



## City Council

Mayor: Chris Emerick  
Mayor Pro-Tem: Sandy Szeliga  
Council: Dan Elliott  
Sean Duffy  
Matt Hildebrand  
City Clerk: Kathy Fiebig  
City Manager: Pepper Lockhart

City of Ewart  
200 S. Main St.  
Ewart, MI 49631  
(231) 734-2181

[www.ewart.org](http://www.ewart.org)

### **CITY OF EVART REGULAR COUNCIL MEETING AGENDA Monday, February 7, 2022 @ 8:00PM**

The Regular Council Meeting will be held in the Community Room at the Depot located at 200 S. Main St. Ewart, MI 49631

**Before each regular council meeting there will be a standing pre-council work session from 7:30PM to 8:00PM.**

1. Call to Order: 8:00PM
2. Pledge of Allegiance
3. Roll Call
4. Citizens' Comments – *limited to 3-4 minutes per individual*
5. Approval of Agenda
6. Consent Agenda  
*The purpose of the Consent Agenda is to expedite business by grouping non-controversial items together to be dealt with by one Board motion without discussion. Any person, whether Board Member, staff or public may ask that item be removed from the Consent Agenda to be placed elsewhere on the regular agenda for discussion. All such requests will be granted.*
  - A. Regular Council Minutes – *January 3, 2022*
  - B. Vendor's List \$379,041.55
  - C. Budget Amendments
7. Unfinished Business
  - D. Variance Waiver Exemption
  - E. Sale of Ewart Industrial Park Lots
  - F. Sale and Split of Lots 6, 7 & 8 of the Industrial Park *-tabled until Planning Commission reviews at January meeting and makes a recommendation.*
8. New Business
  - G. Green Gold Diner – Special Events
  - H. DDA Director Contract
  - I. Savoy Energy Lease Renewal
  - J. Appointment to Election Commission

- 9. Department/Informational Reports (No Action Needed)**
  - K. Accounts Payable Report (1/4/2022 – 2/7/2022)
  - L. Payroll Reports (1/4/2022 – 2/7/2022)
- 10. City Attorney Report/Comment**
  - M. Monthly Report 12/21/2021 – 1/14/2022
- 11. City Clerk Report/Comment**
  - N. FYI – Michigan Works/Rilee Clark
- 12. City Manager Report/Comment**
- 13. Finance Director Report/Comment**
  - O. Finance Director's Monthly Report – *December 2021*
- 14. Department of Public Works Report/Comment**
  - P. DPW Monthly Report – *December 2021*
- 15. Police Department Report/Comment**
  - Q. Police Department Monthly Report – *December 2021*
- 16. Downtown Development Authority Report/Comment**
  - R. DDA Meeting Packet – *January 11, 2022*
- 17. Planning Commission**
- 18. Evert Area Fire Department**
  - S. Fire Department Minutes – *December 14, 2021 & January 11, 2022*
- 19. Evert Housing Commission**
  - T. Housing Commission Minutes – *November 16, 2021*
- 20. Compensation/Pay Commission**
  - U. Compensation (Pay) Commission Minutes – *December 30, 2021*
- 21. Historic District Commission**
  - V. Historic District Commission Minutes – *January 12, 2022*
- 22. Citizens' Comments** – *limited to 3-4 minutes per individual*
- 23. Adjournment**

**CITY OF EVART  
REGULAR COUNCIL MEETING  
January 3, 2022 @ 8:00PM  
Community Room at the Depot, 200 S. Main Street**

Mayor Chris Emerick called the meeting to order at 8:00pm, then led the assembly in the Pledge of Allegiance.

**Present (via roll call):** Sean Duffy, Dan Elliott, Mayor Emerick, Matt Hildebrand, Sandra Szeliga

**Present (staff):** City Manager Pepper Lockhart, Finance Director/Treasurer Jennie Duncan, Director of Public Works Dustin Moma, City Attorney James White, Chief of Police John Beam Jr., City Clerk Kathy Fiebig

**Guests:** Randy Berger (RCB Contracting), Dr. Steve Kalesperis, Rob LaPeen, Jason O'Dell, Ashley Flachs, Roger Elkins and two unidentified adult males

**Citizens' Comments:**

*Dr. Steven Kalesperis: came in during the work session and overheard several comments that seem to be at odds with the purchase contracts that he has offered. Asked if he was on the agenda tonight? Mayor Emerick told him he was not. Council is still waiting for the financial information that has been repeatedly requested. When that information has been received, discussion will resume. Dr. Kalesperis replied that he can't obtain funding until he has a signed contract.*

*Ashley Flachs reminded council that she is a licensed realtor and broker and will volunteer her services to review potential property sales.*

*Roger Elkins: The city website still lists Public Square as a city park although it now belongs to the school district. He noted that the parcel at 7 Mile Road and N. Main Street is restricted to park and recreation use and would like to see language reflecting that.*

*Jason O'Dell: Mr. O'Dell is a Planning Commission member, and the Commission has briefly discussed the possible division of Lots 6, 7 and 8 in the Industrial Park. He would like to see further discussion on this issue before any decisions are made. He noted that there will be another joint meeting of representatives from Evert City council, boards, commissions, and stakeholders on January 19. This should be discussed then for additional community input. The Commission is currently working on updating the Master Plan, and this matter should be part of that effort, as well.*

*Ashley Flachs: There are companies that specialize in providing plans and recommendations for marketing industrial parks. They will research the history and protect the town from liability. She can provide contact information.*

*Robb LaPeen: apologized that the paperwork requested hasn't been submitted; he has been very ill with COVID. They have the necessary funding but don't understand why they have to prove this on property the city may not sell to them. Their development will touch on a number of industries other than marijuana.*

**Approval of Agenda**

Ms. Lockhart added Item J1: Pay Commission recommendation to the agenda.

Motion by Mayor Emerick to approve the agenda with this addition. Support by Mr. Hildebrand.

Motion passed with all in favor.

### **Approval of Consent Agenda**

**A.** Regular Council Minutes – December 20, 2021

**B.** Vendor's List \$45,651.17

**C.** Budget Amendments

Mr. Elliott noted an error in the December 20 minutes: the partial funding for High and River Street will be provided by the Region 8A Rural Transportation Task Force, not the Osceola County Road Commission. Motion by Mayor Emerick to approve the consent agenda as presented with this correction to the December minutes. Support by Ms. Szeliga. Motion passed with all in favor.

### **Unfinished Business**

**D.** McClellan's Offer to Purchase Lot 2 on the Industrial Park - *postponed*

The interested parties are waiting on the results of a building inspection before submitting their bid. They will also perform a Phase 1 Environmental Study.

