses and constituents.
- Badger Meter provides instant feedback to customers and city administration on temperature. Temperature is important for a few reasons such as in the wintertime and potential frozen pipes. In addition to that is also chlorine control. Temperature swings in hot weather can affect the chlorine levels. Chlorine is added to water during purification primarily to kill or limit harmful bacteria and other microorganisms, ensuring the water is safe to drink. This disinfection process has significantly reduced waterborne diseases and improved public health.
- Customer Portal is provided at no additional cost.
- Per our DPW Supervisor, the Badger Meter system and company has been very good to work with and believes there is no justification to switch to a different organization.

Recommendation: City Administrations recommends City council consider approving and filing city administration's recommendation to stay with Badger Meter Company.



CITY OF MONTROSE MEMORANDUM

Date: July 11, 2025

To: Mayor Banks and Montrose City Council Members

From: Joe Karlichek, Interim City Manager 

Subject: City Council Report & Notification City Administration SWOT Analysis

SWOT ANALYSIS NOTIFICATION

The City Manager's Office and the City's Department Heads will engage in a SWOT Analysis of the City's Departments, City Administration, and the City overall. The results of this investigation are intended to provide the City Council with a better understanding of the challenges that the City faces as well as its many strengths and attributes. It is hoped that City Councilmembers will find the report, upon its completion, useful during their deliberations and the many decisions that they will face in their roles as elected officials over the coming months and years ahead.

WHAT IS SWOT & WHY?

Although there are many factors that affect organizational success, meaningful success is impossible without effective planning. Planning facilitates the accomplishment of goals and objectives and provides a method or methods for doing so. It is a process that unifies an organization's efforts for the accomplishment of operational, tactical, and strategic objectives and establishes organizational priorities. It enables institutions to efficiently allocate resources for the greatest productivity and focuses its attention on teamwork and results. It reduces uncertainty and clarifies the range of consequences that result from policies, procedures, and actions.

Effective planning occurs through a process of assessments and/or analyses. When an organization needs to develop a tactical or strategic plan, a SWOT analysis is often utilized. SWOT analyses help organizations develop strong and effective planning through the identification of the strengths, weaknesses, opportunities, and threats that are present and that can be expected to affect the organization's future. It provides a basis for evaluation of an organization's strategic position and an operation from which decision-making can facilitate successful planning. It is intended to specify the objectives of an organization and to identify the internal and external factors that are favorable and unfavorable to achieving those objectives.

The degree to which an institution's internal environment (i.e. its strengths and weaknesses) matches its external environment (i.e. its opportunities and threats) is expressed by the concept of strategic fit. Good strategic fit indicates that an organization's strengths and weaknesses are well matched with opportunities and threats of the organization's present and foreseeable future environments, and that decision-making for strategic planning will be uncomplicated and without many confounding influences. The degree of strategic fit enables organizations to contemplate

CITY OF MONTROSE MEMORANDUM

how strengths can exploit opportunities and overcome threats and how it can develop strategies for overcoming weaknesses to take advantage of opportunities and avoid threats. In this regard, strengths and weaknesses refer to features such as personnel, work environment, finances, capital assets, and leadership while opportunities and threats refer to matters such as macroeconomic influences including funding; the pace of technological development; law, legislation and regulations; sociological, cultural, and demographic changes; and, in Michigan, state revenue-sharing, unfunded mandates and subjugation to the authority of state government.

It is important to note that SWOT analyses only provide a starting point for the development of tactical and strategic plans as well as discussions that result in the formation of actual tactical and strategic plans and strategies. It is also important to recognize that SWOT analyses are subjective inquiries and that the results often reflect the viewpoints (e.g. pessimists can see calamity in an opportunity and an optimist can see opportunity in calamity) and biases (e.g. sometimes threats can be viewed as opportunities and strengths as weaknesses) of those performing the probe. The utility and strength of SWOT analyses is that they examine an organization's current circumstances and prognosticate future possibilities to provide the basis for tactical and strategic planning through a systematic approach of introspection and consideration of present and future circumstances. In comparison to studies that incorporate experimental or quasi-experimental designs and statistical analyses, SWOT analyses perform analyses quickly and without much expense or a required expertise in statistics and research design.

It is expected that the SWOT analysis and full report will be completed and presented to the Mayor and City Council at their Tuesday September 23, 2025, regularly scheduled meeting.

Recommendation: City council accept and file report.

CITY OF MONTROSE MEMORANDUM

Date: July 10, 2025

To: Mayor Banks and Montrose City Council Members

From: Joe Karlichek, Interim City Manager & Laura J. Genovich, City Attorney, Foster Swift Collins & Smith PC

Subject: City Council Consider Approving Obsolete Property Rehabilitation Act (OPRA) Resolution

Background: The Obsolete Property Rehabilitation Act (OPRA), Public Act 146 of 2000, as amended, provides a property tax exemption to incentivize the redevelopment of obsolete, blighted, or functionally obsolete commercial or commercial housing properties. Under OPRA, a qualified local governmental unit can establish an Obsolete Property Rehabilitation District (OPRD) and approve an exemption certificate for a rehabilitated facility, which freezes its taxable value at the pre-rehabilitation level for 1–12 years. This exemption applies to the rehabilitated facility (excluding land and certain personal property) and is subject to a specific obsolete properties tax, with potential reductions in school operating taxes approved by the State Treasurer. The process involves local approval of the application, followed by State Tax Commission (STC) review and final approval.

The city council approved a Resolution (Res. No. 13-2019) on November 21, 2019, identifying 106 West State Street and Lot description 60-17-581-008 as an OPRA District pursuant to PA 146 of 2000. (Resolution is attached to this memorandum).

Based on the information in Council's May 13, 2025, meeting packet, (*meeting packet included as a reference*) the Ramby Project involves rehabilitating a 7,128-square-foot, two-story brick building at 106 W. State Street, which was constructed around 1900. The City deemed the building functionally obsolete in 2019 due to outdated electrical, plumbing, and mechanical systems, as confirmed by Assessor Bob Naumann's statement on October 9, 2019. The proposed mixed-use development includes two commercial storefronts and one one-bedroom apartment on the first floor, and four apartments (three one-bedroom, one two-bedroom) on the second floor, with an 8-month construction timeline from August 2025 to February 2026. The project is supported by up to \$975,000 from the Michigan Economic Development Corporation's Revitalization and Placemaking Program and will create approximately four temporary construction jobs and revitalize a blighted downtown property.

Regarding timing: City Council can approve the OPRA exemption certificate *before* the developer secures zoning approval. Approving the OPRA certificate does not authorize Ramby LLC to proceed with construction; they must still obtain zoning approvals, variances (if needed), and building permits in accordance with the City's zoning ordinance and building codes. Approving the OPRA certificate first is an appropriate step, as the tax abatement incentivizes the developer to move forward with the project. OPRA requires the local governmental unit to approve or disapprove the application within 60 days of receipt by the clerk (MCL 125.2785).

CITY OF MONTROSE

MEMORANDUM

The Ramby application was submitted on April 25, 2025, so the City has exceeded this 60-day deadline as of today. While the statute imposes no specific penalty for missing this deadline, timely action is important to maintain the project's momentum and comply with statutory intent.

Recommendation:

- 1. City Administration recommends City Council Consider Approving the OPRA Application for Exemption filed by Ramby LLC with respect to facility located at 106 W. State Street Montrose, Michigan.**
- 2. City Administration also recommends the City Council enter on the Resolution August 2025 (beginning of project) and consider extending the proposed February 2026 to June 2026 to account for construction/supply chain delays. City council has the ability to grant or deny further extension.**

NOTICE OF PUBLIC HEARING
CITY OF MONTROSE, GENESEE COUNTY, MICHIGAN
APPLICATION FOR OBSOLETE PROPERTY REHABILITATION EXEMPTION
CERTIFICATE
RAMBY LLC, 106 W. STATE STREET, MONTROSE

TO ALL INTERESTED PERSONS IN THE CITY OF MONTROSE:

PLEASE TAKE NOTICE that a public hearing will be held by the City Council of the City of Montrose, Genesee County, Michigan, on Tuesday, July 22, 2025, at 7:00 p.m. in the Council Chambers, Montrose City Office, 139 S. Saginaw Street, Montrose, Michigan 48457.

The purpose of the hearing is to consider an application filed by Ramby LLC ("Applicant"), a Michigan limited liability company whose registered office address is 611 Court Street, Flint, Michigan 48503-5000, for an Obsolete Property Rehabilitation Exemption Certificate pursuant to the Obsolete Property Rehabilitation Act, Public Act 146 of 2000, as amended, with respect to a facility located at 106 W. State Street, Montrose, Michigan.

The application for the exemption certificate is on file with the City Clerk and available for public inspection at the Montrose City Office, 139 S. Saginaw Street, Montrose, Michigan, during regular business hours.

At the public hearing, the Applicant, the City Assessor, representatives of affected taxing units, and any other resident or taxpayer of the City of Montrose or member of the public may appear and be heard regarding the application.

Individuals with disabilities requiring auxiliary aids or services during the public hearing should contact the City Clerk within a reasonable time before the public hearing.

This notice is given pursuant to Section 4 of the Obsolete Property Rehabilitation Act, MCL 125.2781 et seq.

Tina Rush
City Clerk
City of Montrose
139 S. Saginaw Street
Montrose, MI 48457
Phone: (810) 639-6168

CITY OF MONTROSE, MICHIGAN

RESOLUTION NO. _____

**RESOLUTION TO APPROVE OBSOLETE PROPERTY REHABILITATION
EXEMPTION CERTIFICATE APPLICATION FOR RAMBY LLC**

At a regular meeting of the City Council of the City of Montrose, Genesee County, Michigan, held on the 22nd day of July, 2025, at 7:00 p.m.

PRESENT: _____

ABSENT: _____

The following preamble and resolution was offered by _____ and seconded by _____.

WHEREAS, pursuant to Public Act 146 of 2000, as amended, the City of Montrose is a Qualified Local Governmental Unit eligible to establish one or more Obsolete Property Rehabilitation Districts; and

WHEREAS, the City of Montrose legally established the Obsolete Property Rehabilitation District including 106 W. State Street on November 21, 2019, after a public hearing held on the same date; and

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

WHEREAS, Ramby LLC (“Applicant”), a Michigan limited liability company whose registered office address is 611 Court Street, Flint, Michigan 48503-5000, owns real property commonly known as 106 W. State Street, Montrose, Michigan (“Property”), which is located within the Obsolete Property Rehabilitation District; and

WHEREAS, the Applicant filed with the City Clerk an application for an obsolete property rehabilitation exemption certificate (“Application”) with respect to the Property, which includes the information required under Section 4 of Public Act 146 of 2000; and

WHEREAS, the City held a duly noticed public hearing as provided by section 4(2) of Public Act 146 of 2000 on July 22, 2025; and

WHEREAS, the Applicant, Ramby LLC, is not delinquent in any taxes related to the facility; and

WHEREAS, the Application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000, as confirmed by the City Assessor’s statement of obsolescence dated October 9, 2019; and

WHEREAS, the Applicant, Ramby LLC, has provided answers to all required questions under the application instructions to the City of Montrose; and

WHEREAS, the City of Montrose requires that rehabilitation of the facility shall be completed by [REDACTED]; and

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Montrose, Michigan, as follows:

1. **Approval of Exemption Certificate:** The City Council hereby grants an Obsolete Property Rehabilitation Exemption Certificate for the real property, excluding land, located in the Obsolete Property Rehabilitation District at 106 W. State Street, Montrose, Michigan, for a period of 12 years, beginning December 31, 2025, and ending December 30, 2037, pursuant to the provisions of Public Act 146 of 2000, as amended.
2. **Completion Date.** The Applicant must complete rehabilitation of the facility on or before _____, 20 _____.
3. **Compliance with Statutory Requirements:** The City Council finds that the Application satisfies all requirements under Public Act 146 of 2000, including the provision of required documentation, confirmation of the Property's obsolescence, and demonstration of economic benefits to the community.
4. **Notification to State Tax Commission:** The City Clerk is directed to forward a copy of this resolution and the Application to the State Tax Commission for final approval, as required by Section 5 of Public Act 146 of 2000.

5.

YEAS: _____

NAYS: _____

ADOPTED by the City Council of the City of Montrose, Michigan, at a special meeting held on _____, 2025, by a vote of _____ in favor and _____ opposed.

CITY OF MONTROSE

By: _____
Thomas J. Banks, Mayor

Attest: _____
Tina Rush, City Clerk

Date: _____, 2025

88133:00004:201493921-1

Resolution No. 13-2019
OBSOLETE PROPERTY REHABILITATION ACT (OPRA)

At a regular meeting of the City Council of the City of Montrose, County of Genesee, State of Michigan, held at the City of Montrose Offices Building, 139 S. Saginaw Street, Montrose, Michigan, on the 21st, day of November 2019 at 7:00 o'clock p.m.,

PRESENT: Mayor Colleen Brown, Debbie Gross, Christy Sanborn, Robert Arnold, Mark Richard, Tom Bigelow, and Ryan Heslop

ABSENT: NONE

The following preamble and resolution were offered by council member Robert Arnold and supported by council member Mark Richard;

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

WHEREAS, the City Council has filed a written request with the clerk of the City of Montrose requesting the establishment of the Obsolete Property Rehabilitation District for an area in the vicinity of the 100 West Block of State Street located in the City of Montrose hereinafter described; and

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

WHEREAS, written notice has been given by mail to all owners of real property located within the proposed district and to the public by newspaper advertisement in the Tri-County Citizen and/or by public posting of the hearing on the establishment of the proposed district; and

WHEREAS, on November 21, 2019 a public hearing was held and all residents and taxpayers of the City of Montrose were afforded an opportunity to be heard thereon; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Montrose that the following described parcel(s) of land situated in the City of Montrose, Genesee, and State of Michigan are hereby established as an Obsolete Property Rehabilitation District pursuant to the provisions of PA 146 of 2000 to be known as the Montrose Obsolete Property Rehabilitation District No. 1
to wit:

Resolution No. 13-2019

(Legal Description of District)

LOT 4 BLK A EXCEPT W 20 1/3 FT OF S 90 FT ALSO EXCEPT N 30 FT VILLAGE OF MONTROSE	106 W. State Street	60-17-581-008
W 20 1/3 FT OF S 90 FT OF LOT 4 BLK A VILLAGE OF MONTROSE	108 W. State Street	60-17-581-010
E 14 FT OF LOT 2 BLK A & LOT 3 BLK A VILLAGE OF MONTROSE (87) FR 6000002009	114 W. State Street	60-17-581-007
W 40 FT OF LOT 2 BLK B VILLAGE OF MONTROSE (87) FR 6000002021	121 W. State Street	60-20-528-003

AYES: Tom Bigelow, Ryan Heslop, Christy Sanborn, Deborah Gross, Mark Richard, Robert Arnold, and Mayor Colleen Brown

NAYS: NONE

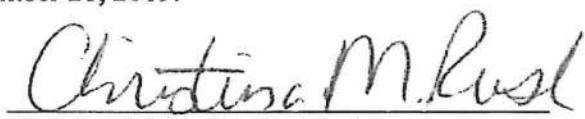
RESOLUTION DECLARED ADOPTED

STATE OF MICHIGAN)

Ss:)

COUNTY OF GENESEE)

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Council of the City of Montrose, County of Genesee, Michigan at a regular meeting held on November 21, 2019.


Christina M. Rush
City Clerk



MICHIGAN ECONOMIC

DEVELOPMENT CORPORATION

April 24, 2025

Dean Yeotis
Ramby LLC
611 Court Street
Flint, Michigan 48503-5000

Re: Letter of Interest – Ramby Project (RAP/TIF) (“Project”)

Dear Mr. Yeotis:

Thank you for giving the Michigan Economic Development Corporation (the “MEDC”) the opportunity to review your proposed Project in the City of Montrose. We appreciate the economic development benefits that this project is intended to achieve. The project is anticipated to transform a vacant and underutilized 6,656 sq. ft. property, at 106 W. State Street, Montrose, Michigan into a mixed-use space featuring two commercial storefronts and five residential apartments, and these improvements are likely to have a positive impact on the local and state economy.

