

CITY OF SCOTTVILLE  
COMMISSION MEETING AGENDA  
City Hall 105 N Main St

1551<sup>st</sup> Regular Meeting Monday August 28, 2023, at 6:00 PM

1. Call to Order at 6:00 PM
2. Pledge of Allegiance
3. Roll Call
4. Additions to the Agenda
5. Approval of Agenda
6. Approval of the Consent Agenda

*Consent Agenda items are considered routine by the Commission and will be enacted by one motion. There will be no separate discussion of these items. If discussion of an item is required, it will be removed from the Consent Agenda and considered separately.*

- A. Approval of 1550<sup>th</sup> Regular Meeting Minutes
- B. Approval of Bills in the amount of \$306,392.46

7. Public Comment

Those addressing Commission are asked to provide their name and address and will be limited to two minutes of speaking time. The Commission will hear all comments pertaining to agenda items only.

8. Correspondence- MCC Education Foundation

9. Department Reports

- a. City Manager
- b. Police Chief
- c. City Attorney
- d. Mayor
- e. Treasurer/Clerk
- f. Assessor
- g. Department of Public Works
- h. Committee Reports
- i. Mason County Commissioner Representative
- j. MCRFA Representative
- k. DDA Representative

10. Unfinished Business

- a.

11. New Business

- a. Parallel Parking Traffic Control Order
- b. Introduction of Ordinance 23-02
- c. Performance Resolution for Municipalities
- d. Closed Session-Legal Opinion on Potential Property RFP

12. Public Comment

*Those addressing Commission are asked to provide their name and address and will be limited to three minutes of speaking time. Commission will hear all comments for future consideration but will not have a response at this time. Letters submitted to Commission will not be publicly read. Thank you for your cooperation.*

13. Commissioner Comment

14. Adjournment

**OFFICIAL PROCEEDINGS OF THE CITY COMMISSION OF THE CITY OF SCOTTVILLE, MICHIGAN.**

The 1550<sup>th</sup> Regular Commission meeting of the Scottville City Commission held at City Hall 105 N. Main St on August 14<sup>th</sup>, 2023. Called to order at 6pm by Mayor Pro-Tem Aaron Seiter.

**Present at Roll Call:**

Spore  
Deering  
Seiter  
Wyman

**Absent:** Spencer & Copenhaver

**Also in attendance:** Manager Newkirk, Clerk Lester, Treasurer Shafer, and Sergeant Skinner.

**Additions/Deletions to Agenda-** None

**Approval of Agenda**

Motion, by Deering with support from Wyman to approve the agenda as presented.

Motion carried.

**Approval of Consent Agenda**

Motion, by Wyman with support from Deering to approve the consent agenda as presented.

Motion carried.

**Public Comment-** Tom Rotta

**Correspondence-** Fall Fest Advertisement from Chamber. Notice of tree maintenance from Consumers Energy.

**Department Reports**

- a. City Manager- Report provided. Working on the final steps of the SafeBuilt rental program. Two employees were hired to finish the season at Riverside Park, (One) will hold an administrative role at City Hall through the winter.
- b. Police Department- Statistical report provided. Skinner added WSCC has a back-to-school night 8/24. State Representatives will be on site 8/31 to complete the "LEIN" audit in her department.
- c. Mayor- None
- d. Attorney- None
- e. Treasurer/Clerk- Report provided.
- f. DPW- None
- g. Assessor- None
- h. Committee Reports-  
Buildings/Grounds/Infrastructure-Storm drain clean outs, lot repair/painting, street/sidewalk repair/replacement plan update.  
Finance-Gallagher Insurance quote
- i. Mason County Commissioner Representative- Hull reported the County has selected Walsh Municipal Services to coordinate the replacement of County Administrator Fabian Knizacky. New boat purchased for Sherriff's Department.
- j. MCRFA Representative -None
- k. DDA Representative- None

**Unfinished Business**

- a. Defense/Indemnification- Gallagher Insurance Presentation

Motion, by Spore with support from Wyman to accept the quote provided by Gallagher Insurance as presented as gap coverage for municipal employees and officials.