### **New Business**

**E.** Department of Public Works (DPW) Employment Contract

After discussion with the Labor Relations Board, Ms. Lockhart presented a proposed five (5) year contract for Mr. Moma. Mr. Hildebrand requested that "Section 5. Compensation" be changed to reflect Mr. Moma's entire first year, not the six months remaining. Motion by Mr. Hildebrand to approve the contract for Mr. Moma as Director of Public Works/Airport Manager with this correction. Support by Ms. Szeliga. Motion passed. Motion by Mayor Emerick to approve Resolution 2022-01 supporting the above motion. Support by Mr. Elliott. Motion passed with a roll call vote; all were in favor.

**F.** Compensation (Pay) Commission Appointment – Jim Schwab

Ms. Fiebig advised council that Mr. Schwab is currently a member of the Planning Commission (PC) and serves on the Administrative Review Committee for the PC. Mr. Schwab has agreed to serve on the Compensation Commission as well. Mayor and City Manager support this recommendation. Motion by Mr. Hildebrand to appoint Jim Schwab to the Compensation Commission for a four-year term, beginning in 2021 and expiring in 2025. Support by Mr. Duffy. Motion passed with all in favor.

**G.** Sale and Split of Lots 6, 7 & 8 of the Industrial Park

Ms. Fiebig presented an offer to purchase parts of Lots 6, 7 and 8 in the Industrial Park for an outdoor marijuana grow facility. Mr. White noted that the purchase agreement calls this "Lot 9" and if the offer is accepted, that should be changed to reflect that the purchase is for the southernmost portions of these lots as defined by the legal description. Calling it Lot 9 would require replatting the entire park. Mr. Hildebrand would prefer to have this lot split reviewed by the Planning Commission and a recommendation from them before moving forward. No action taken.

**H.** Clearance of Trees & Brush – Airport Runway

Mr. Moma reminded council that the brush issue must be resolved by June 1, 2022 or the city will begin incurring substantial fines. Some of the area involved is a wetland so can only be worked when frozen, which narrows the window of opportunity considerably. He presented four bids to council. Ms. Lockhart stated that this project would typically be bid out with a Request for Proposals (RFP) but advised council that Mr. White has confirmed that the City Purchasing Policy gives council the ability to waive that requirement since this must be accomplished in such a short time frame. She also advised council that this expense will come from the general fund balance as it is not in the current budget. Motion by Mr. Hildebrand to accept Estimate #2 from RCB Contracting Services in the amount of \$58,000 for brush removal at the airport. Support by Mr. Duffy. Motion passed with all in favor.



**I. Ordinance 2021-02/An Ordinance to Amend the City of Evert Zoning Ordinance**

Ms. Fiebig reported that the Planning Commission held a public hearing regarding this ordinance and did not receive any public comments. The Planning Commission voted unanimously to recommend approval. Council noted that although the Ordinance was drafted and discussed during 2021, it would be appropriate to rename it Ordinance 2022-01 to reflect passage in 2022. Motion by Mr. Hildebrand to approve passage of Ordinance 2022-01. Support by Ms. Szeliga. Motion passed with a roll call vote: Mr Elliott voted no, and Mayor Emerick, Mr. Hildebrand, Ms. Szeliga and Mr. Duffy voted yes.

**J. Ordinance 2021-03/An Ordinance to Amend Evert City Code Chapter 8**

As above, the Ordinance will be renamed Ordinance 2022-02 to reflect the fact that it was passed in 2022. Motion by Mayor Emerick to approve Ordinance 2022-02. Support by Mr Duffy. Motion passed with a roll call vote: Mayor Emerick, Mr. Hildebrand, Ms. Szeliga and Mr. Duffy voted yes. Mr. Elliott voted no.

**J1. Recommendation of the Compensation (Pay) Commission**

Ms. Fiebig presented Resolution 2021-25 detailing the Compensation Commission's recommendations to council regarding mayoral, council and clerk's pay. Council renamed this resolution to 2022-02 to reflect passage in 2022. Motion by Mr. Elliott to accept the recommendation of the Commission as presented. Support by Mr. Hildebrand. Motion passed with a roll call vote; all were in favor.

**Department/Informational Reports**

**K. Accounts Payable Report (12/21/2021 – 1/3/2022)**

**L. Payroll Reports (12/21/2021 – 1/3/2022)**

**City Attorney Report/Comment**

Mr. White noted that the agenda reflects much of what he and Ms. Lockhart have been working on. He reviewed the purchase offer for the split of lots 6,7, and 8 and reviewed Mr. Moma's employment contract. He will provide a written report of his monthly activity at the next council meeting.

**City Clerk Report/Comment**

Ms. Fiebig briefly reviewed the Planning Commission's 2021 Annual Report, noting that there would be several updates regarding actions taken in the last week of December 2021.

**City Manager Report/Comment**

Ms. Lockhart intends to live stream future council meetings and is looking for information on policies that approve hybrid meeting (in person and virtual attendance). She has hired Lisa Newsome to fill the open administrative assistant position. She is researching cost for colored bridge lights and asked council to give some thought to future bridge lighting. She's working with OHM Engineering for engineering costs for River and High Street.

**Finance Director Report/Comment: none**

**Department of Public Works Report/Comment**

Mr. Moma reported that the ice skating rink will be installed soon at the west end of the Skate Park. Dale Martin is spearheading this project. The rink will be sited to avoid moving any of the park equipment.

**Police Department Report/Comment**

Chief Beam noted with regret that the preferred candidate for the resource officer position has withdrawn his application as he is leaving the area. The new exterior lights have been installed at the police department. Chief has begun the installation of the new security cameras and will continue to work on this project. He is trying to obtain vehicle quotes for the USDA grant.

**Downtown Development Authority Report/Comment: none**

**Evert Area Fire Department: none**

**Evert Housing Commission: none**

**Citizens' Comments:**

*Randy Berger has enjoyed working with DPW Director Moma. He has been impressed with the way Mr. Moma has responded in emergency situations and appreciates the way he approaches the job.*

*Ashley Flachs seconded Mr. Berger's comments and stated that she believes Mr. Moma cares about his employees and their families.*

*Jason O'Dell: invited Council and all in attendance at the meeting to attend the next school board meeting on Monday, January 10 at 7pm at the Middle School. He noted that this is an open ended invitation and that the school board would appreciate more community input.*

*Ashley Flachs suggested that the city consider setting up a land bank in order to more easily facilitate the sale of city properties. She supported Mr. Elkins comments regarding the city property at 7Mile Road and N. Main Street.*

Motion by Mayor Emerick to adjourn. Support by Mr. Duffy. Motion passed with all in favor. The meeting was adjourned at 9:13pm.