The MEDC administers the Revitalization and Placemaking (RAP) Program, to invest in projects that enable population and tax revenue growth through rehabilitation of vacant and blighted buildings and historic structures, rehabilitation and development of vacant properties, and development of permanent place-based infrastructure. Based on the MEDC’s preliminary review of the information provided, the MEDC is interested in continuing discussions with you toward a possible recommendation of economic support for the Project.

The MEDC currently anticipates a possible recommendation for an award under the Revitalization and Placemaking (RAP) Program in the form of a grant, in the amount of **up to \$975,000**, or approximately 50% of eligible investment for the Project. In addition to the conditions set forth below, the MEDC reserves the right to have a cost and plan review performed by an independent third-party reviewer contracted by the MEDC and paid at the sole expense of the Applicant.

Funding availability is based on corporate income tax revenue deposited into the Revitalization and Placemaking Fund and appropriated for this program in accordance with Section 695 of the income tax act of 1967, 1967 PA 281, MCL 206.695.

Per the IRS, funds from grant programs which support businesses are considered gross taxable income for the recipient. All grant recipients will receive a 1099-G form and are responsible for the tax reporting regarding these payments. Please consult with a tax accountant with any questions.

In Michigan, the Brownfield Redevelopment Financing Act, 1996 PA 381, as amended (“Act 381”) authorizes and permits the use of State and local tax increment financing to help reduce the burden of brownfield related costs when redeveloping affected properties. Brownfield tax increment financing for the Project, specific to reimbursement of non-environmental MSF eligible activities, may be recommended for an award by the MEDC to the MSF based on the support provided through both local and State tax millages.

PURE *MICHIGAN*[®]

Please work closely with the undersigned to identify application material deadlines and a realistic timeframe for the MEDC to be in a position to finalize a recommendation.

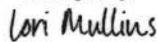
This letter does not embody all of the terms and conditions of the RAP program and is not intended to be a legally binding agreement. This letter should not in any way be viewed as a commitment by, or an obligation of the MEDC or any other entity to extend economic support of any kind to the Applicant or for the Project. Proceeding toward an MEDC recommendation and finalizing an award for the Project is contingent upon several factors, the form, substance and results of which must be satisfactory to the MEDC including without limitation: (i) submission by the Applicant of a completed application and all other documentation as required, (ii) local support, as applicable, (iii) available program funding, as applicable (iv) completion of financial review, as applicable, (v) required background checks, and all other business and legal review and due diligence, (vi) approval of an award, and (vii) as applicable, execution of the final project documents by all required parties with established performance based milestones, reporting requirements and all other required terms and conditions.

If you are interested in continuing discussions with the MEDC about your Project, please sign and date this letter and return to the MEDC by May 1, 2025, or this letter of interest will expire. Upon acceptance, this offer will remain active for 90 days while due diligence is conducted, and the MEDC considers the recommendation for incentive support. Projects that fail to receive an MEDC recommendation which results in approval of an award by July 31, 2025, may be reconsidered against the project pipeline.

Thank you for the opportunity to review your project. If you have any questions, please contact me at any time at (517) 881-6909 or mullinsl1@michigan.org.

Sincerely,

DocuSigned by:

 Lori Mullins

44063219804EC...

Vice President, Place Incentives
Michigan Economic Development Corporation

The Applicant acknowledges the above and is interested in continuing discussions with the MEDC.

Applicant:

Date: _____

Ramby LLC ("Applicant")

By: Dean Yeotis

Its: Developer

cc: Charles Donaldson, Managing Director, Regions 3, 5, 6
Joe Frost, Senior Community Development Manager
Sarah McKinley, Program Specialist
Julius Edwards, Managing Director, Real Estate Investment & Underwriting
Ron Drzewicki, Consultant, Revitalize, INC
Barbara Valentine, City Manager, City of Montrose
Sharon Cassidy, Group Administrative Assistant

Application for Obsolete Property Rehabilitation Exemption Certificate

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

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

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

Applicant (Company) Name (applicant must be the OWNER of the facility) Ramby, LLC		
Company Mailing Address (Number and Street, P.O. Box, City, State, ZIP Code) 611 W Court Street, Flint, Michigan 48503		
Location of obsolete facility (Number and Street, City, State, ZIP Code) 106 W. State Street, Montrose, Michigan 48457		
City, Township, Village (indicate which) Montrose, Montrose Township		County Genessee
Date of Commencement of Rehabilitation (mm/dd/yyyy) August 2025	Planned date of Completion of Rehabilitation (mm/dd/yyyy) February 2026	School District where facility is located (include school code) Montrose 25260
Estimated Cost of Rehabilitation \$2,169,612.00	Number of years exemption requested 12	
Attach legal description of obsolete property on separate sheet.		
Expected Project Outcomes (Check all that apply)		
<input checked="" type="checkbox"/> Increase commercial activity	<input type="checkbox"/> Retain employment	<input type="checkbox"/> Revitalize urban areas
<input checked="" type="checkbox"/> Create employment	<input type="checkbox"/> Prevent a loss of employment	<input type="checkbox"/> Increase number of residents
<input checked="" type="checkbox"/> in the community in which the facility is situated		
Indicate the number of jobs to be retained or created as a result of rehabilitating the facility, including expected construction employment. 12		
<input checked="" type="checkbox"/> Each year, the State Treasurer may approve 25 additional reductions of half the school operating and state education taxes for a period not to exceed six years. Check the box at left if you wish to be considered for this exclusion.		
APPLICANT CERTIFICATION		
The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all of the information is truly descriptive of the property for which this application is being submitted. Further, the undersigned is aware that, if any statement or information provided is untrue, the exemption provided by Public Act 146 of 2000 may be in jeopardy.		
The applicant certifies that this application relates to a rehabilitation program that, when completed, constitutes a rehabilitated facility, as defined by Public Act 146 of 2000, as amended, and that the rehabilitation of the facility would not be undertaken without the applicant's receipt of the exemption certificate.		
It is further certified that the undersigned is familiar with the provisions of Public Act 146 of 2000, as amended, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Obsolete Property Rehabilitation Exemption Certificate by the State Tax Commission.		
Name of Company Officer (No authorized agents) Dean Yeotis, Fred Abdou, and Frank Preketes	Telephone Number (810) 767-6100	Fax Number (810) 767-6415
Mailing Address 611 W. Court Street, Flint, Michigan 48503	E-mail Address deanyeotis@yahoo.com, fjabdou@yahoo.com	
Signature of Company Officer (no authorized agents)	Title	
LOCAL GOVERNMENT UNIT CLERK CERTIFICATION		
The Clerk must also complete Parts 1, 2 and 4 on page 2. Part 3 is to be completed by the Assessor.		
Signature	Date Application Received	
FOR STATE TAX COMMISSION USE		
Application Number	Date Received	LUCI Code

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

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

April 25, 2025

**Application for Obsolete Property Rehabilitation Exemption Certificate
Public Act 146 of 2000, as amended
Montrose Apartments
106 W. State Street, Montrose, Michigan**

PART 2: APPLICATION DOCUMENTS

a. General Description of the facility (year built, original use, most recent use, number of stories, square feet)

Historical records indicate the existing building was constructed by 1900. Throughout the years the 2-story building has been used for commercial use including a secondhand store and several different offices. The building is located at 106 W. State Street and is 7,128 square feet. The building is approximately 125 years old, functionally obsolete, and located in downtown Montrose.

b. Description of the qualified facility's proposed use

This project is a complete rehabilitation of the existing building into a mixed-used building. The proposed development includes complete rehabilitation of the building that is 7,128 square feet. The interior will be rehabilitated to include two new commercial spaces and one one-bed, one-bath apartment on the first floor. The second floor will be rehabilitated to include four apartments, three one-bed, one-bath and one two-bed, one-bath.

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

This is a complete rehabilitation project that will include new utilities, interior, windows, doors, flooring, and roofing.

d. Descriptive list of the fixed building equipment that will be a part of the qualified facility

The building interior will be demolished down to its structural components while maintaining and/or reusing as many of the original architectural features as possible. New fixed building equipment will include plumbing and plumbing fixtures, electrical, fire suppression, interior walls and flooring, new doors and windows, building accessories, and improved interior and exterior appearance.

e. Time schedule for undertaking and completing the facility's rehabilitation

The rehabilitation project is anticipated to take 8 months to complete with a construction schedule currently planned for August 2025, through February 2026. No construction activities will be conducted prior to any approval of the PA 146 abatement.

f. Statement of the economic advantages expected from the exemption

Redevelopment of the property would provide numerous benefits to the City. While the specific facility would undergo considerable renovation, the entire area would benefit from the transformation of a blighted and deteriorating building into a thriving and fully utilized property. The project will also create approximately 4 temporary construction related jobs.

In an effort to maximize the utility value of the vacant, dilapidated building, the applicant is committed to doing a complete rehabilitation of the building. In that context, the applicant will incur considerable renovation costs. The establishment of the PA 146 District, with its multi-year property tax deferment benefit, is vital to making the project economically viable.

g. Legal description of the facility

The legal description of the eligible property is provided below.

LOT 4 BLK A EXCEPT W 20 1/3 FT OF S 90 FT ALSO EXCEPT N 30 FT VILLAGE OF MONTROSE

CITY OF MONTROSE

139 SOUTH SAGINAW STREET
MONTROSE, MI 48457



PHONE (810) 639-6168
FAX (810) 639-6125

October 9, 2019

Obsolete Property Rehabilitation Act
Assessor Statement of Obsolescence

City Manager, Neil Rankin
City Council, City of Montrose

Mr. Rankin and Members of the City Council,

I was asked by Mr. Rankin to look at four buildings on the West 100 block of State Street; 106, 108, 114 and 121. These buildings are currently unoccupied except for 121 West State Street, which is utilizing the second floor for two apartments.

The building located at 106 West State is a two-story brick building. The second-floor windows have been boarded. This building was built around 1900. The obsolescence is evident in the lack of modern electrical, plumbing, mechanical systems and the extended nonuse of the second floor.

The building located at 108 West State is a one-story building, although not as old as the building to the east it too lacks modern electrical, plumbing and mechanical systems.

The building located at 114 West State is a one-story building. This building would also benefit from updates to the electrical, plumbing and mechanical systems. The small grocery stores have become obsolete as more and more people purchase at the big box stores and online. It is my opinion that building suffers a functional obsolescence, requiring remodeling to change the use of the building, to office space and small retail space. This use would be also more conducive to the limited parking in the area.

The building located at 121 West State was built in 1894. It has office/retail space on the first floor, which is currently vacant. The second floor has two apartments. The exterior brick needs some attention on this building and the obsolescence is evident on the first floor in the lack of modern electrical, plumbing, mechanical systems.

In my opinion, as the assessor for the City of Montrose these buildings all suffer a functional obsolescence.

Sincerely,

Bob Naumann, Assessor
assessor@cityofmontrose.us
989-506-8032 cell

(2)

CITY OF MONTROSE MEMORANDUM

Date: July 7, 2025

To: Mayor Banks and Montrose City Council Members

From: Joe Karlichek, Interim City Manager 

Subject: City Council Consider Approve Change Order No. 4 and Payment to Kennedy Excavating, Inc.

Background: This FY2023 DWSRF project represented approximately \$2 Million in improvements to the city's water distribution system, which 75% was funded through an ARP Grant. Approximately 3,500 feet of aging and undersized water main was replaced along North Street, Latting Street, Russell Street, Alfred Street, and Coke Drive. A water main loop was installed between Russell and Latting. As part of this project, the city also completed approximately \$213,000 in EGLE non-participating work to reconstruct Latting St and Russell St.

Once this payment, along with the balancing Change Order No. 4, is approved by Council, FLEIS & VANDENBRINK will prepare a final Disbursement Request (DR) for submittal to EGLE. This DR will include this payment amount, as well as their final two invoices that were paid last year.

Recommendation: to 1) approve Change Order No. 4 and 2) approve Payment No. 5 in the amount of \$26,998.25. Both would be to Kennedy Excavating, Inc.

X CHANGE ORDER NO. 4 X

Owner: City of Montrose Owner's Project No.:
Engineer: Fleis & Vandenbrink Engineering Engineer's Project No.: 855332
Contractor: Kennedy Excavating, Inc. Contractor's Project No.:
Project: FY2023 DWSRF 7701-01 Water System Improvements
Contract Name:
Date Issued: Rev. April 13, 2025 Effective Date of Change Order: Rev. April 13, 2025

The Contract is modified as follows upon execution of this Change Order:

Description:

Balancing of Quantities

Balancing of quantities based on contract award vs. quantities placed (see attachment).

Increase/Decrease Total Dollar Value: \$20,058.27

Total Change Order No. 4 Amount: \$20,058.27

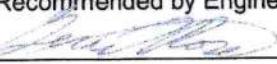
Attachments:

1. Bid Amounts vs. Final Construction

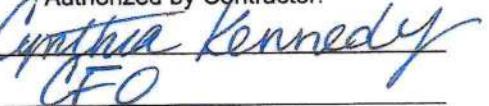
Change in Contract Price

Original Contract Price:
\$ 2,792,658.50
Increase (Decrease) from previously approved Change Orders No. <u>1</u> to No. <u>3</u>
\$ (843,154.18)
Contract Price prior to this Change Order:
\$ 1,949,504.32
Increase (Decrease) this Change Order:
\$ 20,058.27
Contract Price incorporating this Change Order:
\$ 1,969,562.59

Recommended by Engineer:

By: 
Title: Project Manager
Date: April 13, 2025

Authorized by Contractor:

By: 
Title: CFO
Date: 4-28-25

Authorized by Owner:

By:
Title:
Date:

Approved by Funding Agency (if applicable):

By:
Title:
Date:

City of Montrose
Water System Improvements, DWSRF Project No. 7701-01
Increases / Decreases