Roll Call Vote

YES: AD, DS, AS, RW

NO: None

ABSENT: MS & DC

Motion carried.

**New Business**

a. IPMC Amendment Ordinance 23-10

Ordinance 23-10; Amendment to International Property Maintenance Code.

Introduction only, no action taken.

b. Parking Lot Repair Bids

One bid submitted by JLS Construction.

Motion, by Deering with support from Wyman to accept the bid of \$37,000 from JLS Construction for parking lot repair conditioned on the City Manager obtaining favorable references on the contractor's work.

Motion carried.

c. Boat Launch Fee Discussion

Several ideas on how to accommodate an annual pass, and resident discount. Item referred to Finance Committee for further research.

**Public Comment-**

Tom Rotta

Josh Henry

**Commissioner Comment-**

Wyman thanked Josh and Tess Henry for their efforts involving the boat launch and the fish cleaning station.

**Adjournment-**

Motion, by Wyman with support from Deering to adjourn.

Motion Carried 6:45pm.

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Kelse Lester, Clerk

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Aaron Seiter, Mayor Pro-Tem

SCOTTVILLE INVOICE REGISTER FOR CITY OF SCOTTVILLE

EXP CHECK RUN DATES 08/15/2023 - 08/28/2023

POSTED AND UNPOSTED

OPEN AND PAID - CHECK TYPE: PAPER CHECK

Invoice Number	Vendor Name	Description	Bank Account	Inv Amt
8-15-2023	REBEL FORGE LLC	DDA SCULPTURE	POOL	55,000.00
8-14-2023	MASON COUNTY TREASURER	TAX DISBURSEMENT	POOL	77,120.31
2023	MASON CO CENTRAL EDUCATIONAL FO	EDUCATIONAL FOUNDATION	POOL	250.00
79395	LARSON'S ACE HARDWARE	RIVERSIDE PARK SUPPLIES	POOL	42.53
8-14-2023	REPUBLIC SERVICES	GARBAGE AND RECYCLE	POOL	7,581.84
5399234408	HOME CITY ICE COMPANY	ICE	POOL	185.00
8-14-2023	LUDINGTON MASS TRANSPORTATION AUTHO	TAX PAYOUT 1ST	POOL	8,418.16
8-14-2023	CITY OF SCOTTVILLE TAXES	1ST TAX PAYOUT 23-24	POOL	140,732.74
8-2023	LUDINGTON MASS TRANSPORTATION AUTHO	DELINQ PROPERTY TAXES 2017	POOL	8.95
8-2023	WEST SHORE COMMUNITY COLLEGE	TAX DISBURSEMENT-PERSONAL PR	POOL	22.55
8-2023	WEST SHORE ESD	TAX DISBURSEMENT-PERSONAL PR	POOL	26.11
8-2023	MASON COUNTY TREASURER	TAX DISBURSEMENT-PRESONAL PR	POOL	98.94
8-2023	MASON COUNTY RURAL FIRE AUTHORITY	TAX DISBURSEMENT-PRESONAL PR	POOL	10.95
8-2023	MASON COUNTY CENTRAL SCHOOLS	TAX DISBURSEMENT-PERSONAL PR	POOL	70.29
08112317	DMC UNLIMITED	COMMISSIONER EMAIL UPDATE	POOL	79.00
5204	PETERSEN & SONS L.L.C.	SAND	POOL	360.00
79564	LARSON'S ACE HARDWARE	KEYS	POOL	6.47
205012648313	CONSUMERS ENERGY	DDA LIGHTS	POOL	82.03
9-2023	GREATAMERICA FINANCIAL CO	LEASED EQUIP	POOL	665.70
8-2023	JUSTIN COOLMAN	EQUIP REPAIRS	POOL	30.73
11096	CARIBOU SERVICES INC	PORTAPOTTY RIVERSIDE	POOL	135.00
325481	KCI	ELECTION	POOL	901.29
0002354081323	SPECTRUM BUSINESS	CABLE	POOL	886.24
9-2023	AT & T MOBILITY	PHONES	POOL	413.90
S3-85876	CUMMINS SALES & SERVICE	EQUIP REPAIR	POOL	526.32
015220	BELL EQUIPMENT COMPANY	EQUIP REPAIR	POOL	361.27
40627	SILVERSMITH DATA	ANNUAL RENEWAL DATA	POOL	1,850.00
427142	FISHBECK	BROWNFIELD SUPPORT	POOL	4,239.50
8-21-23	HOME CITY ICE COMPANY	ICE	POOL	511.10
8-21-2023	CORE LOGIC	OVER PAYMENT TAXES	POOL	1,860.54
015152	BELL EQUIPMENT COMPANY	EQUIP REPAIR	POOL	520.00
029599	JOHN TYRON	WOOD	POOL	1,125.00
8-23-23	HERLEIN, KATIE	DEPOSIT MCPHAIL	POOL	300.00
487623-0	JACKPINE BUSINESS CENTER	WATER SHUT OFF CARDS	POOL	155.00
8-24-2023	RICKY MORSE	DOT PHYSICAL	POOL	130.00
8-24-2023	TNT ENTERPRIZE	MOWING	POOL	1,685.00
Report Total:				306,392.46