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Kathy Fiebig, City Clerk

Check Date	Bank	Check	Vendor	Vendor Name	Amount
Bank 751 VENDOR					
01/05/2022	751	38883	1217	1 WAY INSULATION SERVICES, LLC	2,400.00
01/05/2022	751	38884	796	RCB CONTRACTING	29,000.00
01/06/2022	751	38885	MISC	CORELOGIC, INC	667.43
01/06/2022	751	38886	MISC	CORELOGIC, INC	374.73
01/06/2022	751	38887	MISC	CORELOGIC, INC	660.67
01/10/2022	751	38888	0028	CITY OF EVART	2,697.96
01/10/2022	751	38889	0653	EVART PUBLIC LIBRARY	135.90
01/10/2022	751	38890	0229	OSCEOLA COUNTY TREASURER	1,586.28
01/10/2022	751	38891	MISC	WELLS FARGO VENDOR FINANCIAL	4,840.11
01/10/2022	751	38892	0028	CITY OF EVART	23,818.37
01/10/2022	751	38893	0051	EVART FIRE DEPARTMENT	23,802.02
01/10/2022	751	38894	0045	EVART PUBLIC SCHOOLS	115,998.64
01/10/2022	751	38895	1047	MECOSTA OSCEOLA TRANSIT AUTHORITY	5,911.03
01/10/2022	751	38896	0668	MECOSTA-OSCEOLA INTERMEDIATE	60,075.23
01/10/2022	751	38897	0229	OSCEOLA COUNTY TREASURER	32,618.42
01/18/2022	751	38898	440	AXON ENTERPRISE, INC	375.00
01/18/2022	751	38899	0028	CITY OF EVART	626.61
01/18/2022	751	38900	478	CORE&MAIN LP	598.52
01/18/2022	751	38901	1200	DEERE CREDIT, INC	1,315.64
01/18/2022	751	38902	0576	DTE ENERGY	1,593.06
01/18/2022	751	38903	1766	EVART PARTS PLUS	159.32
01/18/2022	751	38904	1025	FILE SAFE, INC	150.25
01/18/2022	751	38905	0677	HOMETOWN HARDWARE	49.56
01/18/2022	751	38906	0061	IDEXX LABORATORIES, INC.	1,542.41
01/18/2022	751	38907	1775	KIENITZ-NIX MEMORIALS, INC	110.00
01/18/2022	751	38908	1119	KUBE PROPANE, LLC	697.53
01/18/2022	751	38909	PRA5111	LEXIPOL	495.00
01/18/2022	751	38910	1201	POINT BROADBAND	153.60
01/18/2022	751	38911	796	RCB CONTRACTING	3,833.33
01/18/2022	751	38912	1806	REPUBLIC SERVICES #239	10,370.60
01/18/2022	751	38913	353	REVIZE, LLC	1,500.00
01/18/2022	751	38914	472	ROTARY MULTIFORMS, INC	306.49
01/18/2022	751	38915	0129	SMITH LUMBER CO	1,006.84
01/18/2022	751	38916	919	SUMMIT COMPANIES	1,401.25
01/18/2022	751	38917	0776	WIELAND TRUCK CENTER-CLARE	148.59
01/18/2022	751	38918	2303	WILLIAMS, ERIC D.	1,450.00
01/18/2022	751	792 (E)	0024	CONSUMERS ENERGY	564.36
01/18/2022	751	793 (E)	1827	FIRST BANK CARD	2,802.50
01/18/2022	751	794 (A)	1858	AFFORDABLE PRINTS	28.00
01/18/2022	751	795 (A)	1456	AMERICAN SPECIALTY PRODUCTS	524.25
01/18/2022	751	796 (A)	328	CHARTER/SPECTRUM	419.40
01/18/2022	751	797 (A)	921	DRUG SCREEN PLUS	90.00
01/18/2022	751	798 (A)	1757	MAURER'S TEXTILE RENTAL	557.60
01/18/2022	751	799 (A)	1730	SCOTLAND OIL COMPANY, INC.	3,224.62
01/20/2022	751	800 (E)	0397	UNEMPLOYMENT INSURANCE AGENCY	21.00
01/26/2022	751	38919	0585	MWEA	500.00
01/26/2022	751	38920	2300	TELNET WORLDWIDE	138.06
01/26/2022	751	801 (E)	1043	LINGO	227.53
01/26/2022	751	802 (E)	1784	VERIZON WIRELESS	370.77
02/07/2022	751	38921	1182	BARNETT'S AUTO REPAIR	964.29
02/07/2022	751	38922	1141	BS&A SOFTWARE, INC	3,424.00
02/07/2022	751	38923	1035	DICKINSON WRIGHT PLLC	3,300.00
02/07/2022	751	38924	0312	ETNA SUPPLY	990.00
02/07/2022	751	38925	1766	EVART PARTS PLUS	110.34
02/07/2022	751	38926	1211	FASTENAL COMPANY	535.96
02/07/2022	751	38927	1119	KUBE PROPANE, LLC	1,195.04
02/07/2022	751	38928	MISC	LAESSER, BRADY	116.56
02/07/2022	751	38929	2106	MILES, GREG	335.00
02/07/2022	751	38930	1613	MORGAN COMPOSTING, INC.	255.00
02/07/2022	751	38931	0255	PIONEER GROUP	52.25
02/07/2022	751	38932	1980	SLC METER, LLC	3,602.55
02/07/2022	751	38933	0129	SMITH LUMBER CO	190.02
02/07/2022	751	38934	1579	SPECTRUM HEALTH OCCUPATIONAL	107.00
02/07/2022	751	38935	0903	STANDARD INSURANCE CO.	557.97
02/07/2022	751	38936	1161	STAPLES CREDIT PLAN	457.96
02/07/2022	751	38937	2300	TELNET WORLDWIDE	284.63
02/07/2022	751	38938	1736	TRUCK AND TRAILER SPECIALTIES	2,167.16
02/07/2022	751	38939	3005	WILLIAMS & WORKS, INC.	50.00
02/07/2022	751	38940	1803	XEROX CORPORATION	339.36
02/07/2022	751	803 (E)	0024	CONSUMERS ENERGY	13,582.91
02/07/2022	751	804 (E)	0024	CONSUMERS ENERGY	2,348.11
02/07/2022	751	805 (E)	1827	FIRST BANK CARD	1,123.16
02/07/2022	751	806 (A)	0382	NCL OF WISCONSIN, INC	322.86
02/07/2022	751	807 (A)	0740	USA BLUE BOOK	690.94

751 TOTALS:

Total of 74 Checks:	379,041.55
Less 0 Void Checks:	0.00

02/03/2022 02:16 PM

User: JENNIE

DB: CITY OF EVART

CHECK REGISTER FOR CITY OF EVART  
CHECK DATE FROM 01/04/2022 - 02/07/2022

Page: 2/2

Check Date	Bank	Check	Vendor	Vendor Name	Amount
Total of 74 Disbursements:					379,041.55

## CONSENT AGENDA REPORT

To: Honorable Mayor Emerick & Council Members  
From: Jennie Duncan, Finance Director/Treasurer  
Date: February 3, 2022  
Re: Requesting Approval for Budget Amendments

For the Consent Agenda of February 7, 2022

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Background. Several times a year, I will present budget amendments to the city council for approval. Per our approved Resolution 2020-13, “City officials are responsible for the expenditures authorized in the budget and may expend City funds up to, but not to exceed, the total appropriation authorized for each department. City officials may make transfers among the various line items contained in the department appropriations.” Prior to any negative general ledger line item, it is best practice to request a budget amendment. Our 2021-2022 budget was approved on May 17, 2021.