Item No.	Description	Unit	Plan Quantity	Quantity Placed	Quantity Change	Unit Price	Dollar Value
1	General Conditions, Bonds, and Insurance, Max 5%	LSum	1.00	1.00	0.00	\$161,810.00	\$0.00
2	Pre-Construction Video Survey	LSum	1.00	1.00	0.00	\$3,250.00	\$0.00
3	Traffic Control	LSum	1.00	1.00	0.00	\$40,015.00	\$0.00
4	Soil Erosion Control	LSum	1.00	1.00	0.00	\$10,755.00	\$0.00
5	Erosion Control, Inlet Protection, Fabric Drop	Ea	30.00	22.00	(8.00)	\$145.00	(\$1,160.00)
6	Maintenance Gravel	Ton	300.00	1713.67	1413.67	\$37.50	\$53,012.63
7	Tree Rem, 6" to 18"	Ea	5.00	6.00	1.00	\$581.00	\$581.00
8	Tree Rem, 19" to 36"	Ea	3.00	2.00	(1.00)	\$1,740.00	(\$1,740.00)
9	Pavt, Rem	Syd	3325.00	1546.25	(1778.75)	\$8.10	(\$14,407.88)
10	Curb and Gutter, Rem	Ft	1450.00	1265.60	(184.40)	\$8.50	(\$1,567.40)
11	Sidewalk, Rem	Syd	2300.00	751.52	(1548.48)	\$14.00	(\$21,678.72)
12	Remove Ex Hydrant	Ea	11.00	9.00	(2.00)	\$869.00	(\$1,738.00)
13	Abandon Ex Valve	Ea	15.00	14.00	(1.00)	\$3,090.00	(\$3,090.00)
14	Remove Ex Valve	Ea	10.00	0.00	(10.00)	\$3,095.00	(\$30,950.00)
15	Subgrade Undercutting, Type II	Cyd	300.00	0.00	(300.00)	\$59.00	(\$17,700.00)
16	Trench Undercutting and Backfill	Cyd	100.00	465.70	365.70	\$60.00	\$21,942.00
17	Flowable Fill	Cyd	50.00	0.00	(50.00)	\$153.00	(\$7,650.00)
18	Bore & Jack 24" Casing Pipe	Ft	60.00	0.00	(60.00)	\$687.00	(\$41,220.00)
19	Dr Structure Cover, Adj	Ea	6.00	8.00	2.00	\$800.00	\$1,600.00
20	10" CI 53 DI Water Main	Ft	2425.00	820.60	(1604.40)	\$133.00	(\$213,385.20)
21	10" CI 53 DI Water Main (In Casing)	Ft	60.00	0.00	(60.00)	\$111.00	(\$6,660.00)
22	8" CI 53 DI Water Main	Ft	2925.00	2421.20	(503.80)	\$106.00	(\$53,402.80)
23	8" CI 53 DI Water Main (HDD)	Ft	264.00	255.00	(9.00)	\$272.00	(\$2,448.00)
24	6" CI 53 DI Water Main	Ft	37.00	98.00	61.00	\$78.50	\$4,788.50
25	Polyethylene Encasement	Ft	5400.00	3334.80	(2065.20)	\$1.60	(\$3,304.32)
26	10" Valve and Valve Box	Ea	8.00	6.00	(2.00)	\$5,965.00	(\$11,930.00)
27	8" Valve and Valve Box	Ea	9.00	10.00	1.00	\$3,305.00	\$3,305.00
28	6" Valve and Valve Box	Ea	2.00	2.00	0.00	\$3,005.00	\$0.00
29	10" Tee	Ea	5.00	3.00	(2.00)	\$2,935.00	(\$5,870.00)
30	10" x 6" Tee	Ea	2.00	2.00	0.00	\$2,715.00	\$0.00
31	10" x 6" Tee	Ea	6.00	2.00	(4.00)	\$2,505.00	(\$10,020.00)
32	10" Cap	Ea	1.00	0.00	(1.00)	\$819.00	(\$819.00)
33	8" Tee	Ea	2.00	2.00	0.00	\$1,840.00	\$0.00
34	8" x 6" Tee	Ea	7.00	9.00	2.00	\$2,115.00	\$4,230.00
35	6" Tee	Ea	1.00	4.00	3.00	\$1,585.00	\$4,755.00
36	10" 90° Bend	Ea	4.00	0.00	(4.00)	\$2,135.00	(\$8,540.00)
37	10" 45° Bend	Ea	25.00	8.00	(17.00)	\$1,905.00	(\$32,385.00)
38	10" 22.5° Bend	Ea	2.00	2.00	0.00	\$1,995.00	\$0.00
39	8" 45° Bend	Ea	48.00	12.00	(36.00)	\$1,520.00	(\$54,720.00)
40	8" 22.5° Bend	Ea	6.00	3.00	(3.00)	\$1,490.00	(\$4,470.00)
41	8" 11.25° Bend	Ea	3.00	2.00	(1.00)	\$1,455.00	(\$1,455.00)
42	6" 90° Bend	Ea	2.00	4.00	2.00	\$1,265.00	\$2,530.00
43	10" x 6" Reducer	Ea	1.00	1.00	0.00	\$2,125.00	\$0.00
44	8" x 6" Reducer	Ea	3.00	2.00	(1.00)	\$1,405.00	(\$1,405.00)
45	Fire Hydrant Assembly	Ea	11.00	6.00	(5.00)	\$8,430.00	(\$42,150.00)
46	90° Fire Hydrant Assembly	Ea	6.00	3.00	(3.00)	\$9,280.00	(\$27,840.00)
47	Connect to Ex Water Main	Ea	13.00	9.00	(4.00)	\$5,925.00	(\$23,700.00)
48	2" Blow Off and Copper Line to Surface	Ea	13.00	9.00	(4.00)	\$1,600.00	(\$6,400.00)
49	Cut and Plug Ex Water Main	Ea	35.00	14.00	(21.00)	\$912.00	(\$19,152.00)
50	New Water Service, Open Cut	Ea	35.00	23.00	(12.00)	\$1,860.00	(\$22,320.00)
51	New Water Service, Freebore	Ea	50.00	24.00	(26.00)	\$4,345.00	(\$112,970.00)

Item No.	Description	Unit	Plan Quantity	Quantity Placed	Quantity Change	Unit Price	Dollar Value
52	1" Water Service, Private Property	Ea	10.00	2.00	(8.00)	\$2,450.00	(\$19,600.00)
53	Water Service, Building Connection	Ea	10.00	2.00	(8.00)	\$2,905.00	(\$23,240.00)
54	HMA Road Restoration	Syd	2500.00	1207.26	(1292.74)	\$54.00	(\$69,807.96)
55	Curb and Gutter, Conc, Det F4	Ft	1300.00	1286.60	(13.40)	\$32.50	(\$435.50)
56	Curb Ramp Opening, Conc	Ft	150.00	82.80	(67.20)	\$32.50	(\$2,184.00)
57	Curb Ramp, Conc, 4 inch	Sft	1400.00	204.80	(1195.20)	\$6.50	(\$7,768.80)
58	Detectable Warning Surface	Ft	60.00	25.00	(35.00)	\$105.00	(\$3,675.00)
59	Sidewalk, Conc, 4 inch	Sft	17500.00	6146.70	(11353.30)	\$4.90	(\$55,631.17)
60	Sidewalk, Conc, 6 inch	Sft	2500.00	0.00	(2500.00)	\$5.60	(\$14,000.00)
61	Cone Driveway, 5 inch	Syd	550.00	596.37	46.37	\$51.00	\$2,364.87
62	Conc Driveway, 8 inch	Syd	275.00	0.00	(275.00)	\$61.50	(\$16,912.50)
63	HMA Approach	Ton	10.00	0.00	(10.00)	\$173.00	(\$1,730.00)
64	Approach, CL II	Ton	20.00	27.80	7.80	\$45.00	\$351.00
65	Turf Restoration	Ft	5500.00	5500.00	0.00	\$19.00	\$0.00
66	Post, Mailbox	Ea	30.00	30.00	0.00	\$290.00	\$0.00
67	Water Service Restoration, Private Property	Ea	10.00	0.00	(10.00)	\$1,915.00	(\$19,150.00)
68	Dewatering	Ft	5400.00	2131.70	(3268.30)	\$5.60	(\$18,302.48)
69	Well Abandonment & Demo	LSum	1.00	0.00	(1.00)	\$0.00	\$0.00
70	Roadway Grading	Sta	6.00	6.00	0.00	\$4,950.00	\$0.00
71	HMA Road Restoration	Syd	1440.00	1699.00	259.00	\$63.50	\$16,446.50
72	Curb and Gutter, Conc, Det F4	Ft	1100.00	1196.40	96.40	\$32.50	\$3,133.00
73	8" SDR-26	Ft	58.00	141.00	83.00	\$124.00	\$10,292.00
74	Dr Structure, 24 inch dia	Ea	2.00	2.00	0.00	\$3,420.00	\$0.00
75	Dr Structure Cover, Type K	Ea	2.00	2.00	0.00	\$1,095.00	\$0.00
76	Dr Structure, Tap	Ea	1.00	3.00	2.00	\$465.00	\$930.00
77	Dr Structure, Rem	Ea	1.00	1.00	0.00	\$871.00	\$0.00
78	Sewer, Rem	Ft	60.00	108.00	48.00	\$68.00	\$3,264.00
100	Emergency Repair (CO #2)	LSum	1.00	1.00	0.00	\$22,509.82	\$0.00
101	Cold Milling HMA Surface (CO #2)	Syd	2575.00	2586.00	11.00	\$8.00	\$88.00
102	HMA, 13A Resurfacing (CO #2)	Ton	312.00	312.00	0.00	\$180.50	\$0.00
103	Post, Steel, 3 lb. (CO #3)	Lft	65.00	65.00	0.00	\$8.70	\$0.00
104	Sign, Type IIIB (CO #3)	Sft	20.00	20.00	0.00	\$20.00	\$0.00
105	Sign, Type III, Erect, Salv (CO #3)	Ea	8.00	8.00	0.00	\$87.50	\$0.00
106	Traffic Regulator Control (CO #3)	LSum	1.00	1.00	0.00	\$2,885.00	\$0.00
							Total Dollar Value: (\$927,072.23)
							Change Order No. 1 Deduction Amount: \$947,130.50
							Total Balancing Dollar Amount: \$20,058.27



CERTIFICATE OF SUBSTANTIAL COMPLETION

Owner City of Montrose
Contractor Kennedy Excavating, Inc.
Contract: Water Main Replacement
Project: DWSRF 7701-01 Water System Improvements
Owner's Contract No. _____ Engineer's Project No. 855332

This final Certificate of Substantial Completion applies to:

All Work The following specified portions of the Work:

July 24, 2024
Date of Substantial Completion

The Work to which this Certificate applies has been inspected by authorized representatives of OWNER, CONTRACTOR and ENGINEER, and found to be substantially complete. The Date of Substantial Completion of the Work or portion thereof designated above is hereby established, subject to the provisions of the Contract pertaining to Substantial Completion. The date of Substantial Completion in the final Certificate of Substantial Completion marks the commencement of the contractual correction period and applicable warranties required by the Contract.

The responsibilities between Owner and Contractor for security, operation, safety, maintenance, heat, utilities, insurance, and warranties upon Owner's use or occupancy of the Work shall be as provided in the Contract, except as amended as follows:

Amendments to Owner's responsibilities:

None
 As follows:

Amendments to Contractor's responsibilities:

None
 As follows:

The following documents are attached to and made a part of this Certificate: N/A

This certificate does not constitute an acceptance of Work not in accordance with the Contract Documents, nor is it a release of CONTRACTOR's obligation to complete the Work in accordance with the Contract.

EXECUTED BY ENGINEER:

RECEIVED:

RECEIVED:

By:
(Authorized Signature)
Title: Project Manager
Date: 11/20/2024

By: _____
OWNER (Authorized Signature)
Title: _____
Date: _____

By:
CONTRACTOR (Authorized Signature)
Title: Chief Financial Officer
Date: 6-11-25



 AIA® Document G707™ – 1994

Consent Of Surety to Final Payment

PROJECT: (Name and address) City of Montrose: Water System Improvements - FY2023 DWSRF Project # 7701-01		ARCHITECT'S PROJECT NUMBER:	Bond No 0836876
			OWNER: <input type="checkbox"/>
		CONTRACT FOR:	ARCHITECT: <input type="checkbox"/>
TO OWNER: (Name and address) City of Montrose 141 Parkway Drive Montrose, MI 48457		CONTRACT DATED: 9/11/2023	CONTRACTOR: <input type="checkbox"/>
			SURETY: <input checked="" type="checkbox"/>
			OTHER: <input type="checkbox"/>

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the
(Insert name and address of Surety)

Harco National Insurance Company

PO Box 10800

Raleigh, NC 27605-0800

on bond of

(Insert name and address of Contractor)

Kennedy Excavating, Inc.

4345 N. State Rd.

Davison, MI 48423

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not relieve the Surety of any of its obligations to
(Insert name and address of Owner)

City of Montrose

141 Parkway Drive

Montrose MI 48457

as set forth in said Surety's bond.

, OWNER,

IN WITNESS WHEREOF, the Surety has hereunto set its hand on this date: **06/11/2025**
(Insert in writing the month followed by the numeric date and year.)

Hanco National Insurance Company
(Surety)

(Signature of authorized representative)

Attest:
(Seal):

✓

Susan L Small, Attorney-In-Fact
(Printed name and title)

POWER OF ATTORNEY
HARCO NATIONAL INSURANCE COMPANY
INTERNATIONAL FIDELITY INSURANCE COMPANY

Member companies of IAT Insurance Group, Headquartered: 4200 Six Forks Rd, Suite 1400, Raleigh, NC 27609

Bond # 0836876

KNOW ALL MEN BY THESE PRESENTS: That HARCO NATIONAL INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Illinois, and INTERNATIONAL FIDELITY INSURANCE COMPANY, a corporation organized and existing under the laws of the State of New Jersey, and having their principal offices located respectively in the cities of Rolling Meadows, Illinois and Newark, New Jersey, do hereby constitute and appoint

T.L. YOUNG, WENDY L. HINGSON, IAN J. DONALD, ROBERT TROBEC, ALAN P. CHANDLER, T.J. GRIFFIN,
JEFFREY A. CHANDLER, TERENCE J. GRIFFIN, JOHN L. BUDDE, SUSAN L. SMALL, PATRICK E. WILLIAMS
Troy, MI

their true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surely, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise, and the execution of such instrument(s) in pursuance of these presents, shall be as binding upon the said HARCO NATIONAL INSURANCE COMPANY and INTERNATIONAL FIDELITY INSURANCE COMPANY, as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by their regularly elected officers at their principal offices.

This Power of Attorney is executed, and may be revoked, pursuant to and by authority of the By-Laws of HARCO NATIONAL INSURANCE COMPANY and INTERNATIONAL FIDELITY INSURANCE COMPANY and is granted under and by authority of the following resolution adopted by the Board of Directors of INTERNATIONAL FIDELITY INSURANCE COMPANY at a meeting duly held on the 13th day of December, 2018 and by the Board of Directors of HARCO NATIONAL INSURANCE COMPANY at a meeting held on the 13th day of December, 2018.

"RESOLVED, that (1) the Chief Executive Officer, President, Executive Vice President, Senior Vice President, Vice President, or Secretary of the Corporation shall have the power to appoint, and to revoke the appointments of, Attorneys-in-Fact or agents with power and authority as defined or limited in their respective powers of attorney, and to execute on behalf of the Corporation and affix the Corporation's seal thereto, bonds, undertakings, recognizances, contracts of indemnity and other written obligations in the nature thereof or related thereto; and (2) any such Officers of the Corporation may appoint and revoke the appointments of joint-control custodians, agents for acceptance of process, and Attorneys-in-fact with authority to execute waivers and consents on behalf of the Corporation; and (3) the signature of any such Officer of the Corporation and the Corporation's seal may be affixed by facsimile to any power of attorney or certification given for the execution of any bond, undertaking, recognizance, contract of indemnity or other written obligation in the nature thereof or related thereto, such signature and seals when so used whether heretofore or hereafter, being hereby adopted by the Corporation as the original signature of such officer and the original seal of the Corporation, to be valid and binding upon the Corporation with the same force and effect as though manually affixed."

IN WITNESS WHEREOF, HARCO NATIONAL INSURANCE COMPANY and INTERNATIONAL FIDELITY INSURANCE COMPANY have each executed and attested these presents
on this 31st day of December, 2023



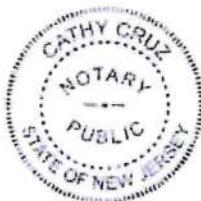
STATE OF NEW JERSEY
County of Essex

Michael F. Zurcher
Executive Vice President, Harco National Insurance Company
and International Fidelity Insurance Company

STATE OF ILLINOIS
County of Cook



On this 31st day of December, 2023, before me came the individual who executed the preceding instrument, to me personally known, and, being by me duly sworn, said he is the therein described and authorized officer of HARCO NATIONAL INSURANCE COMPANY and INTERNATIONAL FIDELITY INSURANCE COMPANY; that the seals affixed to said instrument are the Corporate Seals of said Companies; that the said Corporate Seals and his signature were duly affixed by order of the Boards of Directors of said Companies.



IN TESTIMONY WHEREOF, I have hereunto set my hand affixed my Official Seal, at the City of Newark,
New Jersey the day and year first above written.