# MCC Educational Foundation

## 34th Annual Golf Outing

### September 9, 2023

Registration is open for the MCC Educational Foundation 34th Annual Golf Outing! We are very happy to announce that we continue to partner with Scott Ashley and Lakeside Links to bring to you the most FUN early fall golf outing in Mason County to raise significant funds for the Foundation's Annual Scholarships.

Enjoy hotdogs and beverages on the course during the afternoon. Following play we will be serving the exceptional prime rib dinner, drawing for door prizes and raffles, and awarding hole prizes, and announcing winners of each flight.

We are looking forward to seeing you on September 9.

- Registration fee is \$85.00 per player, \$340.00 per team. Carts, food, prizes and beverages are included.
- Check in begins at 12:00 noon and play kicks off at 1:00pm.
- Pre-Registration is appreciated by August 25, 2023.

Complete the registration form and mail or drop off to 300 W. Broadway Ave, Scottville, MI 49454, fax to 231-757-5716 (attn: Carla), or email to [support@mccedfoundation.org](mailto:support@mccedfoundation.org). Online registration is available at [www.mccedfoundation.org](http://www.mccedfoundation.org).

#### Player One

Name: \_\_\_\_\_ Address: \_\_\_\_\_  
Phone/Email: \_\_\_\_\_

#### Player Two

Name: \_\_\_\_\_ Address: \_\_\_\_\_  
Phone/Email: \_\_\_\_\_

#### Player Three

Name: \_\_\_\_\_ Address: \_\_\_\_\_  
Phone/Email: \_\_\_\_\_

#### Player Four

Name: \_\_\_\_\_ Address: \_\_\_\_\_  
Phone/Email: \_\_\_\_\_

Have a guest joining you for dinner? Additional meals may be purchased for \$25.  
# Guest meals x \$25 \_\_\_\_\_

**Total Amount Enclosed:** \_\_\_\_\_

*As this is a Charity event, registration is non-refundable should you cancel or no-show. If the Foundation is forced to cancel the event, you will receive a 50% refund and the remaining 50% may be considered a charitable donation.*



## Clerks Report

8/24/23

Brickley&DeLong representatives have been on site all this week to perform our annual audit. Kathy and I have been working with them very efficiently as items are requested. Thanks for being awesome Eric and Melissa! I've finished the September newsletter (let me know if you have ideas of what you'd like included for December). Advertisement/website projects to accommodate the Fall Festival September 16<sup>th</sup>. Prep work for several burials at Brookside Cemetery the past two weeks. Next week I will be attending "Education Day" in Mt. Pleasant with the Michigan Association of Municipal Clerks to gather further information on "9-days early voting" brought forth last November by prop 22-2. Updated and accurate election mailing supplies are now being ordered through a company in Grand Rapids, KCI. The state will be covering return postage for absentee voters directly, (pre-printed on envelopes) rather than by reimbursement so all new products were needed for November.