Financial Impact. None

Recommendation. Please approve the following budget amendments as stated.

Attachments.

1. Budget Amendment detail report.

GL Number	JNL CODE	POST DATE	REF#	DESCRIPTION	CHANGE TO BUDGET INCREASE (DECREASE)
101-215-900.000	BA	01/26/2022	6417	PUBLISHING/PRINTING	(130.00)
101-242-801.000	BA	02/03/2022	6424	PROFESSIONAL SERVICES	50.00
101-242-900.000	BA	02/03/2022	6424	PUBLISHING/PRINTING	(50.00)
101-253-707.000	BA	02/01/2022	6423	SAL/WAGES, PT	5,000.00
101-265-706.000	BA	02/01/2022	6423	SALARY AND WAGES - HOURLY	(2,000.00)
101-265-727.000	BA	01/12/2022	6400	OFFICE SUPPLIES	(240.00)
101-265-740.000	BA	02/03/2022	6424	OPERATING SUPPLIES	(300.00)
101-265-850.000	BA	01/12/2022	6400	COMMUNICATIONS	100.00
101-265-850.000	BA	01/26/2022	6417	COMMUNICATIONS	130.00
101-265-921.000	BA	01/12/2022	6400	UTILITIES	240.00
101-265-921.000	BA	02/03/2022	6424	UTILITIES	300.00
101-265-932.000	BA	01/12/2022	6400	COMPUTERS/EQUIPMENT/IT	(100.00)
101-301-706.000	BA	02/01/2022	6423	SALARY AND WAGES - HOURLY	(3,000.00)
101-301-707.000	BA	02/01/2022	6423	SAL/WAGES, PT	6,000.00
101-301-707.100	BA	02/01/2022	6423	POLICE SECRETARY	(6,000.00)
101-301-727.000	BA	02/03/2022	6424	OFFICE SUPPLIES	55.00
101-301-740.000	BA	02/03/2022	6424	OPERATING SUPPLIES	(55.00)
101-301-758.006	BA	01/12/2022	6400	UNIFORMS	40.00
101-301-840.000	BA	01/12/2022	6400	PHYSICALS	(40.00)
101-441-727.000	BA	02/03/2022	6424	OFFICE SUPPLIES	5.00
101-441-740.000	BA	02/03/2022	6424	OPERATING SUPPLIES	200.00
101-441-860.000	BA	01/12/2022	6400	TRAVEL EXPENSES	(60.00)
101-441-900.000	BA	02/03/2022	6424	PUBLISHING/PRINTING	(5.00)
101-441-943.000	BA	02/03/2022	6424	EQUIPMENT RENTAL	(200.00)
101-442-850.000	BA	01/12/2022	6400	COMMUNICATIONS	60.00
202-453-707.000	BA	02/03/2022	6426	SAL/WAGES, PT	(85.00)
202-453-740.000	BA	02/03/2022	6426	OPERATING SUPPLIES	85.00
203-453-707.000	BA	02/03/2022	6426	SAL/WAGES, PT	(85.00)
203-453-740.000	BA	02/03/2022	6424	OPERATING SUPPLIES	85.00
203-453-740.000	BA	02/03/2022	6426	OPERATING SUPPLIES	85.00
203-453-930.000	BA	02/03/2022	6424	REPAIRS AND MAINTENANCE	(85.00)
206-337-850.001	BA	01/10/2022	6398	COMMUNICATIONS-RADIO	(1,225.00)
206-337-900.000	BA	02/03/2022	6425	PUBLISHING/PRINTING	(152.00)
206-337-957.000	BA	01/10/2022	6398	EDUCATION AND TRAINING	1,225.00
206-337-957.000	BA	02/03/2022	6425	EDUCATION AND TRAINING	152.00
590-537-801.000	BA	02/03/2022	6424	PROFESSIONAL SERVICES	(100.00)
590-537-850.000	BA	01/12/2022	6400	COMMUNICATIONS	300.00
590-537-850.000	BA	01/26/2022	6417	COMMUNICATIONS	100.00
590-537-900.000	BA	01/12/2022	6400	PUBLISHING/PRINTING	10.00
590-537-900.000	BA	02/03/2022	6424	PUBLISHING/PRINTING	100.00
590-537-930.000	BA	01/12/2022	6400	REPAIRS AND MAINTENANCE	(10.00)
590-537-955.000	BA	01/12/2022	6400	MISCELLANEOUS EXPENSE	125.00
590-537-955.000	BA	02/03/2022	6424	MISCELLANEOUS EXPENSE	135.00
590-537-957.000	BA	02/03/2022	6424	EDUCATION AND TRAINING	(135.00)
590-538-740.000	BA	01/12/2022	6400	OPERATING SUPPLIES	(300.00)
590-538-801.000	BA	01/12/2022	6400	PROFESSIONAL SERVICES	(125.00)
590-538-850.000	BA	01/26/2022	6417	COMMUNICATIONS	(100.00)
591-545-850.000	BA	01/12/2022	6400	COMMUNICATIONS	283.00
591-545-860.000	BA	01/12/2022	6400	TRAVEL EXPENSES	(8.00)
591-545-860.000	BA	02/03/2022	6426	TRAVEL EXPENSES	(100.00)
591-545-900.000	BA	01/12/2022	6400	PUBLISHING/PRINTING	8.00
591-545-900.000	BA	02/03/2022	6426	PUBLISHING/PRINTING	100.00
591-545-930.000	BA	01/12/2022	6400	REPAIRS AND MAINTENANCE	(283.00)
591-545-930.000	BA	02/03/2022	6424	REPAIRS AND MAINTENANCE	100.00
591-545-957.000	BA	02/03/2022	6424	EDUCATION AND TRAINING	(100.00)
591-546-740.000	BA	02/03/2022	6424	OPERATING SUPPLIES	60.00
591-546-801.000	BA	02/03/2022	6424	PROFESSIONAL SERVICES	(60.00)

## AGENDA REPORT

To: Honorable Mayor Emerick and Council members  
From: Pepper Lockhart, City Manager  
Date: January 12, 2022  
Re: Variance Waiver/ Exemption for the Sale of Lots 2,3,4,6,7 & 8  
For the Agenda of January 18, 2022: Regular Meeting

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### Background

There has been interest from Dr. Kalesperis and Mr. LaPeen regarding several lots in the industrial park. At the council meeting on January 3, 2022, he requested that you see the letter he sent regarding lots 2 & 3 from December 29th. Today I received another request for lots 2,3,4,6,7,8. They are now, also requesting a variance, waiver or exemption to the Evert City Ordinance Sections 8-125, paragraph a & Section 8-126, paragraph a, be changed from one thousand foot to one hundred foot from these locations described in the ordinance.