Cathy Cruz a Notary Public of New Jersey
My Commission Expires April 16, 2029

CERTIFICATION

I, the undersigned officer of HARCO NATIONAL INSURANCE COMPANY and INTERNATIONAL FIDELITY INSURANCE COMPANY do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Sections of the By-Laws of said Companies as set forth in said Power of Attorney, with the originals on file in the home office of said companies, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect.

IN TESTIMONY WHEREOF, I have hereunto set my hand on this day, 06/11/2025

A00502

Irene Martins, Assistant Secretary

City of Montrose
Water System Improvements, DWSSRF Project No. 7701-01

Water Main Replacement

Item No.	Description	Unit	Plan Quantity	Unit Price	Bid Total	Pay Application No. 1	Pay Application No. 2	Pay Application No. 3	Pay Application No. 4	Pay Application No. 5									
						Quantity	Amount	Quantity	Amount	Quantity	Amount	Quantity	Amount	Quantity	Amount				
1	General Conditions, Bonds and Insurance, Max 5%	LSum	1	\$161,810.00	\$161,810.00	0.50	\$80,965.00	0.25	\$40,452.50	0.00	\$24,271.50	0.10	\$16,181.00	1.00	\$161,810.00				
2	Pre-Construction Video Survey	LSum	1	\$3,250.00	\$3,250.00	1.00	\$3,250.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	1.00	\$3,250.00				
3	Traffic Control	LSum	1	\$40,015.00	\$40,015.00	0.50	\$24,009.00	0.20	\$8,003.00	0.00	\$0.00	0.20	\$8,003.00	0.00	\$0.00	1.00	\$40,015.00		
4	Soil Erosion Control	LSum	1	\$10,755.00	\$10,755.00	0.50	\$6,453.00	0.20	\$2,151.00	0.00	\$0.00	0.20	\$2,151.00	0.00	\$0.00	1.00	\$10,755.00		
5	Erosion Control, Inlet Protection, Fabric Drop	ea	30	\$45.00	\$45.00	15.00	\$2,175.00	0.00	\$0.00	7.00	\$1,015.00	0.00	\$0.00	22.00	\$3,190.00				
6	Maintenance Gravel	Ton	300	\$11,250.00	\$25,000.00	51.00	\$9,425.00	230.60	\$8,645.50	696.50	\$20,083.48	0.00	\$0.00	1,713.57	\$64,462.63				
7	Tree Rem, 6' to 18'	ea	5	\$81.00	\$2,025.00	3.00	\$1,743.00	0.00	\$0.00	3.00	\$1,743.00	0.00	\$0.00	6.00	\$3,485.00				
8	Tree Rem, 19' to 36'	ea	3	\$1,440.00	\$4,320.00	0.50	\$0.00	2.00	\$3,480.00	0.00	\$0.00	0.00	\$0.00	2.00	\$3,480.00				
9	Pav. Rem	syd	3325	\$410	\$12,932.50	592.50	\$4,800.00	695.50	\$5,636.19	226.27	\$1,832.79	31.48	\$254.99	0.00	\$0.00	1,546.25	\$12,524.63		
10	Curb and Gutter, Rem	ft	1450	\$5.50	\$7,975.00	639.30	\$5,494.05	435.30	\$3,700.05	124.00	\$1,054.00	67.00	\$569.50	0.00	\$0.00	1,285.60	\$10,757.60		
11	Sidewalk, Rem	syd	2300	\$14.00	\$32,000.00	255.80	\$3,541.20	275.13	\$3,851.52	206.59	\$2,899.46	14.20	\$198.80	0.00	\$0.00	751.52	\$10,521.28		
12	Remove Ex-Hydrant	ea	11	\$865.00	\$9,590.00	4.50	\$3,476.00	1.00	\$869.00	4.00	\$3,476.00	0.50	\$0.00	50.00	\$9.00	\$7,821.00			
13	Abandon Ex-Valve	ea	15	\$3,062.00	\$46,530.00	1.50	\$3,060.00	1.00	\$3,060.00	12.00	\$37,080.00	0.50	\$0.00	0.00	\$0.00	14.00	\$43,260.00		
14	Remove Ex-Valve	ea	10	\$3,092.00	\$30,950.00	0.50	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$30.00		
15	Subgrade Undercutting Type II	yd	300	\$55.00	\$17,700.00	54.50	\$0.00	54.70	\$3,282.00	266.60	\$16,176.00	141.40	\$48,944.00	0.00	\$0.00	0.00	\$48,944.00		
16	Trench Undercutting and Backfill	yd	100	\$60.00	\$6,000.00	0.50	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00		
17	Floorable Fill	yd	50	\$155.00	\$7,650.00	0.50	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00		
18	Bore & Jack 24" Casing Pipe	ft	60	\$887.00	\$4,122.00	0.50	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00		
19	Dr. Structure Cover, Adj	ea	6	\$860.00	\$4,800.00	0.50	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00		
20	10' CL 53 DI Water Main	ft	2450	\$133.00	\$32,250.00	4.50	\$588.50	816.10	\$108,561.30	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$109,398.80		
21	10' CL 53 DI Water Main (In Casing)	ft	60	\$111.00	\$6,660.00	0.50	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00		
22	8' CL 53 DI Water Main	ft	2825	\$106.00	\$29,105.00	195.50	\$144,478.00	754.50	\$79,977.00	303.70	\$32,192.20	0.00	\$0.00	0.00	\$0.00	0.00	\$2,421.20	\$256,647.20	
23	8' CL 53 DI Water Main (HDD)	ft	264	\$277.00	\$7,808.00	0.50	\$0.00	255.00	\$69,360.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$255.00	\$69,660.00	
24	6' CL 53 DI Water Main	ft	37	\$78.50	\$2,904.50	50.50	\$3,912.10	43.50	\$3,446.15	3.50	\$274.75	0.50	\$0.00	0.00	\$0.00	0.00	98.00	\$7,993.00	
25	Polyethylene Encasement	ft	540	\$1.50	\$840.00	0.50	\$0.00	307.60	\$4,844.16	307.20	\$481.52	0.50	\$0.00	0.00	\$0.00	0.00	3,334.80	\$5,335.68	
26	10' Valve and Valve Box	ea	8	\$5,965.00	\$47,720.00	0.50	\$0.00	4.00	\$23,860.00	0.00	\$0.00	2.00	\$11,930.00	0.00	\$0.00	0.00	\$35,780.00		
27	8' Valve and Valve Box	ea	9	\$3,305.00	\$28,745.00	5.00	\$16,525.00	4.00	\$13,220.00	1.00	\$3,305.00	0.00	\$0.00	0.00	\$0.00	0.00	10.00	\$33,560.00	
28	6' Valve and Valve Box	ea	2	\$3,055.00	\$6,010.00	1.00	\$3,055.00	1.00	\$3,055.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00		
29	10' Tee	ea	5	\$2,938.00	\$14,675.00	1.50	\$2,935.00	3.00	\$8,485.00	0.00	\$0.00	-1.00	(\$2,935.00)	0.00	\$0.00	0.00	\$0.00		
30	10' x 8' Tee	ea	2	\$2,715.00	\$5,430.00	1.00	\$2,715.00	1.00	\$2,715.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	\$5,340.00	
31	10' x 6' Tee	ea	6	\$2,965.00	\$15,300.00	1.00	\$2,955.00	1.00	\$2,955.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	\$5,010.00	
32	10' Cap	ea	1	\$191.00	\$819.00	0.50	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00		
33	8' Tee	ea	2	\$1,945.00	\$3,980.00	2.00	\$3,690.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	2.00	\$3,680.00		
34	8' x 6' Tee	ea	7	\$2,115.00	\$14,805.00	4.00	\$8,480.00	3.00	\$6,345.00	1.00	\$2,115.00	1.00	\$0.00	0.00	\$0.00	0.00	\$0.00		
35	6' Tee	ea	1	\$1,985.00	\$1,985.00	2.00	\$3,190.00	1.00	\$1,565.00	0.00	\$0.00	0.00	\$1,565.00	0.00	\$0.00	0.00	\$0.00		
36	10' x 6' Bend	ea	4	\$2,135.00	\$8,540.00	1.00	\$2,135.00	0.00	\$0.00	0.00	\$0.00	-1.00	(\$2,135.00)	0.00	\$0.00	0.00	\$0.00		
37	10' x 4.5' Bend	ea	25	\$1,965.00	\$47,625.00	0.50	\$0.00	8.00	\$15,240.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	\$15,240.00	
38	10' x 2.5' Bend	ea	2	\$1,985.00	\$3,970.00	2.00	\$3,960.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	2.00	\$3,960.00		
39	8' x 5' Bend	ea	6	\$1,940.00	\$9,840.00	3.00	\$4,470.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00		
40	8' x 2.5' Bend	ea	3	\$1,455.00	\$4,365.00	1.00	\$1,455.00	0.00	\$0.00	0.00	\$1,455.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00		
41	8' x 11.25' Bend	ea	2	\$1,295.00	\$2,590.00	2.00	\$2,590.00	2.00	\$2,590.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00		
42	6' 90' Bend	ea	13	\$5,925.00	\$52,530.00	2.00	\$2,530.00	2.00	\$2,530.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$2,530.00		
43	10' x 6' Reducer	ea	1	\$2,125.00	\$2,125.00	0.50	\$0.00	1.00	\$2,125.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00		
44	8' x 6' Reducer	ea	3	\$1,405.00	\$4,215.00	0.50	\$0.00	2.00	\$2,810.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00		
45	Fire Hydrant Assembly	ea	11	\$8,340.00	\$82,730.00	2.00	\$16,860.00	3.00	\$25,280.00	1.00	\$8,430.00	0.00	\$0.00	0.00	\$0.00	0.00	3,330.00		
46	90° Fire Hydrant Assembly	ea	6	\$9,280.00	\$85,680.00	1.00	\$28,280.00	2.00	\$18,560.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00		
47	Water Service, Private Property	ea	10	\$2,450.00	\$24,500.00	0.50	\$0.00	0.00	\$4,740.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00		
48	2' Blow Off and Copper Line to Surface	ea	13	\$1,900.00	\$20,800.00	4.00	\$6,490.00	5.00	\$3,980.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00		
49	Cut and Plug Ex Water Main	ea	35	\$912.00	\$31,920.00	2.00	\$18,240.00	2.00	\$1,624.00	10.00	\$8,120.00	0.00	\$0.00	0.00	\$0.00	0.00	14.00	\$12,768.00	
50	New Water Service, Open Cut	ea	35	\$1,860.00	\$65,000.00	2.00	\$37,200.00	0.00	\$0.00	21.00	\$39,080.00	0.00	\$0.00	0.00	\$0.00	0.00	23.00	\$42,780.00	
51	New Water Service, Firehouse	ea	50	\$4,345.00	\$217,250.00	0.50	\$0.00	0.00	\$0.00	24.00	\$104,280.00	0.50	\$0.00	0.00	\$0.00	0.00	24.00	\$104,280.00	
52	Water Service, Private Property	ea	10	\$2,450.00	\$24,500.00	0.50	\$0.00	0.00	\$0.00	0.00	\$4,900.00	0.00	\$0.00	0.00	\$0.00	0.00	2.00	\$4,900.00	
53	Water Service, Building Connection	ea	10	\$2,005.00	\$20,050.00	0.50	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00		
54	HMA Road Restoration	ft	2500	\$55.00	\$135,000.00	0.00	\$0.00	161.77	\$87,755.56	1,045.49	\$56,496.46	0.00	\$0.00	1,045.49	\$56,496.46	0.00	1,045.49	\$56,496.46	
55	Curb and Gutter, Comp. Det F4	ft	1300	\$32.50	\$42,500.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	1,045.49	\$41,845.49	
56	Curb Ramp Opening, Comp	ft	150	\$32.50	\$4,875.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	1,045.49	\$4,875.00	
57	Curb Ramp, Comp, 4 inch	ft	1400	\$8.50	\$9,100.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	204.80	\$1,331.20	

City of Montrose
Water System Improvements, DWSRF Project No. 7701-01

Pay Application No. 1		Pay Application No. 2		Pay Application No. 3		Pay Application No. 4		Pay Application No. 5							
Item No.	Description	Unit	Plan Quantity	Unit Price	Blu Total	Quantity	Amount	Quantity	Amount	Quantity	Amount	Quantity	Amount	Quantity	Amount
58	Detectable Warning Surface	Fr	60	\$105.00	\$6,300.00	0.00	\$0.00	0.00	\$0.00	25.00	\$2,625.00	0.00	\$0.00	25.00	\$2,625.00
59	Sidewalk, Conc. 4 inch	Fr	54	\$4.50	\$202.50	0.00	\$0.00	0.00	\$0.00	6146.70	\$30,118.83	0.00	\$0.00	6,465.70	\$30,118.83
60	Sidewalk, Conc. 6 inch	Fr	2500	\$5.50	\$14,000.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
61	Conc Driveway, 5 inch	Syd	550	\$31.00	\$17,350.00	0.00	\$0.00	0.00	\$0.00	596.37	\$30,411.87	0.00	\$0.00	596.37	\$30,411.87
62	Conc Driveway, 8 inch	Syd	275	\$61.50	\$16,912.50	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
63	HMA Approach	Ton	10	\$173.00	\$1,730.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
64	Approach, CL, II	Ton	20	\$45.00	\$900.00	0.00	\$0.00	0.00	\$0.00	634.80	\$28,968.00	414.85	\$18,668.25	275.00	\$0.00
65	Turf Restoration	Fr	5500	\$19.00	\$104,500.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	0.00	0.00	-1,021.85
66	Post Mailbox	Fr	30	\$280.00	\$8,400.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	0.00	0.00	\$8,400.00
67	Water Service Restoration, Private Property	Fr	10	\$1,915.00	\$19,150.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
68	Developing	Fr	5400	\$5.60	\$30,240.00	0.00	\$0.00	0.00	\$0.00	1,365.50	\$10,284.40	295.20	\$1,653.12	0.00	\$0.00
69	Wall Abandonment & Demo	Fr	1	\$0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
CO #2		LESS CHANGE ORDER No. 1		(SUM)		(\$947,130.50)		(SUM)		(\$947,130.50)		(SUM)		(\$947,130.50)	
PLUS CHANGE ORDER No. 2		(SUM)		\$22,509.82		\$22,509.82		\$22,509.82		\$22,509.82		\$22,509.82		\$22,509.82	
101	Cold Milling HMA Surface (CO #2)	Syd	2675	\$8.00	\$21,600.00	0.00	\$0.00	0.00	\$0.00	2,586.00	\$20,668.00	0.00	\$0.00	2,586.00	\$20,668.00
102	HMA, 1.5% Reclaiming (CO #2)	Ton	312	\$160.50	\$49,616.00	0.00	\$0.00	0.00	\$0.00	312.00	\$96,316.00	0.00	\$0.00	312.00	\$96,316.00
CO #3		PLUS CHANGE ORDER No. 3		(SUM)		\$65,316.00		\$65,316.00		\$65,316.00		\$65,316.00		\$65,316.00	
103	Post Steel, 3 lb (CO #3)	Fr	65	\$8.70	\$565.50	0.00	\$0.00	0.00	\$0.00	65	\$565.50	0.00	\$0.00	65	\$565.50
104	Sign, Type IIIB (CO #3)	Fr	20	\$20.00	\$400.00	0.00	\$0.00	0.00	\$0.00	20	\$400.00	0.00	\$0.00	20	\$400.00
105	Sign, Type III, Erect, SAW (CO #3)	Fr	8	\$87.50	\$700.00	0.00	\$0.00	0.00	\$0.00	8	\$700.00	0.00	\$0.00	8	\$700.00
106	Traffic Regulator (CO #3)	Fr	1	\$2,885.00	\$2,885.00	0.00	\$0.00	0.00	\$0.00	1	\$2,885.00	0.00	\$0.00	1	\$2,885.00
CO #4		PLUS CHANGE ORDER No. 4		(SUM)		\$66,041.52		\$66,041.52		\$66,041.52		\$66,041.52		\$66,041.52	
Total of All Unit Price DW/SRF Participating Bid Items:		\$1,837,017.84		\$404,333.41		\$296,965.67		\$319,553.42		\$409,118.34		\$409,118.34		\$246,986.25	
70	Roadway Grading	Slu	6	\$4,950.00	\$29,700.00	0.00	\$0.00	0.00	\$0.00	0.00	\$29,700.00	0.00	\$0.00	0.00	\$29,700.00
71	HMA, Road Restoration	Syd	1440	\$63.50	\$91,440.00	0.00	\$0.00	0.00	\$0.00	1,698.00	\$107,886.50	0.00	\$0.00	1,698.00	\$107,886.50
72	Curb and Gutter, Conc. Det F4	Fr	1100	\$32.50	\$35,750.00	0.00	\$0.00	0.00	\$0.00	1,195.40	\$38,863.00	0.00	\$0.00	1,195.40	\$38,863.00
73	8' SDP-26	Fr	58	\$124.00	\$7,192.00	0.00	\$0.00	0.00	\$0.00	141.00	\$17,484.00	0.00	\$0.00	141.00	\$17,484.00
74	Dr. Structure, 24 inch dia	Fr	2	\$1,420.00	\$3,420.00	0.00	\$0.00	0.00	\$0.00	2.00	\$6,840.00	0.00	\$0.00	2.00	\$6,840.00
75	Dr. Structure Cover, Type K	Fr	2	\$1,095.00	\$2,190.00	0.00	\$0.00	0.00	\$0.00	2.00	\$2,190.00	0.00	\$0.00	2.00	\$2,190.00
76	Dr. Structure Tap	Fr	1	\$465.00	\$465.00	0.00	\$0.00	0.00	\$0.00	3.00	\$1,395.00	0.00	\$0.00	3.00	\$1,395.00
77	Dr. Structure Rem	Fr	1	\$871.00	\$871.00	1.00	\$871.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	1.00	\$871.00
78	Sewer, Rem	Fr	60	\$4,080.00	\$244,800.00	0.00	\$0.00	0.00	\$0.00	108.00	\$7,344.00	0.00	\$0.00	108.00	\$7,344.00
Total of All Unit Price DW/SRF Non-Participating Bid Items:		\$178,528.00		\$871.00		\$0.00		\$0.00		\$211,722.50		\$0.00		\$212,593.50	
Total Project:		\$2,015,545.84		\$405,204.41		\$596,965.67		\$319,553.42		\$319,553.42		\$620,840.44		\$1,965,962.59	
Total This Application		\$405,204.41		Total This Application		\$596,965.67		Total This Application		\$319,553.42		\$620,840.44		\$1,965,962.59	
Retainage		Total Retainage		Total Retainage		Total Retainage		Total Retainage		Total Retainage		Total Retainage		Total Retainage	
Total Due This Pay Application		\$405,204.41		Total Due This Pay Application		\$596,965.67		Total Due This Pay Application		\$319,553.42		\$620,840.44		\$1,965,962.59	