**CITY OF SCOTTVILLE**  
**COUNTY OF MASON, MICHIGAN**

**Temporary Traffic Control Order (Order No. 2023-\_\_)**

I, Katrina Skinner, Acting Chief of Police of the City of Scottville (the "City"), acting in accordance with Section 70.01 of the City Code of Ordinances (the "City Code"), which adopted by reference the Uniform Traffic Code for Cities, Townships and Villages (MCL 257.951 *et seq.*) (the "UTC"), do hereby issue and establish the following temporary traffic control order (the "Order"):

1. All motor vehicles standing or parking on either side of South Main Street between State Street (US 10) and the Railroad Tracks (north of 1st Street) within the City shall stand or park parallel with the edge of the roadway, headed in the direction of travel and with the curb side wheels of the vehicle within twelve (12) inches of the edge of the roadway or curb. Angled parking is prohibited.


2. This Order shall become effective upon being filed with the City Clerk and upon erection of adequate signs and pavement markings that give notice of the existence of the Order if signs or signals are required by the provisions of the UTC.

3. This Order shall not be effective after the expiration of 90 days from the date of filing of this Order with the City Clerk and shall not be renewed or extended, except upon approval by the City Commission.

4. This Order shall be kept by the City Clerk in a separate book that shall be known as the City of Scottville Traffic-control Order Book.

5. Any prior traffic control order permitting angled parking on South Main Street between State Street (US 10) and the Railroad Tracks (north of 1st Street) within the City or otherwise inconsistent with this Order is hereby suspended during the period that this Order is effective.

Dated August \_\_, 2023

  
By: Katrina Skinner  
Its: Acting Chief of Police, City of Scottville

Acknowledgement of Receipt  
and Filing of Order by City Clerk

\_\_\_\_\_  
Kelse Lester, City Clerk

Date: \_\_\_\_\_, 2023



Date Traffic Order issued: August \_\_, 2023  
Date Traffic Order filed with City Clerk: August \_\_, 2023  
Date Traffic Order Effective: \_\_\_\_\_, 2023  
Date Traffic Order Expires: \_\_\_\_\_, 2023

**CITY OF SCOTTVILLE**  
**COUNTY OF MASON, MICHIGAN**

At a regular meeting of the City Commission of the City of Scottville held at the Scottville City Hall, 105 Main Street, Scottville, Michigan, within the City, on \_\_\_\_ day of \_\_\_\_\_, 2023, at \_\_\_\_\_ p.m. Local Time.

PRESENT: Members: \_\_\_\_\_

ABSENT: Members: \_\_\_\_\_

The following Ordinance was offered by Commissioner \_\_\_\_\_ and was supported by Commissioner \_\_\_\_\_:

**ORDINANCE NO. 23-02**

**AN ORDINANCE TO AMEND TITLE VII, CHAPTER 72 OF THE CITY OF SCOTTVILLE CODE OF ORDINANCES TO ADD A NEW SECTION, SECTION 72.03, RELATING TO PARKING ON PORTIONS OF SOUTH MAIN STREET**

**[Amendment to provide for parallel parking on South Main Street between State Street (US 10) and the Railroad Tracks (north of W 1<sup>st</sup> Street)]**

THE CITY OF SCOTTVILLE ORDAINS:

Section 1. Amendment of Title VII, Chapter 72 of the City of Scottville Code of Ordinances. Title VII, Chapter 72 of the City of Scottville Code of Ordinances (the "City Code") is hereby amended to add a new section, Section 72.03, entitled "Parallel Parking Required," to read in its entirety as follows:

72.03 Parallel Parking Required.

All motor vehicles standing or parking on either side of South Main Street between State Street (US 10) and the Railroad Tracks (north of 1<sup>st</sup> Street) within the City shall stand or park parallel with the edge of the roadway, headed in the direction of travel and with the curb side wheels of the vehicle within twelve (12) inches of the edge of the roadway or curb. Angled parking is prohibited. Violations of the provisions of this Section shall be a civil fine in accordance with Section 72.99(B) of this Chapter.