### Issues and Questions Specified

In both letters, it is inferred that they were not made aware until recently of the code restriction of 1000 ft from a school or church. I have enclosed the affidavit signed by Mr. Kalesperis, on October 26, 2021, stating that he has read Ordinance 2019-09 which states on page 31 the 1000 ft information. In item #3 & #5F, of the letter they state that a proof of funds was not previously required. Mayor Emerick requested on October 5 at the regular council meeting that proof of funds be provided. They also refer to using "the map provided by the municipal clerk", This map, (attached to the letter of January 12, 2022) was not provided by the city clerk.

### Attachments

1. Letter from Mr. Kalesperis dated January 12, 2022. (6 pages)
2. Affidavit signed by Mr. Kalesperis
3. Ordinance 2019-09- Section XI pg. 31
4. October 5, 2021-Final council minutes
5. Ordinance 8-125 & 8-126



Dr. G. Steven Kalesperis DO

10790 E. Bierri Rd.

EVART, MI 49631

January 12, 2022

To: Evart City Council - Mayor Emerick, Mayor Pro Tem Szeliga,  
and Council Members Duffy, Elliot and Hildebrand  
From: Dr. G. Steven Kalesperis DO and Mr. Robb LaPeen

This letter is in regard to our pending purchase acquisition of Lots 2 and 3 for the initial development of a MEDICAL OFFICE and CBD WELLNESS CENTER in the Air Industrial Park of Evart, Michigan, and the recent purchase contract revision by the city attorneys that will require council approval before moving forward. Please be advised that we have attached a revision to the pending contract that seeks the council's reconsideration of our initial intent to develop Lots 2, 3, 4, 6, 7 & 8, since the financial and hedge fund investors that have approached us are seeking to finance the entire project development rather just the initial phase of Lot 2 and 3. For this reason, and based on the assessed valuation of the undeveloped acreage at \$10,000/acre, we are offering a \$2,500 premium above the assessed value, since our plans will require immediate access to all lots.

At the council meeting, prior to the last on 01/03/2022, Evart City Manager, Pepper Lockhart, advised me of several issues that had delayed Evart council's final approval of the purchase contract under review and revision by your city attorneys.

1. Financials for Mr. LaPeen were not made available. Unfortunately, there was a miscommunication between Mr. Steve Herrera to Mr. LaPeen, after an email was sent from the City Manager to our project manager, Mr. Herrera;
2. Mr. LaPeen was gravely ill with a severe case of the COVID-19 Delta variant. Due to the severity of his illness, he was in no physical or mental condition to prepare such an individual financial. Moreover, our understanding based on our experience in past acquisitions of real estate, whether residential or business, is: Until a contract is agreed upon by both parties, financial means and/or terms of financing are not required immediately; but typically allow a minimum of 30-60 days for the buyer to obtain suitable financing, if a cash purchase is not a part of the Buyers' offer.
3. In addition to the individual financials of the buyers, a Proof of Funds, Letter of Credit, or a Bank Loan Approval was also requested that had not been required in our earlier negotiations; and reference is again made to the preceding paragraph (2).
4. A new issue brought to our attention by Pepper Lockhart, only recently, and which has caused further delay, will require attention for resolve by the City Council. This issue involves the recent disclosure of a code restriction of marijuana facilities within a 1000 foot radius from public schools and churches.
5. Prior to the above issues, and since our initial offer to acquire the properties this past June, 2021, other setbacks included:



- a. A rejection of a Lease with Purchase option, despite initial approval by the City Attorney. This was followed by a purchase offer of Lot 2 plus 26 acres encompassing Lots 3, 4, 6, 7, & 8 submitted in September, for the purpose of developing a teaching campus with a marijuana grow/processing facility and dispensary that would be associated with a medical/wellness complex.  
No zoning restriction limiting a marijuana facility in Lots 2-8 was ever raised;
- b. From the beginning of all negotiations, Dr. Kalesperis and Mr. LaPeen expressed their desire for a joint venture to develop a centrally located educational campus in the State of Michigan. The purchase offer for the entire 26+ acres available in the Northwest section of the Industrial Park was for the purpose of training individuals to cultivate medicinal plants and herbs, inclusive of the processing of Medicinal Hemp and Cannabis, and the extraction, purification, testing and research of THC, CBD, CBG, and CBN. Other natural therapeutic organic cannabinoids that Healthcare professionals and licensed caregivers may use in their treatment regimens instead of potentially toxic pharmaceuticals were also to be cultivated. Despite the intent of the purchase offer, the Ewart city council would not approve the contract offer, because they were concerned the project was too large a risk.  
No zoning restriction limiting a marijuana facility in Lots 2-8 was ever raised;
- c. After a compromise was reached between the City Counsel and Dr. Kalesperis & Mr. LaPeen to limit the purchase to Lots 2 and 3 as the first phase, with the acquisition of Lots 4, 6, 7, & 8 to be incorporated into phases 2 and 3, with a right of first refusal option if outside parties expressed an interest to purchase, the purchase contract was revised to a land contract with an initial earnest deposit of \$150,000 with the balance to be paid in 3 annual installments of \$100,000 to Ewart. A new issue then arose claiming the City could not enter into a Land Contract for the sale of city property.  
No zoning restriction limiting a marijuana facility in Lots 2&3 was ever raised;
- d. The next issue raised was when the Interim City Manager, Mr. Richard Lewis, advised us that no further licenses for Marijuana Grow or Processing were available for our development to justify moving forward. After a contentious discussion followed; we informed the council that we had previously been assured by the city clerk and prior city manager, Sarah Dvoracek, that several licenses for grow and processing were still available at \$5,000 each.

I recall this meeting clearly, since there was another individual seeking to purchase the building on Lot 2, only for the purpose of continuing to rent out the space. Since he was seeking some form of tax credit to formalize a purchase within the following week, he jokingly commented and asked if the council would reconsider approving his purchase if some sort of gift would accompany his offer. Although the council seemed to accept his comment in the jovial spirit it was given, since I recall the council laughing, perhaps it was this joking comment by another interested party that confused Mr. Duffy in erroneously thinking that it was Dr. Kalesperis who offered a bribe to the



council in exchange for the council issuing more licenses for marijuana. Again No zoning restriction limiting a marijuana facility in Lots 2&3 was ever raised;

- e. Shortly after that meeting, we were contacted by Mr. Lewis and assured that licenses were definitely still available; but the purchase offer would have to be revised since the City could not move forward with the Land Contract that was previously approved by the City Council, and it needed to be revised by the city attorneys to a purchase by cash or financing by a bank or investors. No zoning restriction limiting a marijuana facility in Lots 2&3 was ever raised;
- f. After the purchase agreement was revised by city attorneys, without an opportunity for review by Dr. Kalesperis, Mr. LaPeen or Mr. Herrera, the issue of individual financials and Proof of Funds were then required as described in the above issues 1-3. Yet, such requirements appear premature, as illustrated in the paragraphs numbered above as (2) and (3).