CITY OF MONTROSE MEMORANDUM

Date: July 7, 2025

To: Mayor Banks and Montrose City Council Members

From: Joe Karlichek, Interim City Manager

Subject: City Council Consider amending City Council Rules and Adopt New Agenda Format & Start Time

Background: After considerable discussion with the Mayor and other council members relative to the delivery of city council business via the use of an agenda, it was determined there was a need to make some modifications to the current agenda format and move to a more efficient model to facilitate the Mayor and council conducting legislative activity of the city.

Attached to this memorandum is the Current City Council Rules. City Administrations recommends the following;

1. Proposed City Council Rules (amended in highlight yellow)
2. Proposed City Council Agenda Format
3. Propose City Council to move its current start time at 7:00 p.m. to 6:30 p.m. for City Council Meetings.

Recommendation: City administration recommends city council adopt the proposed changes (items #1 - #3) to city council rules, adopt the new agenda format and move to a 6:30 p.m. City Council Start time beginning August 26, 2025 at the next regularly scheduled city council meeting.

Proposed

CITY OF MONTROSE
CITY COUNCIL RULES OF PROCEDURE

A. Authority

The following rules are adopted by the City of Montrose (hereinafter "City") pursuant to Article III, Chapter 1, Section 3-103, entitled "Rules" of the City Charter and the Michigan Compiled Laws Annotated (MCLA) 88.8. These rules supplement, but do not duplicate, the provisions of the City Charter.

B. Organization

At the first regular scheduled meeting in December, the City Council shall meet and organize to select a Mayor pro-tem. The Council may establish special or ad hoc committees limited in time and purpose.

C. Cancellation

Subject to the adoption of these rules by resolution of the City Council, all previous Council Rules of Procedure and Bylaws are cancelled effective with the date of adoption of these rules.

D. Regular and Special Meetings

All meetings of the City Council will be held in compliance with state statutes, including the Open Meetings Act, Public Act 267 of 1976, as amended, and with these rules.

1. Regular Meetings

Regular meetings of the City Council will be held on the fourth Tuesday of each month beginning at 7:00 p.m. at the City Offices Building, 139 S. Saginaw Street, Montrose, County of Genesee, Michigan 48457, unless otherwise rescheduled by resolution of the Council.

2. Special Meetings

In accordance with Article III, Chapter 1, Section 3-202, a special meeting shall be called by the Clerk upon the written request of the Mayor, City Manager or any two members of the Council. At least 18 hours before the meeting, the Clerk shall give public notice of the meeting and have each Council Member served personally with a notice of the meeting or left at the Council Member's usual place of residence. Special meeting notices shall state the purpose of the meeting. No official action shall be transacted at any special meeting of the Council unless the item has been stated in the notice of such meeting.

3. Posting Requirements for Regular and Special Meetings

- a). Within 10 days after the first meeting of City Council in each calendar year, a public notice stating the dates, times and places of the regular monthly Council meetings will be posted at the City Offices Building, located at 139 S. Saginaw Street, Montrose, County of Genesee, Michigan 48457 (per MCL 15.265 Sec. 5 (2)).
- b). For a rescheduled regular or a special meeting of the City Council, a public notice stating the date, time, and place of the meeting shall be posted at least 18 hours before the meeting at the City offices.

- c). The notice described above is not required for a meeting of the Council in emergency session in the event of a severe and imminent threat to the health, safety or welfare of the public when two-thirds of the members of the Council determine that a delay would be detrimental to the City's efforts in responding to a threat.
- d). Copies of notices of public meetings of Montrose City Council, the City's Boards and Commissions, shall be made available upon written request and payment of a reasonable yearly fee for the cost of printing and postage as established by Council.

4. Minutes of Regular and Special Meetings

The Clerk shall attend the Council meetings and record all proceedings and resolutions of the Council in accordance with the Open Meetings Act. In the absence of the Clerk, the Council may appoint one of its own members or another person to temporarily perform the Clerk's duties.

A copy of the minutes of each regular or special council meeting shall be available for public inspections at the City offices during regular business hours. Proposed minutes shall be available for public inspection within eight (8) business days after the meeting at which they were approved.

5. Study Sessions

At the call of the Clerk upon the written request of the Mayor, City Manager or any two members of Council and with appropriate notice to the Council Members and to the public, the Council may convene a work session devoted exclusively to the exchange of information related to municipal affairs. No votes shall be taken on any matters under discussion, nor shall any Council Member enter into a formal commitment with another Member regarding a vote to be taken subsequently.

E. Conduct of Meetings

1. Meetings To Be Public

All regular and special meetings of the Council shall be open to the public, and citizens shall have a reasonable opportunity to be heard in accordance with such rules and regulations as the Council may determine, except that the meetings may be closed to the public and the media in accordance with the Open Meetings Act.

All official meetings of the Council and its committees shall be open to the media, freely subject to recording by radio, television and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings.

2. Agenda Preparation

An agenda for each regular Council meeting shall be prepared by the City Manager. Any Council Member or any member of the public desiring to place a matter on the regular meeting agenda shall notify the City Manager of such an item, in writing by 5:00 p.m., on Wednesday of the week preceding the meeting. The Mayor or any other member of City Council may request at any time the City Manager to meet and review the schedule for agenda items for the next regular or special City Council meeting at any location mutually agreeable to both parties and at a time that is considered reasonable to the norms of the

City Council as a governing, legislative body, provided that there is no violation of the Open Meetings Act (e.g., a quorum of City Council members attending without proper public notice). Should a disagreement arise between the City Manager, the Mayor and or other member of City Council requesting a meeting with the City Manager over the term "reasonable" for a given time, the City Attorney may be asked to mediate a resolution to the dispute. If the City Attorney is unable to resolve the dispute, then the final decision shall be rendered by a formal vote of the City Council at the next regular or special meeting of City Council. The agenda items shall be arranged in the following order of business for the meeting of City Council:

Call to Order
Roll Call
Pledge of Allegiance to the Flag
Invocation
Approval of Agenda
Citizen of the Month
Public Comments (Agenda Only)
Presentation
Consent Agenda
Public Hearings
New Business
BID/Award Purchase
Ordinances
Appointments
Public Comments
City Manager, Council, City Attorney, Committee Reports
Adjournment

Any Council Member shall have the right to add items to the agenda at any time, with approval from the full Council.

3. Agenda Distribution

Upon completion of the agenda, the City Manager shall be responsible for seeing that all agenda-related documentation and relevant material is made available to Council Members. Such materials shall be made available at the Council chambers by 4:30 P.M. on the previous Thursday for regularly scheduled meetings & posted on the City website.

4. Quorum

Four (4) members of the entire elected or appointed and sworn members of the Council shall constitute a quorum for the transaction of business at all council meetings. In the absence of a quorum, a lesser number may adjourn any meeting to a later time or date with appropriate public notice.

5. Attendance at Council Meetings

Election to the City Council is a privilege freely sought by the nominee. It carries with it responsibilities to participate in Council activities and represent the residents of the City. Attendance at council meetings is critical to fulfilling this responsibility.

The Council may excuse absences for cause. If a Council Member has more than three (3) unexcused consecutive absences for regular council meetings, the Council shall vote to excuse or not to excuse the inability at each Council meeting until the officer resumes the duties of the office. If the Council does not excuse the inability at any meeting, after the second meeting, the office shall be forfeited at the close of the meeting as described in Article II, Chapter 3, Section 2-301. The Chair has the authority to request a reason why a member is absent from any regular meeting.

The City Council may compel the attendance of absent Members at a duly called meeting by a majority vote of the Council Members present whether or not a quorum is present. In addition, the Council may by ordinance provide penalties for non-attendance, including the penalty for forfeiture of office.

6. Presiding Officer

The Presiding Officer shall be responsible for enforcing these Rules of Procedures and for enforcing orderly conduct at meetings. The Mayor shall preside at all Council meetings and in the absence of the Mayor, the Mayor pro-tem shall preside. In the absence of both the Mayor and the Mayor pro-tem, the Member present who has the longest consecutive service on the Council shall preside.

7. Disorderly Conduct

The Mayor may call to order any person who is being disorderly by speaking out of order or otherwise disrupting the proceedings, failing to be germane, speaking longer than the allotted time or speaking vulgarities. Such person shall be seated until the Chair determines whether the person is in order.

If the person so engaged in presentation is called out of order, he or she shall not be permitted to continue to speak at the same meeting except by special leave of the Council. If the person shall continue to be disorderly and disrupt the meeting, then the Chair may order the Sergeant-at-Arms, a sworn police officer of the Montrose Township Police Department, to remove the person from the meeting. No person shall be removed from a public hearing except for an actual breach of the peace, as defined in the Disorderly Conduct Ordinance, City of Montrose Code of Ordinances, committed at the meeting.

F. Closed Meetings

1. Purpose

Closed meetings may be held only for reasons authorized in the Opening Meetings Act, which are the following:

- a. To consider the dismissal, suspension, or disciplining of, or hear complaints or charges brought against, to consider a periodic evaluation of, a public officer, employee, staff member or individual agent, if the named person requests a closed hearing.
- b. For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either negotiating party requests a closed hearing.
- c. To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.

- d. To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have detrimental financial effect on the litigating or settlement position of the Council.
- e. To review and consider the contents of an application for employment or appointment to a public office if the candidate requests that the application remain confidential. However, all interviews by Council for employment or appointment to a public office shall be held in an open meeting.
- f. To consider material exempt from discussion or disclosure by state or federal statute.

2. Calling Closed Meetings

At a regular or special meeting, the Council Members elected or appointed or serving may call a closed session under the appropriate provisions of the Open Meetings Act. The roll call vote and the purpose(s) for calling the closed meeting shall be entered into the minutes of the public part of the meeting at which the vote is taken.

3. Minutes of Closed Meetings

A separate set of minutes shall be taken by the Clerk or the designated Secretary of Council at the closed session. These minutes will be retained by the Clerk, shall not be available to the public, and shall only be disclosed if required by a civil action, as authorized by the Michigan Open Meetings Act. These minutes shall be destroyed one year and one day after approval of the minutes of the regular meeting at which the closed session was approved.

G. Discussion and Voting

1. Rules of Parliamentary Procedure

The rules of parliamentary practice in accordance with Robert's Rules of Order shall govern the Council in all cases to which they are applicable, provided that they not conflict with these rules, City ordinances or applicable state statutes. The Mayor may appoint a Parliamentarian.

The Chair shall preserve order and decorum and may speak to points of order in preference to other Council Members. The Chair shall decide all questions arising under this parliamentary authority, subject to appeal and reversal by a majority of the Council Members present.

Any Member may appeal to the Council a ruling of the presiding officer. If the appeal is seconded, the Member making the appeal may briefly state the reason for the appeal and the presiding officer may briefly state the ruling. There shall be no debate on the appeal and no other Member shall participate in the discussion. The question shall be, "Shall the decision of the Chair be sustained?" If the majority of the Members present vote "aye" the ruling of the Chair is sustained: otherwise, it is overruled.

When a main motion is before the Council, other motions may not be entertained except a) to adjourn, b) to recess, c) to table, d) for the previous question (to limit debate which requires a two-thirds vote), e) to refer to a committee, or f) to amend. These motions have precedence in the order indicated. Once made and seconded, each motion shall be put to a vote without debate except that a motion to amend is debatable.

2. Conduct of Discussion

During the Council discussion and debate, no Member shall speak until recognized for that purpose by the chair. After such recognition, the Member shall confine discussion to the question at hand and to its merits and shall not be interrupted except by a point of order or privilege raised by another Member. Speakers should address their remarks to the Chair, maintain a courteous tone and avoid interjecting a personal note into debate. No Member shall speak more than once on the same question unless every Member desiring to speak to that question shall have the opportunity to do so.

The Chair, at his or her discretion and subject to the appeal process mentioned in Section G.1., may permit any person to address the Council during its deliberations.

3. Ordinances and Resolutions

No ordinance, except an ordinance adopting or embodying an administrative or governmental code or an ordinance adopting a code of ordinances, shall relate to more than one subject, and that subject shall be clearly stated in its title.

A vote on all ordinances and resolutions shall be taken be a roll call vote and entered in the minutes unless it is a unanimous vote. If the vote is unanimous, it shall be necessary only to so state in the minutes, unless a roll call is required by law or by Council rules.

4. Roll Call

In all roll call votes, the names of the Members of the Council shall be called in rotation. Roll Call votes shall be taken on all motions involving financial affairs, or on any motion when requested by a Council Member. A roll call vote shall be required on all motions associated with actual or potential impact on public assets or liabilities, including public monies.

5. Duty to Vote

Election to a deliberative legislative body carries with it the obligation to vote. Council Members present at a Council Meeting shall vote on every matter before the body, unless otherwise excused or prohibited from voting by law. A Council Member who is present and abstains or does not respond to a roll call vote shall be counted as voting with the prevailing side and shall be so recorded, unless otherwise excused or prohibited by law from voting.