Section 2. Severability. The terms and provisions of this Ordinance shall be deemed to be severable, and should any section, clause or provision hereof be declared to be invalid, the

same shall not affect the validity of any other section, clause, or provision of the ordinance, if the same may be given effect without the provisions thus declared to be invalid.

Section 3. Repeal. All resolutions or ordinances, and parts thereof, which are in conflict, in whole or in part, with any of the provisions of this Ordinance are hereby repealed.

Section 4. Effective Date; Publication. This Ordinance shall become effective fifteen days after its adoption, but not before its publication pursuant to Section 7.18 of the City Charter, by making copies of the Ordinance available for inspection by, and distribution to, the public and by publishing notice of the printing and availability before the effective date herein.

The vote to adopt this Ordinance was as follows:

YEAS:

NAYS:

ABSTAIN:

THE ORDINANCE IS DECLARED TO BE DULY ADOPTED.

\_\_\_\_\_  
Kelse Lester, Clerk  
City of Scottville

STATE OF MICHIGAN )

) ss.

COUNTY OF MASON )

I, the undersigned, the duly qualified and acting Clerk of the City of Scottville, Mason County, Michigan, do hereby certify that the foregoing is a true and copy of an ordinance adopted by the City Commission at a regular meeting on the \_\_\_\_ day of \_\_\_\_\_, 2023, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, including in the case of a special or rescheduled meeting, notice by posting at least eighteen (18) hours prior to the time set for the meeting.

IN WITNESS WHEREOF, I have hereto affixed my official signature on this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Kelse Lester, Clerk  
City of Scottville

Ordinance introduced: 8/14/2023

Description published:

Ordinance adopted:

Ordinance effective:

## PERFORMANCE RESOLUTION FOR MUNICIPALITIES

*This Performance Resolution (Resolution) is required by the Michigan Department of Transportation for purposes of issuing to a Municipality an "Individual Permit for Use of State Highway Right of Way", and/or an "Annual Application and Permit for Miscellaneous Operations within State Highway Right of Way".*

RESOLVED WHEREAS, the \_\_\_\_\_ City of Scottville

(County, City, Village, Township, etc.)

hereinafter referred to as the "MUNICIPALITY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the MUNICIPALITY agrees that:

1. Each party to this *Resolution* shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this *Resolution*, as provided by law. This *Resolution* is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. If any of the work performed for the MUNICIPALITY is performed by a contractor, the MUNICIPALITY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employee's, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the MUNICIPALITY Failure of the MUNICIPALITY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.
3. Any work performed for the MUNICIPALITY by a contractor or subcontractor will be solely as a contractor for the MUNICIPALITY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the MUNICIPALITY, or their subcontractors or any other person not a party to the PERMIT without the DEPARTMENT'S specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the MUNICIPALITY.
4. The MUNICIPALITY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.
5. The MUNICIPALITY will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the MUNICIPALITY'S facilities according to a PERMIT issued by the DEPARTMENT.

- 6. With respect to any activities authorized by a PERMIT, when the MUNICIPALITY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.
- 7. The incorporation by the DEPARTMENT of this *Resolution* as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
- 8. This *Resolution* shall continue in force from this date until cancelled by the MUNICIPALITY or the DEPARTMENT with no less than thirty (30) days prior written notice provided to the other party. It will not be cancelled or otherwise terminated by the MUNICIPALITY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the MUNICIPALITY.

Title and/or Name:

City Manager

Treasurer

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by

the \_\_\_\_\_ City Commission

(Name of Board, etc.)

of the \_\_\_\_\_ City of Scottville \_\_\_\_\_ of \_\_\_\_\_ Mason \_\_\_\_\_

(Name of MUNICIPALITY)

(County)

at a \_\_\_\_\_ meeting held on the \_\_\_\_\_ day

of \_\_\_\_\_ A.D. \_\_\_\_\_

\_\_\_\_\_  
*Signed*

\_\_\_\_\_  
*Title*

\_\_\_\_\_  
*Print Signed Name*