Unfortunately, despite our best efforts to move forward, and the many errors made by the city council and their prior City Managers' in regards to their own Due Diligence, we appear to have reached an impasse that can be compared to the age old question, "What comes first; the chicken or the egg?". The council claims it cannot move forward without a Proof of Funds for the prospective Buyers to finance the purchase; while the Buyers have multiple investors interested in financing the venture; but will not commit to a Letter of Credit or Proof of Funds unless they can see a contract where there is an Approved Code Exemption by the council; whereby, the lots for sale are not restricted from growing, processing, or selling marijuana, which is only a fraction of the intended use of the Air Industrial Park campus development plan.

When we originally pursued this project, we relied on the map attached below, (which Dr. Kalesperis was given by the Municipal Clerk when he first inquired if any "Green Zoned" lots were for sale), showing that the acreage we have sought to purchase was zoned for such an operation by all areas colored as dark gray. At that time I was assured Licenses were available.

Measuring from the lot lines of the school and church North of Highway 10 to Industrial Park Lots 2 & 3 lot lines just South of Highway 10, the distance from the church as well as the distance from the school lot line to the lot lines of Lots 2 & 3 is 104 feet per Ms. Lockhart.

Michigan law states no marijuana establishment may be located within 1,000 feet of a pre-existing public school or church, **unless a municipality adopts an ordinance that reduces this distance requirement.** Evart city ordinance restriction also follows the state limitation of distance from such entities to within a 1,000 foot radius preventing marijuana facilities from being developed for growing or processing; however, the attached map for Green-Zoned areas allowed in the industrial park clearly allow growing and processing of marijuana within Lots 2 & 3 despite the ordinance terminology; thus creating a conflict in allowed vs restricted zoning. Yet, the municipality may reduce this distance by adoption of an ordinance/zoning exemption.

It would be understandable if school and church properties limited marijuana facilities from being developed if within 1,000 feet AND NOT divided by a major highway; however, a busy highway such as Highway 10 may realistically be considered a limiting boundary that provides a greater risk to school children and church goers' access to the facilities by serving as or considered as a suitable hazardous distance or deterrent that may serve as a reasonable replacement or substitute for the current 1,000 foot restriction.



Since State Highway 10 is a major motor traffic roadway that in essence acts as a State barrier-deterrent effectively dividing the Residential, School, and Religious service areas from the Industrial Park Lots, the current "1,000 foot distance restriction," (to preserve the safety of church-goers and school children from being influenced by a Schedule I controlled substance), could be replaced by a "100 foot wide major highway serving as a barrier-deterrent," we respectfully request the City Council consider Dr. G. Steven Kalesperis and Mr. Robb LaPeen's request for a variance to the code to exempt marijuana facilities within the Industrial Park, as the current code properly references, i.e., Sec 8-125 states, "(b) All grower facilities and excess grower facilities shall be limited to the general industrial I-2 zoning districts. (c) All safety compliance facilities, processor facilities, and secured transporter facilities shall be limited to the general industrial I-2 or general business C-2 zoning districts." In addition, Sec 8-126 states, "(b) All provisioning centers or marijuana microbusinesses shall be limited to the general industrial I-2 or general business C-2 zoning districts."

**Please consider adopting a revision to the Marijuana Grower Facility code to read:**

**All grower, processor, extraction, and provisional facilities for Marijuana shall be limited or developed within the Industrial Park areas of the City of Evart; whereby, any zoning restrictions or limitations as described in Sec. 8-125 and 8-126 are hereafter modified to "1000 feet within areas zoned as Residential"; and such facilities within the Industrial Park that are secured by sophisticated equipment (as is the standard practice in Michigan cannabis growing operations) and divided from Residential, School and Church zoned property lines by a major roadway, (i.e., Highway 10), that is at least 100 feet wide, shall be exempt from the 1,000 foot distance restrictions, since such roadway shall be deemed a sufficient barrier or deterrent similar to or considered a suitable substitute for the current 1,000 foot restriction required for ambulatory school-going minors or religious church attendees' access, and such deterrent-barrier adequately serves to assure the safety standards of the Evart Community.**

We would like to add that we understand a precedent for an exemption of the 1,000 foot restriction was obtained by the Lume Dispensary on the North side of Highway 10 in the City of Evart for a retail cannabis operation which is within a 1,000 foot distance from the protected facilities described in Sections 8-125 and 8-126 of the Evart, MI Code of Ordinances.

**BENEFITS TO ADOPTING A VARIANCE/EXEMPTION AND APPROVING THE PROJECT:**

Furthermore, the building on Lot 2, and the 4 acres of Lot 3, as well as the additional 20+ acres we seek to acquire (i.e., Lots 4, 6, 7, & 8) have been under the ownership of the City of Evart for many years. Our project gives the city the opportunity to receive approximately \$700,000 - \$720,000, presuming the assessor's recent valuation of Lot 3's 4 acres at \$10,000/acre, and our increased offer is acceptable for this long held and unimproved city property.

In addition, the improvements to the location for a medicinal plant and herb cultivation, processing and extraction training campus with the PLANNED GEOTHERMAL AND RENEWABLE SOLAR ENERGY power sources the proposed campus plans to include will result in significant property tax and licensing revenues for the city, as well as emergency power reserves for the city during times of electrical power losses, such as those recently experienced this past fall, when Evart power loss lasted for close to a full week to 10 days, and caused an estimate of tens if not hundreds of thousands of dollars lost by residents, businesses, as well as the city of Evart. Furthermore, our business plan calls for a medical facility and significant job training in a fast growing and emerging medical plant, herb, cannabis and Hemp CBD industry for rural Michigan.

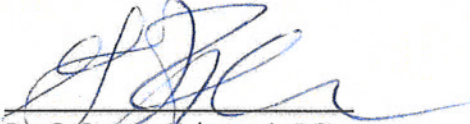


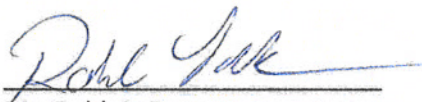
Our project will not only create jobs for Evert residents, but in addition to the tax and licensing revenues to be paid to the City of Evert, we plan to promote a community development assistance program whereby our corporate entity will donate 5% of our annual net corporate revenues, up to one (1) million dollars per year, to various City of Evert programs.

With great appreciation for the Council's consideration on this matter, please accept this letter as a formal request to the Evert Council Members to consider providing a waiver and/or exemption to the Evert City Ordinance Sections 8-125 and 8-126 as we have **noted in bold** above that will be applied to the Industrial Park location we seek to purchase in order that we may pursue the intended business operations previously outlined to the city and are described herein again for Council Members to review.

In addition, we also request the councils' consideration of our revised purchase offer submitted with this request, since the interested investors in this project, (who will supplement any needed funds for acquisition and development), are ready, willing, and able to move forward as soon as all documents assuring an adopted variance by the council, along with the approved purchase contract by the city are agreeable to all parties.