Conflict of interest shall be the sole reason for a Member to abstain from voting. Conflict of interest, by definition, occurs when a Member, or a member of his family, or a business associate, has a financial or other interest in a question before the Council that is not shared by other citizens who would be affected by the motion. A vote may be tabled, if necessary, to obtain the opinion of the City Attorney.

An action of the Council shall become effective with an affirmative vote of the majority of the Council Members voting.

The right to vote is limited to the members of Council present at the time the vote is taken. Voting by proxy or by telephone is not permitted.

All votes must be held and determined in public; no secret ballots are permitted.

H. Citizen Participation

1. General

Each regular Council meeting agenda shall provide for reserved time for audience participation.

If requested by a Member of Council, the presiding officer shall have discretion to allow a member of the audience to speak at times other than reserved time for audience participation.

2. Length of Presentation

Any person who addresses the Council during a Council meeting or Public Hearing shall be limited to three (3) minutes in length per individual presentation. The Clerk will maintain the official time and notify the speakers when their time is up. The Chair, at his or her discretion, may suspend the three-minute limit to give a speaker more, but not less, time to speak.

3. Addressing the Council

When a person addresses the Council, he or she shall state his or her name and home address. Remarks should be confined to the question at hand and addressed to the chair in a courteous tone. No person shall have the right to speak more than once on any particular subject until all other persons wishing to be heard on that subject have had the opportunity to speak.

I. Miscellaneous

1. Adoption and Amendment of Rules of Procedure

These Rules of Procedure of the City Council of the City of Montrose, County of Genesee, Michigan, should be placed on the annual organizational meeting agenda held at the first regularly scheduled meeting in December. A copy of the Rules adopted shall be distributed to each Council Member.

The Council may alter or amend its Rules at any time by a vote of the majority of its Members after notice has been given of the proposed alteration or amendment.

2. Suspension of Rules

The Rules of the Council may be suspended for a specific portion of a meeting by an affirmative vote of two-thirds of the Members present except that Council actions shall conform to state statutes and the Michigan and United States Constitutions.

3. Bid Awards

Bids will be awarded by Council during regular or special meetings. A bid award may be made at a special meeting of Council if that action is announced in the notice of the special meeting.

4. Committees

a. Special Committees of Council

There shall be no standing committees of the Council. The Council may establish special or ad hoc committees limited in time and purpose. The Chairperson and members of each committee established by Council shall be named by the Mayor, not later than the next regular City Council meeting after the establishment of the

committee. All committee members are subject to Council approval and shall serve for a term of two years and may be re-appointed.

The Council may require each committee to adopt its own Rules of Procedure consistent with the Charter for the City of Montrose and due process similar to that as described in Article V, Chapter 1, Section 5-105.

b. Citizen Task Forces

Citizen task forces may be established by a resolution of the Council which specifies the task to be accomplished and the date of its dissolution. Members of such committees will be appointed by the Mayor, subject to approval by a majority vote of Council and must be residents of the City. Vacancies will be filled by majority vote of the Council in the same way appointments are made.

5. Authorization for contacting the City Attorney.

The City Manager and/or Mayor are the only officials authorized to contact the City Attorney, unless otherwise specifically authorized by an affirmative vote of a majority of City Council members present at either a duly noticed public regular or special meeting prior to attempting to make a contact. In the absence of the Mayor, or in the event the Mayor is physically incapacitated, the Mayor Pro-Tem may contact the City Attorney regarding municipal issues. All other elected or appointed officials may make such contact with the City Attorney only with permission of the City Manager. However, Council Members may question the City Attorney at Council meetings.

The City Attorney shall attend meetings of the City Council or any of its Boards or commissions at the request of the Mayor and/or City Manager. The City Manager shall make such request at least twenty-four (24) hours in advance of the meeting except in extenuating circumstances. Council may determine the specific meetings the City Attorney is expected to attend.

6. Grievance Procedure

In the event a Member of City Council, including the Mayor, disputes a decision rendered by the City Manager on any given subject the member of Council and the City Manager shall meet as soon as scheduling permits in an attempt to resolve said dispute. In the event a dispute over a decision made by the City Manager is not resolved with the above mentioned meeting, the following steps may be utilized:

Step 1. The Mayor and City Manager shall meet as quickly as scheduling permits with the Council Member disputing the decision made by the City Manager, with both parties attempting to resolve the dispute to the mutual satisfaction of the two parties. In the event such dispute over a decision made by the City Manager made by a Member of Council is not resolved by the conclusion of the above meeting, the following steps may be utilized. In the event such dispute is initiated by the Mayor, then said dispute goes directly to Step #3 of this resolution process.

Step 2. In the event that the above dispute resolution meeting identified in Step #1 does not resolve the matter, a meeting of the disputing Council Member, the Mayor, the City Manager shall be conducted as quickly as scheduling all involved parties permits, and if

no resolution can be made the City Attorney shall act as the mediator in an effort to resolve the disputed decision.

Step 3. In the event the meeting at which the City Attorney acted as mediator to mediate a dispute of a decision made by the City Manager does not result in a mutual satisfactory resolution for all parties involved, then said dispute shall be appealed to the entire City Council for resolution with a roll call vote on the question involving the disputed City Manager decision and the duly adopted decision by City Council shall constitute the final resolution of said dispute, unless either party believes their legal rights have been violated by the adopted decision rendered by the City Council vote of the City Council.

Step 4. The adopted decision rendered by a vote of the entire City Council over said dispute may thereafter be appealed to the Circuit Court of the County of Genesee for a remedy as the laws of the United States of America and the State of Michigan may permit.

Amended Dates

10-13-1998

10-09-2001

12-11-2001

05-20-2002

12-10-2002

09-13-2005

11-22-2005

10-23-2007

11-27-2007

09-09-2008

01-22-2009

05-28-2009

01-14-2010

04-22-2010

06-10-2010

09-09-2010

01-13-2011

09-12-2013

12-12-2013

12-11-2014

12-01-2016

01-18-2018

12-15-2022

07-22-2025

Proposed

MONTROSE CITY COUNCIL AGENDA

Tuesday August 26, 2025 – 6:30 p.m.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

INVOCATION

APPROVAL OF AGENDA

CITIZEN OF THE MONTH

MEETING OPEN TO THE PUBLIC (Agenda Items Only)

The purpose of this agenda item is to allow persons to comment on agenda items that will be considered at this meeting. This is not a forum for debate or for which questions will be answered. The City Council will consider all comments and questions and decide if they wish to address those items during the relevant agenda item. All persons addressing the City Council are asked to limit their comments to no more than three (3) minutes.

PRESENTATION

CONSENT AGENDA

PUBLIC HEARING

NEW BUSINESS

BID AWARD/PURCHASE

ORDINANCES

APPOINTMENTS

MEETING OPEN TO THE PUBLIC

The purpose of this agenda item is to allow persons to comment, praise, or raise a concern that they feel the City Council should address. This is not a forum for debate or for which questions will be answered. The City Council will consider all comments, questions, praise, and concerns, and decide if they wish to address those items during the agenda item "City Council Comments." They may also ask administration to address issues raised after the meeting is completed. All persons addressing the City Council are asked to limit their comments to no more than three (3) minutes.

CITY MANAGER REPORT, CITY COUNCIL COMMENTS AND COMMITTEE REPORTS

MONTROSE CITY COUNCIL AGENDA

Tuesday August 26, 2025 – 6:30 p.m.

CLOSED SESSION

ADJOURNMENT

Current

CITY OF MONTROSE
CITY COUNCIL RULES OF PROCEDURE

A. Authority

The following rules are adopted by the City of Montrose (hereinafter "City") pursuant to Article III, Chapter 1, Section 3-103, entitled "Rules" of the City Charter and the Michigan Compiled Laws Annotated (MCLA) 88.8. These rules supplement, but do not duplicate, the provisions of the City Charter.

B. Organization

At the first regular scheduled meeting in December, the City Council shall meet and organize to select a Mayor pro-tem. The Council may establish special or ad hoc committees limited in time and purpose.

C. Cancellation

Subject to the adoption of these rules by resolution of the City Council, all previous Council Rules of Procedure and Bylaws are cancelled effective with the date of adoption of these rules.

D. Regular and Special Meetings

All meetings of the City Council will be held in compliance with state statutes, including the Open Meetings Act, Public Act 267 of 1976, as amended, and with these rules.

1. Regular Meetings

Regular meetings of the City Council will be held on the fourth Tuesday of each month beginning at 7:00 p.m. at the City Offices Building, 139 S. Saginaw Street, Montrose, County of Genesee, Michigan 48457, unless otherwise rescheduled by resolution of the Council.

2. Special Meetings

In accordance with Article III, Chapter 1, Section 3-202, a special meeting shall be called by the Clerk upon the written request of the Mayor, City Manager or any two members of the Council. At least 18 hours before the meeting, the Clerk shall give public notice of the meeting and have each Council Member served personally with a notice of the meeting or left at the Council Member's usual place of residence. Special meeting notices shall state the purpose of the meeting. No official action shall be transacted at any special meeting of the Council unless the item has been stated in the notice of such meeting.

3. Posting Requirements for Regular and Special Meetings

- a). Within 10 days after the first meeting of City Council in each calendar year, a public notice stating the dates, times and places of the regular monthly Council meetings will be posted at the City Offices Building, located at 139 S. Saginaw Street, Montrose, County of Genesee, Michigan 48457 (per MCL 15.265 Sec. 5 (2)).
- b). For a rescheduled regular or a special meeting of the City Council, a public notice stating the date, time, and place of the meeting shall be posted at least 18 hours before the meeting at the City offices.

- c). The notice described above is not required for a meeting of the Council in emergency session in the event of a severe and imminent threat to the health, safety or welfare of the public when two-thirds of the members of the Council determine that a delay would be detrimental to the City's efforts in responding to a threat.
- d). Copies of notices of public meetings of Montrose City Council, the City's Boards and Commissions, shall be made available upon written request and payment of a reasonable yearly fee for the cost of printing and postage as established by Council.

4. Minutes of Regular and Special Meetings

The Clerk shall attend the Council meetings and record all proceedings and resolutions of the Council in accordance with the Open Meetings Act. In the absence of the Clerk, the Council may appoint one of its own members or another person to temporarily perform the Clerk's duties.

A copy of the minutes of each regular or special council meeting shall be available for public inspections at the City offices during regular business hours. Proposed minutes shall be available for public inspection within eight (8) business days after the meeting at which they were approved.

5. Study Sessions

At the call of the Clerk upon the written request of the Mayor, City Manager or any two members of Council and with appropriate notice to the Council Members and to the public, the Council may convene a work session devoted exclusively to the exchange of information related to municipal affairs. No votes shall be taken on any matters under discussion nor shall any Council Member enter into a formal commitment with another Member regarding a vote to be taken subsequently.

E. Conduct of Meetings

1. Meetings To Be Public

All regular and special meetings of the Council shall be open to the public, and citizens shall have a reasonable opportunity to be heard in accordance with such rules and regulations as the Council may determine, except that the meetings may be closed to the public and the media in accordance with the Open Meetings Act.

All official meetings of the Council and its committees shall be open to the media, freely subject to recording by radio, television and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings.

2. Agenda Preparation

An agenda for each regular Council meeting shall be prepared by the City Manager. Any Council Member or any member of the public desiring to place a matter on the regular meeting agenda shall notify the City Manager of such an item, in writing by 5:00 p.m., on Wednesday of the week preceding the meeting. The Mayor or any other member of City Council may request at any time the City Manager to meet and review the schedule for agenda items for the next regular or special City Council meeting at any location mutually agreeable to both parties and at a time that is considered

reasonable to the norms of the City Council as a governing, legislative body, provided that there is no violation of the Open Meetings Act (e.g., a quorum of City Council members attending without proper public notice). Should a disagreement arise between the City Manager, the Mayor and or other member of City Council requesting a meeting with the City Manager over the term "reasonable" for a given time, the City Attorney may be asked to mediate a resolution to the dispute. If the City Attorney is unable to resolve the dispute, then the final decision shall be rendered by a formal vote of the City Council at the next regular or special meeting of City Council. The agenda items shall be arranged in the following order of business for the meeting of City Council:

Call to Order
Roll Call
Pledge of Allegiance to the Flag
Citizen of the Month
Public Hearings
Presentations
Reports
Public Comments
Matters of Council Action
Public Comments
Reports from Boards and Commissions
Reports from City Manager and City Attorney
Mayor and Council Comments
Communications to the Council
Adjournment

Any Council Member shall have the right to add items to the agenda at any time, with approval from the full Council.

3. Agenda Distribution

Upon completion of the agenda, the City Manager shall be responsible for seeing that all agenda-related documentation and relevant material is made available to Council Members. Such materials shall be made available at the Council chambers by 3:00 P.M. on the previous Friday for regularly scheduled meetings.

4. Quorum

Four (4) members of the entire elected or appointed and sworn members of the Council shall constitute a quorum for the transaction of business at all council meetings. In the absence of a quorum, a lesser number may adjourn any meeting to a later time or date with appropriate public notice.

5. Attendance at Council Meetings

Election to the City Council is a privilege freely sought by the nominee. It carries with it responsibilities to participate in Council activities and represent the residents of the City. Attendance at council meetings is critical to fulfilling this responsibility.

The Council may excuse absences for cause. If a Council Member has more than three (3) unexcused consecutive absences for regular council meetings, the Council shall vote to excuse or not to excuse the inability at each Council meeting until the officer

resumes the duties of the office. If the Council does not excuse the inability at any meeting, after the second meeting, the office shall be forfeited at the close of the meeting as described in Article II, Chapter 3, Section 2-301. The Chair has the authority to request a reason why a member is absent from any regular meeting.

The City Council may compel the attendance of absent Members at a duly called meeting by a majority vote of the Council Members present whether or not a quorum is present. In addition, the Council may by ordinance provide penalties for non-attendance, including the penalty for forfeiture of office.

6. Presiding Officer

The Presiding Officer shall be responsible for enforcing these Rules of Procedures and for enforcing orderly conduct at meetings. The Mayor shall preside at all Council meetings and in the absence of the Mayor, the Mayor pro-tem shall preside. In the absence of both the Mayor and the Mayor pro-tem, the Member present who has the longest consecutive service on the Council shall preside.

7. Disorderly Conduct

The Mayor may call to order any person who is being disorderly by speaking out of order or otherwise disrupting the proceedings, failing to be germane, speaking longer than the allotted time or speaking vulgarities. Such person shall be seated until the Chair determines whether the person is in order.

If the person so engaged in presentation is called out of order, he or she shall not be permitted to continue to speak at the same meeting except by special leave of the Council. If the person shall continue to be disorderly and disrupt the meeting, then the Chair may order the Sergeant-at-Arms, a sworn police officer of the Montrose Township Police Department, to remove the person from the meeting. No person shall be removed from a public hearing except for an actual breach of the peace, as defined in the Disorderly Conduct Ordinance, City of Montrose Code of Ordinances, committed at the meeting.

F. Closed Meetings

1. Purpose

Closed meetings may be held only for reasons authorized in the Opening Meetings Act, which are the following:

- a. To consider the dismissal, suspension, or disciplining of, or hear complaints or charges brought against, to consider a periodic evaluation of, a public officer, employee, staff member or individual agent, if the named person requests a closed hearing.
- b. For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either negotiating party requests a closed hearing.
- c. To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.

- d. To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have detrimental financial effect on the litigating or settlement position of the Council.
- e. To review and consider the contents of an application for employment or appointment to a public office if the candidate requests that the application remain confidential. However, all interviews by Council for employment or appointment to a public office shall be held in an open meeting.
- f. To consider material exempt from discussion or disclosure by state or federal statute.

2. Calling Closed Meetings

At a regular or special meeting, the Council Members elected or appointed or serving may call a closed session under the appropriate provisions of the Open Meetings Act. The roll call vote and the purpose(s) for calling the closed meeting shall be entered into the minutes of the public part of the meeting at which the vote is taken.

3. Minutes of Closed Meetings

A separate set of minutes shall be taken by the Clerk or the designated Secretary of Council at the closed session. These minutes will be retained by the Clerk, shall not be available to the public, and shall only be disclosed if required by a civil action, as authorized by the Michigan Open Meetings Act. These minutes shall be destroyed one year and one day after approval of the minutes of the regular meeting at which the closed session was approved.

G. Discussion and Voting

1. Rules of Parliamentary Procedure

The rules of parliamentary practice in accordance with Robert's Rules of Order shall govern the Council in all cases to which they are applicable, provided that they not conflict with these rules, City ordinances or applicable state statutes. The Mayor may appoint a Parliamentarian.

The Chair shall preserve order and decorum and may speak to points of order in preference to other Council Members. The Chair shall decide all questions arising under this parliamentary authority, subject to appeal and reversal by a majority of the Council Members present.

Any Member may appeal to the Council a ruling of the presiding officer. If the appeal is seconded, the Member making the appeal may briefly state the reason for the appeal and the presiding officer may briefly state the ruling. There shall be no debate on the appeal and no other Member shall participate in the discussion. The question shall be, "Shall the decision of the Chair be sustained?" If the majority of the Members present vote "aye" the ruling of the Chair is sustained: otherwise it is overruled.

When a main motion is before the Council, other motions may not be entertained except a) to adjourn, b) to recess, c) to table, d) for the previous question (to limit debate which requires a two-thirds vote), e) to refer to a committee, or f) to amend. These motions have precedence in the order indicated. Once made and seconded, each motion shall be put to a vote without debate except that a motion to amend is debatable.

2. Conduct of Discussion

During the Council discussion and debate, no Member shall speak until recognized for that purpose by the chair. After such recognition, the Member shall confine discussion to the question at hand and to its merits and shall not be interrupted except by a point of order or privilege raised by another Member. Speakers should address their remarks to the Chair, maintain a courteous tone and avoid interjecting a personal note into debate. No Member shall speak more than once on the same question unless every Member desiring to speak to that question shall have the opportunity to do so.

The Chair, at his or her discretion and subject to the appeal process mentioned in Section G.1., may permit any person to address the Council during its deliberations.

3. Ordinances and Resolutions

No ordinance, except an ordinance adopting or embodying an administrative or governmental code or an ordinance adopting a code of ordinances, shall relate to more than one subject, and that subject shall be clearly stated in its title.

A vote on all ordinances and resolutions shall be taken be a roll call vote and entered in the minutes unless it is a unanimous vote. If the vote is unanimous, it shall be necessary only to so state in the minutes, unless a roll call is required by law or by Council rules.

4. Roll Call

In all roll call votes, the names of the Members of the Council shall be called in rotation. Roll Call votes shall be taken on all motions involving financial affairs, or on any motion when requested by a Council Member. A roll call vote shall be required on all motions associated with actual or potential impact on public assets or liabilities, including public monies.

5. Duty to Vote

Election to a deliberative legislative body carries with it the obligation to vote. Council Members present at a Council Meeting shall vote on every matter before the body, unless otherwise excused or prohibited from voting by law. A Council Member who is present and abstains or does not respond to a roll call vote shall be counted as voting with the prevailing side and shall be so recorded, unless otherwise excused or prohibited by law from voting.

Conflict of interest shall be the sole reason for a Member to abstain from voting. Conflict of interest, by definition, occurs when a Member, or a member of his family, or a business associate, has a financial or other interest in a question before the Council that is not shared by other citizens who would be affected by the motion. A vote may be tabled, if necessary, to obtain the opinion of the City Attorney.

An action of the Council shall become effective with an affirmative vote of the majority of the Council Members voting.

The right to vote is limited to the members of Council present at the time the vote is taken. Voting by proxy or by telephone is not permitted.

All votes must be held and determined in public; no secret ballots are permitted.

H. Citizen Participation

1. General

Each regular Council meeting agenda shall provide for reserved time for audience participation.

If requested by a Member of Council, the presiding officer shall have discretion to allow a member of the audience to speak at times other than reserved time for audience participation.

2. Length of Presentation

Any person who addresses the Council during a Council meeting or Public Hearing shall be limited to three (3) minutes in length per individual presentation. The Clerk will maintain the official time and notify the speakers when their time is up. The Chair, at his or her discretion, may suspend the three-minute limit to give a speaker more, but not less, time to speak.

3. Addressing the Council

When a person addresses the Council, he or she shall state his or her name and home address. Remarks should be confined to the question at hand and addressed to the chair in a courteous tone. No person shall have the right to speak more than once on any particular subject until all other persons wishing to be heard on that subject have had the opportunity to speak.

I. Miscellaneous

1. Adoption and Amendment of Rules of Procedure

These Rules of Procedure of the City Council of the City of Montrose, County of Genesee, Michigan, will be placed on the annual organizational meeting agenda held at the first regularly scheduled meeting in December. A copy of the Rules adopted shall be distributed to each Council Member.

The Council may alter or amend its Rules at any time by a vote of the majority of its Members after notice has been given of the proposed alteration or amendment.

2. Suspension of Rules

The Rules of the Council may be suspended for a specific portion of a meeting by an affirmative vote of two-thirds of the Members present except that Council actions shall conform to state statutes and the Michigan and United States Constitutions.

3. Bid Awards

Bids will be awarded by Council during regular or special meetings. A bid award may be made at a special meeting of Council if that action is announced in the notice of the special meeting.

4. Committees

a. Special Committees of Council

There shall be no standing committees of the Council. The Council may establish special or ad hoc committees limited in time and purpose. The Chairperson and members of each committee established by Council shall be named by the Mayor, not later than the next regular City Council meeting after

the establishment of the committee. All committee members are subject to Council approval, and shall serve for a term of two years and may be re-appointed.

The Council may require each committee to adopt its own Rules of Procedure consistent with the Charter for the City of Montrose and due process similar to that as described in Article V, Chapter 1, Section 5-105.

b. Citizen Task Forces

Citizen task forces may be established by a resolution of the Council which specifies the task to be accomplished and the date of its dissolution. Members of such committees will be appointed by the Mayor, subject to approval by a majority vote of Council and must be residents of the City. Vacancies will be filled by majority vote of the Council in the same way appointments are made.

5. Authorization for contacting the City Attorney.

The City Manager and/or Mayor are the only officials authorized to contact the City Attorney, unless otherwise specifically authorized by an affirmative vote of a majority of City Council members present at either a duly noticed public regular or special meeting prior to attempting to make a contact. In the absence of the Mayor, or in the event the Mayor is physically incapacitated, the Mayor Pro-Tem may contact the City Attorney regarding municipal issues. All other elected or appointed officials may make such contact with the City Attorney only with permission of the City Manager. However, Council Members may question the City Attorney at Council meetings.

The City Attorney shall attend meetings of the City Council or any of its Boards or commissions at the request of the Mayor and/or City Manager. The City Manager shall make such request at least twenty-four (24) hours in advance of the meeting except in extenuating circumstances. Council may determine the specific meetings the City Attorney is expected to attend.

6. Grievance Procedure

In the event a Member of City Council, including the Mayor, disputes a decision rendered by the City Manager on any given subject the member of Council and the City Manager shall meet as soon as scheduling permits in an attempt to resolve said dispute. In the event a dispute over a decision made by the City Manager is not resolved with the above mentioned meeting, the following steps may be utilized:

Step 1. The Mayor and City Manager shall meet as quickly as scheduling permits with the Council Member disputing the decision made by the City Manager, with both parties attempting to resolve the dispute to the mutual satisfaction of the two parties. In the event such dispute over a decision made by the City Manager made by a Member of Council is not resolved by the conclusion of the above meeting, the following steps may be utilized. In the event such dispute is initiated by the Mayor, then said dispute goes directly to Step #3 of this resolution process.

Step 2. In the event that the above dispute resolution meeting identified in Step #1 does not resolve the matter, a meeting of the disputing Council Member, the Mayor, the City Manager shall be conducted as quickly as scheduling all involved parties

permits, and if no resolution can be made the City Attorney shall act as the mediator in an effort to resolve the disputed decision.

Step 3. In the event the meeting at which the City Attorney acted as mediator to mediate a dispute of a decision made by the City Manager does not result in a mutual satisfactory resolution for all parties involved, then said dispute shall be appealed to the entire City Council for resolution with a roll call vote on the question involving the disputed City Manager decision and the duly adopted decision by City Council shall constitute the final resolution of said dispute, unless either party believes their legal rights have been violated by the adopted decision rendered by the City Council vote of the City Council.

Step 4. The adopted decision rendered by a vote of the entire City Council over said dispute may thereafter be appealed to the Circuit Court of the County of Genesee for a remedy as the laws of the United States of America and the State of Michigan may permit.

Amended Dates

10-13-1998

10-09-2001

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10-23-2007

11-27-2007

09-09-2008

01-22-2009

05-28-2009

01-14-2010

04-22-2010

06-10-2010

09-09-2010

01-13-2011

09-12-2013

12-12-2013

12-11-2014

12-01-2016

01-18-2018

12-15-2022

4

CITY OF MONTROSE MEMORANDUM

Date: July 16, 2025

To: Mayor Banks and City Council Members
From: Joe Karlichek, Interim City Manager

Subject: City Council review the Draft Housing Study and authorize the distribution of the study for review in accordance with State Law.

Background: Attached to this memorandum is a memorandum sent to Planning Commission for their review at the July 14, 2025, meeting describing a Grant the City of Montrose engaged in and subsequent communication(s) with MSHDA and Wade Trim. The Planning Commission passed their motion and requesting that the city council authorize the distribution of the study for review in accordance with State Law. Memorandum to city council (June 19, 2025) as Background also included.

The City Council was made aware of the Grant and subsequent timelines at the June 24, 2025, city council meeting.

In this memorandum a document identifying the planned procedure to amend the Master Plan, timeline and for both the City Council & Planning Commission to authorize the distribution of the study for review in accordance with State Law.

Recommendation: It is recommended the City Council authorize the distribution of the Housing Study for review with accordance with State Law.

Step No.	Description	Planning Enabling Act Section Reference	Action to be Taken	Tentative Timeline
1	Planning Commission reviews the draft Housing Study and passes it on to the City Council for review in accordance with State Law	Sec. 41.(1)	The Planning Commission must pass a motion requesting that the City Council authorize the distribution of the draft Housing Study for review in accordance with State Law	July 10 PC Meeting
2	City Council reviews the draft Housing Study and authorizes its distribution for review in accordance with State law	Sec. 41.(2)	The City Council must pass a motion authorizing the distribution of the draft Housing Study for review in accordance with State Law	July 22 Council Meeting
3	Selected entities (Montrose Twp., Genesee Co., etc.) are provided with a copy of the draft Housing Study for review	Sec. 41.(2)	The city must send out letters to selected entities giving notice that the draft Housing Study is available for review	Week of July 28
4	State required minimum 42-day review period for an amendment to a master plan	Sec. 45.(1)(b)	n/a	Between July 28 and Sept 17
5	Public hearing notice	Sec. 43.(1)	A public hearing notice must be published in the local newspaper	At least 15 days in advance of Sept 17
6	Planning Commission holds a public hearing	Sec. 43.(1)	The Planning Commission holds a public hearing on the draft Housing Study	Sept 17 PC Meeting
7	Planning Commission adoption of the Housing Study	Sec. 43.(2)	Wade Trim will prepare a sample resolution of adoption. The Planning Commission must adopt the housing Study by resolution.	Sept 17 PC Meeting
8	Selected entities (Montrose Twp., Genesee Co., etc.) are given notice that the Housing Study has been adopted	Sec. 43.(5)	City must send out letters to selected entities giving notice that the Housing Study has been adopted	Week of Sept 22

CITY OF MONTROSE MEMORANDUM

Date: June 19, 2025

To: Mayor Banks and Montrose City Council Members

From: Joe Karlichek, Interim City Manager

Subject: Report to city council on MSHDA GRANT update (Housing Study) and City's Position, and Plan for Compliance

Background:

The city of Montrose engaged MSHDA and was awarded a Grant in February 2024 with a period ending the Grant two (2) years later, effectively February 2026 to conduct a “Housing Study.” (Housing Study is included in your packet).

The Grant was solely for the city to authorize a “Housing Study” and that Housing Study shall be included in the city’s approved Master Plan. The city engaged for nearly two years in updating its Master Plan. City records show the Master Plan was approved by City Council September 12, 2024, by way of Resolution and apparently and simultaneously approved on September 12th, 2024, and via the Planning Commission.

At some point a committee was formed by the City (*City is the assigned fiduciary*) to involve both the Township of Montrose and City. While I cannot locate any record of how or who from the city authorized the committee it is an important reminder for administration and council the rules outlining the formation Boards, Commissions and Committees. The **City Charter, Article V: Sections 5-101, 5-102, 5-103. Specifically, 5-103 APPOINTMENTS OF BOARD MEMBERS (2)** Mayor shall appoint persons to all such boards, commissions and committees with the advice and consent of the Council. No such appointment shall be effective until it has been confirmed by the Council.

The Grant requires caveats to ensure the city is compliant and that it fulfills its obligations to avoid financial harm. For edification and to simplify for city council. One, the city administrator/Grant administrator is required to file quarterly updates in a protected on-line system, identified as “IGX” with MSHDA. Two, because the Grant was authorized (\$40,000.00) for a Housing Study, that study must be an approved study and shall be included in the Approved City of Montrose Master Plan. The published Housing Study, on record, indicates a “DRAFT March 2025” and that there has been no Approval process identified. Draft Housing Plan is included in the memorandum.



Next Page

CITY OF MONTROSE MEMORANDUM

Page 2

Shortly after my arrival as your interim city manager I received an email Tuesday June 10, 2025, from Marcel Jackson Community Development Analyst | Office of Housing Strategies | Housing Solutions Division Michigan State Housing Development Authority (MSHDA) stating the following:

Good afternoon, Barbara,

You are receiving this email because you still have one or Quarterly Update (QU) past due for your HRI Grant. To remain in compliance, please login to IGX and submit the QU immediately. Failure to do so could result in cancellation of the grant. When completing the QU, make sure to select the correct reporting period and then select submit under status options in the purple navigation pane on the left.

If you need technical assistance, I can be reached at 517-335-3437.

Upon receipt of that email, I immediately contacted Mr. Marcel Jackson via phone. I provided Marcel the status of the city and its leadership change and learned about the city Grant from conception to birth. In that conversation it was discovered the city had failed to update the Grant in the IGX secured system in all of 2025 and was close to default. In addition, it was discovered the Housing Plan was not included in the Master Plan and no formal adoption of that plan had occurred, the city is in jeopardy of awarded Grant and the city could be financially harmed as a consequence.

After having additional discussions with Marcel, Marcel and I came to a solution to bring the city in compliance.

After discussing the solution with Marcel, I contacted Mr. Adam Young of Wade Trim (Wade Trim performed the Housing Study work and the city's adopted Master Plan). While Mr. Young believed the Housing Study was not to be included in the Master Plan, my information to him was that belief was inaccurate. MSHDA unequivocally stated it (Housing Study) must be in the City Master Plan. I will be working with Adam to assist in the amended Master Plan and process.

If those hurdles are cleared, as outlined in the proposed timeline from Wade Trim, the city can then proceed closing out the Grant and the city receive reimbursement of \$40,000.00 for the monies it has expended to the Wade Trim in the production of the Housing Study by September 2025.

(PROPOSED TIMELINE FROM WADE TRIM accompanies this memorandum)

According to our records, Wade Trim has billed the city \$38,732.74 for the project to date. The city has paid all of the invoicing – nothing is outstanding. So, there is only \$1,267.26 in future invoicing Wade Trim will be sending in the close out process of the MSHDA Grant.