Respectfully,

  
Dr. G. Steven Kalesperis DO      and  
Medical Operations & Training  
Overseer Research & Development

  
Mr. Robb LaPeen  
Wellness Center Operations & Training  
Overseer Herbal Grow & Processing

Prospective Buyers of Lots 2, 3, 4, 6, 7 & 8 in Evert Air Industrial Park



# Marihuana ZonEavrt

- Provisioning Center = I-2 C-2
- Grower Facility = I-2

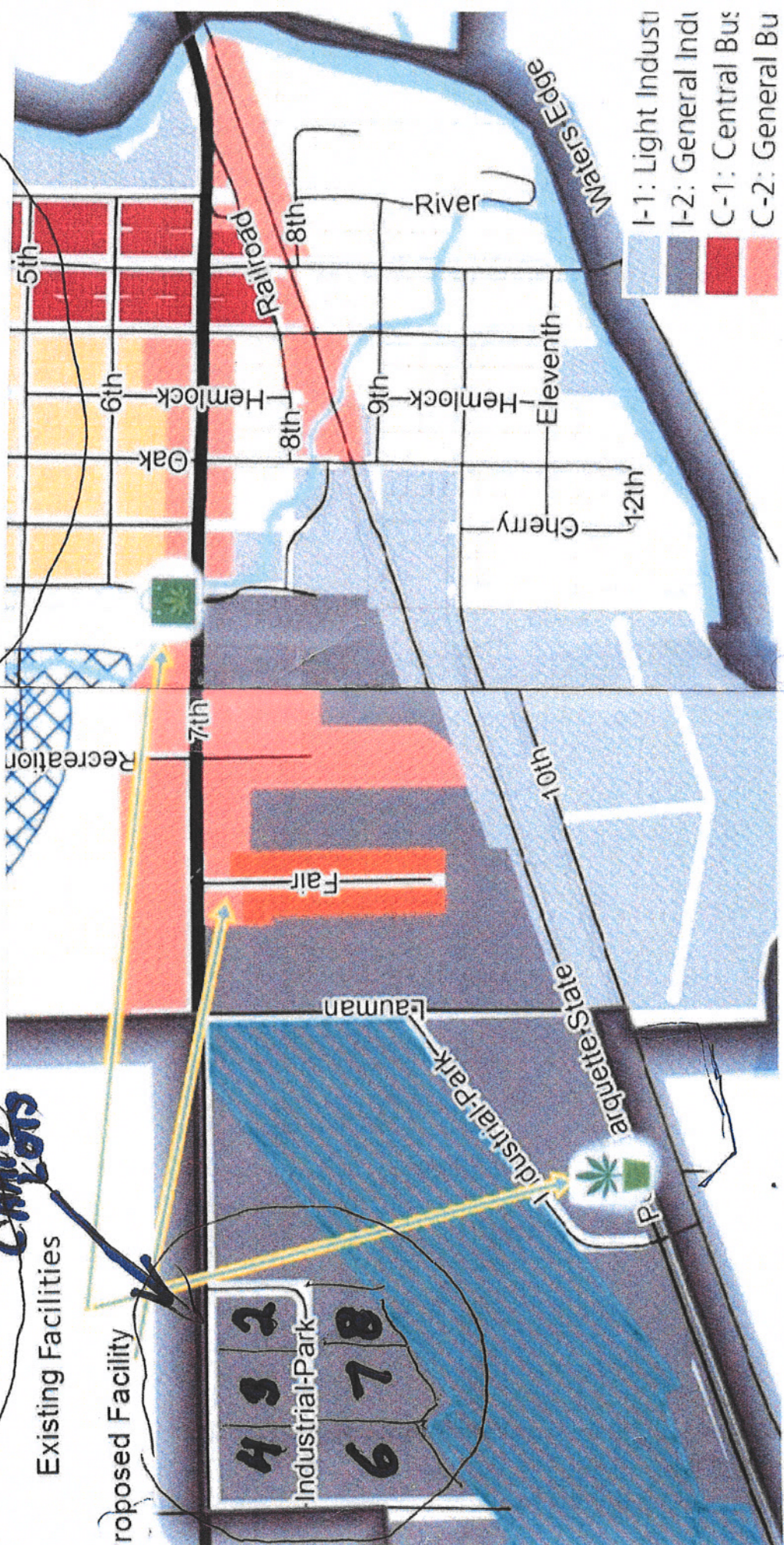
- Secure Transporter = I-2 C-2
- Testing Facility = I-2 C-2
- Processor = I-2 C-2

**Cannabis**

Existing Facilities

Proposed Facility

432  
678  
Industrial-Park



- I-1: Light Industri
- I-2: General Indt
- C-1: Central Bus
- C-2: General Bu



## Affidavit

STATE OF MICHIGAN  
COUNTY OF OSCEOLA COUNTY

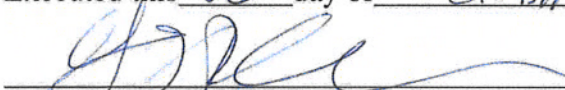
The undersigned, Dr. G. Steven Kalesperis, being duly sworn, hereby deposes and says:

1. I am over the age of 18 and am a resident of the State of Michigan. I have personal knowledge of the facts herein, and, if called as a witness, could testify completely thereto.
2. I suffer no legal disabilities and have personal knowledge of the facts set forth below.
3. Affidavit that the Purchaser has researched and accepted the City of Ewart Marihuana Facilities Licensing and Regulations as outlined in Ordinance No. 2019-09, amended by Ordinance 2020-04 and Ordinance 2020-6, and other amendments that may occur prior to closing.

Affidavit that the Purchaser has researched and accepted the City of Ewart Zoning Ordinances Section 8 Business Article III. – Marihuana Facilities

I declare that, to the best of my knowledge and belief, the information herein is true, correct, and complete.

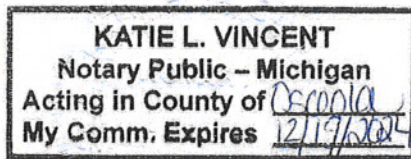
Executed this 26 day of OCTOBER, 20 21.

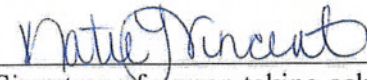
  
Dr. G. Steven Kalesperis

### NOTARY ACKNOWLEDGMENT

STATE OF MICHIGAN, COUNTY OF OSCEOLA COUNTY, ss:

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of October, 2021, by G. Steven Kalesperis, who, being first duly sworn on oath according to law, deposes and says that he/she has read the foregoing Affidavit subscribed by him/her, and that the matters stated herein are true to the best of his/her information, knowledge and belief.