CITY OF MONTROSE MEMORANDUM

Page 3

As of June 18, 2025, the IGX portal was accessed, and the city has updated MSHDA, so the city is now in Compliance with the required reporting.

**Review of the Approved Master Plan does not indicate a Housing Study. The Housing Study (Draft March 2025) does indicate page 43, Chapter 4: Planning Recommendations the Housing Study be included to (in part) “to further the overarching goals established by the City of Montrose in its 2024 Master Plan and Montrose Township in its 2023 Master Plan.”*

Recommendation: It is recommended the city council authorize city administration to follow the guideline/timeline provided by Wade Trim.



2
Wade Trim Associates, Inc.
500 Griswold Street, Suite 2500 • Detroit, MI 48226
313.961.3650 • www.wadetrim.com

MEMORANDUM

To: City of Montrose Planning Commission
From: Adam Young, AICP, Professional Planner, Wade Trim
Date: June 30, 2025
Subject: Master Plan Amendment – Montrose Housing Study

As you may be aware, Montrose City Administration secured a Housing Readiness grant from the Michigan State Housing Development Authority (MSHDA). The purpose of the grant is to fund a Housing Study for the City. Additionally, the City invited Montrose Township to be a participant in the Housing Study. The Housing Study examines current housing statistics, trends, and future needs within the Montrose Community. The Housing Study outlines a strategy to support increased housing supply, diversity, and affordability and is to be used as a guide for future policy decisions related to housing, including potential zoning ordinance amendments. The project is being funded 100% through the State grant with no local match requirement.

Wade Trim has been working with the City to develop the study. A working group including the City Manager, City officials, Township Supervisor, and Township officials met on numerous occasions to develop the Housing Study. The planning process also included an online citizen survey to collect feedback on housing-related issues. Through this process, a complete draft of the Housing Study, dated June 27, 2025, has been prepared and is enclosed.

MSHDA has indicated that the Housing Study must be adopted by the City of Montrose as an amendment to its Master Plan. To this end, we have outlined the necessary steps – in accordance with the Michigan Planning Enabling Act, Public Act 33 of 2008 – to adopt this Housing Study as an amendment to the City of Montrose Master Plan. These steps are outlined in the table below. As you will see, the Planning Commission has responsibility for completing several of these steps, including adoption of the Housing Study.

As noted in Step 1, at your July 10, 2025 regular Planning Commission meeting, we are asking you to review the draft Housing Study. If you have any comments or suggested revisions to the Housing Study, please pass them along and we will incorporate them into an updated draft. (Please note: *changes to the Housing Study can be made up to the time of adoption.*) A motion would then need to be passed by the Planning Commission to the effect of:

"I move to forward the draft Housing Study to City Council and request the Council to authorize the distribution of the study for review in accordance with State Law"

If you have any questions, please do not hesitate to contact me at 313.961.3651 or ayoung@wadetrim.com.

ACY:Ikf
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Enclosure: Montrose Housing Study DRAFT, dated June 27, 2025

CITY OF MONTROSE MEMORANDUM

5

Date: July 8, 2025

To: Mayor Banks and Montrose City Council Members

From: Joe Karlichek, Interim City Manager *JK*

Subject: Consider City Manager Employment Contract – Joe Karlichek

Background: At the regularly scheduled City Council meeting of June 24, 2025, the City Council approved an employment contract that was accepted by Joe Karlichek. Since that meeting the Mayor and members discussed with me, they would like to see a long-term agreement as the City's City Manager. *Contract attached to the memorandum and the June 5, 2025 Memorandum.*

As required by the City of Montrose General Provisions of its City Charter, the aforementioned employment contract must be approved by a simple majority vote of the City Council. A copy of this employment contract accompanies this report and is transmitted for City Council's review and consideration.

Recommendation: It is recommended that City Council members review and consider the accompanying employment contract with Joe Karlichek and make the change from "Interim City Manager" to "City Manager."

CITY OF MONTROSE MEMORANDUM

Date: June 5, 2025

To: Mayor Banks and Montrose City Council Members

From: Joe Karlichek, Interim City Manager *(initials)*

Subject: Request for Review and Consideration of Employment Contract of Interim City Manager – Joe Karlichek

Background: At the regularly scheduled City Council meeting of May 27, 2025, the City Council approved the appointment of Joe Karlichek as Interim City Manager and subsequently prepared by Laura Genovich, City Attorney, an employment contract that was accepted by Joe Karlichek later that evening following the city council meeting.

As required by the City of Montrose General Provisions of its City Charter, the aforementioned employment contract must be approved by a simple majority vote of the City Council. A copy of this employment contract accompanies this report and is transmitted for City Council's review and consideration.

Recommendation: It is recommended that City Council members review and consider the accompanying employment contract with Joe Karlichek as Interim City Manager.

**CITY OF MONTROSE
CITY MANAGER EMPLOYMENT AGREEMENT**

This Contract is entered into this ____ day of _____, 2025, by and between the City of Montrose (the "City"), having its principal place of business at 139 S. Saginaw Street, Montrose, Michigan, and Joe Karlichek (the "City Manager").

WHEREAS, the City wishes to have the City Manager perform the services hereinafter referred to, and

WHEREAS, the City Manager is willing to perform these services, as an at-will employee, who serves at the discretion of the City Council.

NOW THEREFORE, the parties hereby agree as follows:

1. SERVICES

The Manager shall perform the services specified in the Montrose City Charter, specifically Article IV, Chapter 1, Section 4-101 through 4-104, as well as DPW Director Duties in the Montrose City Charter, specifically Article IV, Chapter 2, Section 4-207.

2. TERM

The Manager shall perform the services commencing July 22, 2025, and continuing at the pleasure of the City Council until terminated by either party as defined in Section 10.

3. PAYMENT

(a) **Salary**

The City Manager is an exempt employee and is expected to work the necessary hours to fulfill the job. As such, the Manager will devote time outside of the regular office hours. It is also expected that he should be available at all hours. For services rendered, the City shall pay the Manager a salary of \$74,000 annually. Payments shall be made biweekly through payroll.

The City agrees to conduct an Annual Performance Evaluation of the Manager and to consider compensation increases regularly in accordance with the City's fiscal year budget calendar of July 1 through June 30, and dependent upon the results of the Performance Evaluation of the Manager and general financial condition of the City from action taken by the City Manager and performance of acquiring sizeable grants for the benefit of the City as determined by City Council.

(b) Remuneration

The City shall pay the Manager for services rendered at the annual salary defined in 3(a) above. Unless mutually agreed upon by the Manager and City the compensation in Section 3(a) will be the agreed amount for the services specified in Section 1.

(c) Reimbursable Expenses

The City shall pay the City Manager for reimbursable expenses, which shall consist of and be limited to such expenses as may be approved in advance by the City Council.

(d) Holiday Pay

Holiday pay will be provided as specified by the City of Montrose Personnel Policies Handbook as a permanent, full-time employee.

(e) Retirement

The Manager will receive any retirement benefits as is provided for full-time employees under the City's employee personnel handbook, as amended.

(f) Technology

The City shall provide a \$50/monthly technology stipend.

4. PROJECT ADMINISTRATION

During the course of his work under this Contract, the Manager shall be required to complete time sheets or any other document used to identify time spent, as instructed by the City.

5. LEAVE DAYS

Beginning July 22, 2025, the Employee is hereby credited with fifteen (15) days of leave (vacation) per the City's fiscal year of this Agreement and fifteen (15) days of sick time and four (4) days of personal time. Employee may be paid out for up to forty (40) hours of vacation if unused. Employee may, from time to time, request unpaid vacation from the Council. This is in accordance with the City's employee personnel handbook, as amended.

6. PERFORMANCE STANDARD

The Manager undertakes to perform the services with the highest standards of professional and ethical competence and integrity.

7. CONFIDENTIALITY

The Manager shall not, during the term of this Contract and within two years after its expiration, disclose any proprietary or confidential information relating to the Services, this Contract, or the City's business or operations without the prior written consent of the City.

8. OWNERSHIP OF MATERIAL

Any studies, reports or other material, graphic, software, or otherwise, prepared by the Manager for the City under the Contract shall belong to and remain the property of the City. The Manager may retain a copy of such documents.

9. INSURANCE

The Manager will be provided with life insurance and disability coverage from the City as covered as a fringe benefit provided under the City's employee personnel handbook, as amended. The Manager may opt-out of the health insurance benefit as long as their spouse has insurance through another employer or source. The opt-out Pay-Out will be \$2,500.00 (two-thousand, five hundred dollars) and paid on July 1 and December 30 of each year. Manager may opt back in at open enrollment or a qualifying event. Opt out will not, per Public Act 270 of 2013, be included in the employer's calculation of its maximum total annual medical benefit plan costs. If the Manager opts back into the health insurance benefit the Manager does not get paid for the six month period that he opted back into the health insurance benefit henceforth.

10. TERMINATION

10.1 By the City:

a. Termination for Cause: The City may terminate this Agreement for cause if:

- (i) The Manager fails to remedy a material breach in the performance of his obligations under this Agreement within 30 days after receiving written notice from the City specifying the breach, or within any further period approved in writing by the City.
- (ii) The Manager, in the judgment of the City Council, has engaged in corrupt or fraudulent practices, defined as the offering, giving, receiving, or soliciting of anything of value to influence the action of a public official in the selection process or in execution of this Agreement.

b. Termination Without Cause: The City may terminate this Agreement without cause, in its sole discretion, subject to the procedures outlined in Section 4-102 of the City Charter and a minimum of 30 days' written notice.

c. Termination Procedure: Any termination by the City, with or without cause, shall comply with Section 4-102 of the City Charter. The City Council shall adopt a preliminary resolution by a majority vote of all members, stating the reasons for removal. The City Clerk shall promptly deliver a copy of the preliminary resolution and written notice of termination to the Manager. Within five (5) days of receiving the preliminary resolution, the Manager may file a written request with the City Clerk for a public hearing. If requested, the hearing shall be held at a City Council meeting between fifteen (15) and thirty (30) days after the request, and the Manager may submit a written reply at least five (5) days before the hearing. The Manager may request a closed hearing pursuant to Section 8 of the Michigan Open Meetings Act, Public Act 267 of 1976, as amended. The City Council shall consider a final resolution of removal, by a majority vote of all members, either after five (5) days from delivery of the preliminary resolution (if no public hearing is requested) or after the public hearing (if requested). Termination shall be effective upon adoption of the final resolution, subject to the 30-day notice period for termination without cause.

d. Suspension: During the termination process, the City Council may suspend the Manager for up to 30 days, with the possibility of extending the suspension to a maximum of 45 days if the termination process is not completed. The Manager shall continue to receive his full salary during any suspension period.

10.2 By the Manager:

- a. The Manager may, in his sole discretion, terminate this Agreement by providing at least 30 days' written notice to the City if in his sole discretion, decides to terminate this Agreement.
- b. The effective date of termination shall be as specified in the Manager's written notice or as agreed by the parties.

10.3 Rights Upon Termination:

a. Termination for Cause: If the Manager's employment is terminated for cause, as defined in Section 10.1(a), the Manager shall not receive any severance payment but shall receive payment for all accrued and unused vacation leave, not to exceed 15 days, as provided under the City's personnel policy.

b. Termination Without Cause: If the Manager's employment is terminated by the City without cause, the Manager shall receive a severance payment equivalent to 120 days' salary, plus payment for all accrued and unused vacation leave and accrued and unused sick leave, as provided under the City's personnel policy for permanent full-time employees. The Manager shall also receive remuneration for services satisfactorily performed prior to the effective date of termination, pursuant to the compensation terms of this Agreement.

c. **Voluntary Resignation:** If the Manager voluntarily resigns, he shall receive payment for all accrued and unused vacation leave, not to exceed 15 days, as provided under the City's personnel policy, but shall not receive any severance payment.

d. **Charter Compliance:** All terminations under this Agreement, whether initiated by the City or the Manager, must comply with the procedures outlined in Section 4-102 of the City Charter, except that voluntary resignation by the Manager shall not require a preliminary resolution or public hearing.

Commented [LG1]: Redrafted to incorporate the City Charter.

11. ARBITRATION

Any and all disputes, controversies or claims arising out of, in connection with, or relating to this Agreement, including claims of breach or alleged breach of this Agreement, violations of federal, state, or local statutes or regulations, specifically including civil rights laws, or commission of any tort shall be brought by Employee within one hundred eighty (180) days of when the event giving rise to the claim first occurred or when the Employee should have reasonably known of its occurrence. This one hundred eighty (180) day period within which to bring all claims against the City is a valid contract term and Employee waives all statute of limitation to the contrary.

Employee agrees to arbitrate any dispute, claim or controversy between the Employee and the City arising out of the employment, or termination of employment of Employee. This includes, but is not limited to, any claims of wrongful termination, discrimination or breach of contract.

The arbitration shall proceed in accordance with the Commercial Arbitration Rules of the American Arbitration Association in effect at the time of the dispute. Any award of the arbitrator will be final and may be entered in any court having jurisdiction over the enforcement of the award. Each party agrees to submit to the jurisdiction of any such court for purposes of the enforcement of such award.

Arbitration will be held in Flint, Michigan. The specific location and time of the arbitration will be in accordance with the mutual agreement of the parties. If the parties cannot agree, the American Arbitration Association will determine the specific time and place.

Each of the parties will pay its own expenses of arbitration. The arbitrator shall have the power to award recovery of costs and fees (including reasonable attorney fees, American Arbitration Association fees and arbitrator fees) between the parties as the arbitrator determines to be equitable.

Each party to the dispute shall be entitled to take deposition of no more than five (5) individuals. Each party shall be entitled to the use of no more than two (2) expert witnesses. If experts are used, the other party may, in addition to the depositions of the five (5) individuals, take the deposition of each expert. In addition, the party using the expert shall deliver to the other party the expert's educational background, work experience and any other information that will qualify the witness as an expert. Finally, the party using the expert shall deliver to the other party all documents and information the expert used or will use, regarding her/his expert opinion

and/or testimony. Each party shall have the right to request the admission of any fact, and to request production of documents which the other party will use as evidence in the arbitration hearing. The arbitrator shall determine any dispute regarding discovery.

12. ENTIRE AGREEMENT

This instrument contains the entire agreement of the parties, and it may only be changed by a written agreement signed by the parties involved.

13. SEVERABILITY

The parties agree that in the event any provision or statement in this Agreement is held to be invalid by a court of competent jurisdiction, the remaining provisions or statements of this Agreement shall remain intact and in full effect, unless the invalidity defeats the very purpose of the Agreement, in which case this entire Agreement shall become void.

14. INTEGRATION

The parties expressly agree that this is their entire Agreement. All prior oral or written agreements, covenants, or understandings between the parties are incorporated in this Agreement. Amendments, modifications, or other changes to this Agreement can only be accomplished by a written document signed by both parties.

15. APPROVAL

By execution of this Agreement, the City acknowledges that all required approvals have been obtained by the City Council, so that this Agreement shall be fully effective and binding upon the parties hereto.

16. BINDING EFFECT

This Agreement shall be binding upon and inure to the benefit of the City, its successors and assigns, and to the Employee, Employee's heirs, assigns, executors, and personal representatives. Employee acknowledges that he/she has read and understands this Agreement prior to signing, and that Employee was provided adequate opportunity to read this Agreement and consult with an attorney prior to signing. Employee agrees that he/she is signing this Agreement intelligently and voluntarily, without Employee's threat, coercion, undue influence, or duress being imposed on him/her.

17. TITLES

The titles to any Section are for description purposes only and shall have no substantive effect on this Agreement.

18. USE OF MICHIGAN LAW

The laws of the State of Michigan shall govern the validity, construction, interpretation, and performance of this Agreement.

City of Montrose
Mayor

City Manager
Joe Karlichek

City of Montrose
Clerk