  
Signature of person taking acknowledgment

\_\_\_\_\_  
Title or rank

\_\_\_\_\_  
Serial number, if any



## Ordinance 2019-09

- (P) Exterior signage or advertising identifying the facility as a Processor Facility shall be prohibited.
- (Q) Odor Control – No person, tenant, occupant, or property owner shall permit the emission of marihuana odor from any source to result in detectable odors that leave the premises upon which they originated and interfere with the reasonable and comfortable use and enjoyment of another's property. Whether or not a marihuana odor emission interferes with the reasonable and comfortable use and enjoyment of a property shall be measured against the objective standards of a reasonable person of normal sensitivity. A grower or processor shall install and maintain in operable condition a system which precludes the emission of marihuana odor from the premises.

### SECTION XI.

#### LOCATION OF GROWER FACILITY, SAFETY COMPLIANCE FACILITY, PROCESSOR FACILITY SECURED TRANSPORTER.

- (A) No Grower Facility, Safety Compliance Facility, Processor Facility or Secure Transporter shall be located within one thousand (1000) feet Distance from real property comprising a church or religious institution, public or private elementary, licensed child care facility, vocational, or secondary school.
- (B) All Grower Facilities shall be limited to the General Industrial "I-2" Zoning Districts.
- (C) All Safety Compliance Facilities, Processor Facilities, and secured Transporter Facilities shall be limited to the General Industrial "I-2" or General Business "C-2" Zoning Districts.

### SECTION XII.

#### LOCATION OF PROVISIONING CENTERS.

- (A) No Provisioning Center shall be located within:



**CITY OF EVART**  
**REGULAR CITY COUNCIL MEETING MINUTES**  
**Tuesday, October 5, 2021 @ 8:00PM**  
**Depot, 200 S. Main Street**

Mayor Chris Emerick led the assembly in the Pledge of Allegiance.

**Present (via roll call):** Sean Duffy, Mayor Emerick, Matt Hildebrand, Sandra Szeliga

**Absent:** Dan Elliott

**Present (staff):** Interim City Manager Richard Lewis, Finance Director/Treasurer Pepper Lockhart, Director of Public Works Dustin Moma, City Clerk Kathy Fiebig

**Guests:** Mark Sochocki, Robert Eklund, Vanessa Jones, Dr. G. Steven Kalesperis, Robb LaPeen, Roger Elkins

**Approval of Agenda**

Motion by Mayor Emerick to approve the agenda as presented. Support by Mr. Hildebrand. Motion passed with all in favor.

**Approval of Consent Agenda**

**A.** Regular Council Minutes – September 28, 2021

**B.** Vendor's List - \$72,389.20

Motion by Mr. Hildebrand to approve the consent agenda as presented. Support by Mayor Emerick. Motion passed with all in favor.

**New Business**

**C.** Mark Sochocki – Housing Commission 2020 Audit

Mr. Sochocki is the Executive Director of the Big Rapids Housing Commission and reminded council that the Evert Housing Commission has retained the Big Rapids Housing Commission for management/executive services. He presented the audit of the Evert Housing Commission for the 2020 fiscal year and requested that council accept the audit of the Annual Report of the Evert Housing Commission. There were two significant deficiencies noted in the audit: six of six tenant files did not contain the required documentation. Paychecks were prepared at the beginning of the month prior to work being performed by the employees, timecards were unsigned and required employment forms are missing. Another issue noted was that 18% of credit card purchases were unsupported. All of these issues are being addressed and corrected.

**D.** Proposals of Purchase of Industrial Park Property

Mr. Lewis advised council that two offers have been received for property in the industrial park, both of which include Lot 2, the McClellan property. Lot 2 appraised at \$400,000 sixteen months ago and the appraiser has suggested adding a 3% inflation increase for a current value of \$412,000. Lot 1, which is vacant land, just sold for \$100,000 or \$20,000/acre. There has been some discussion about getting the rest of the vacant lots in the park appraised, and Mr. Lewis suggested using the recent sale as a comparable for this discussion.

Dr. Steven Kalesperis (Utopian HeRxBs LLC) told council that he and Robb LaPeen (Birch Run Wellness Center LLC) intend to build a campus for growing, processing, prescribing, and selling medical and



recreational cannabis and hemp. There will also be an educational component with students on site. Their offer is for \$7,500/acre because the lots they are interested in are all listed at \$70,000 but vary widely in size and his research has shown lots in the Evert area typically sell for \$3,000-\$5,000. Mr. Hildebrand noted that such lots are farmland or residential, are not zoned industrial and cannot be compared to lots in the industrial park, which have water, sewer, police protection and US10 frontage. Dr. Kalesperis stated that if the lots appraise higher than \$7500/acre, their maximum offer will be \$10,000/acre and if they appraise at less, he expects the City to honor that price.

Robert Eklund (Red Sky Partners) stated that he has been discussing the purchase of Lot 2 since May with former city manager Sarah Dvoracek. He offered \$400,000 at that time and is still interested in purchasing the property. He is willing to pay \$415,000 (cash sale) and would like to close within the coming week. He will keep the current tenant in place.

Mr. Hildebrand noted that the Utopian/Birch Run offer includes a six-month rental clause, which he believes puts the City at unnecessary risk and asked if they are willing to strike the rental clause and purchase the property outright. Mr. Kalesperis said that was acceptable. Mr. Hildebrand then requested that the offer be revised and presented as a purchase agreement rather than the lease agreement with option to buy currently on the table. He also stated that the last major development in the park took twelve months to complete, and that he does not think the March deadline for this project is at all realistic. He reminded Mr. Kalesperis that the current rental agreement requires 90 days' notice to the tenant. Mayor Emerick voiced the concerns that this business model is new and therefore unproven and that the proposal mentions loans and grants, which are typically not available to cannabis projects. She would like to see proof of funding.

Mr. Lewis reiterated that it is highly unlikely that the Birch Run/Utopian agreement could be completed by their March 2022 deadline. The 90-day notice to the tenant will not be given until the sale has closed, and the project will have to work its way through the Planning Commission and must have a development agreement. He recommends that the City pursue appraisals for Lots 3, 4, 6, 7 and 8. No action taken.

**Departmental/Information Reports (No action needed)**

E. Accounts Payable Report (9/29/2021 – 10/5/2021)

F. Payroll Reports (9/29/2021 – 10/5/2021)

G. Revenue and Expense Report – September 2021

**City Attorney Report/Comment** - none

**City Clerk Report/Comment** - none

**City Manager Report/Comment**

**Finance Director Report/Comment**

Ms. Lockhart stated that the annual audit is underway and going well. Staff continues to schedule water meter replacements.

**Director of Public Works Report/Comment**

Mr. Moma reported that the storm clean up is substantially complete and staff has returned to their normal duties. The Splash Pad will be winterized soon and the handicapped kayak launch will be pulled out for winter storage. He is seeking quotes for a leaf vacuum which he believes would greatly expedite bulk leaf pick up in spring and fall, while keeping the street cleaner. He's having difficulty obtaining three bids and Mr. Hildebrand said if that continues to be the case, Mr. Moma should present an agenda report with that notation and council will look at the options available.

**Police Department Report/Comment** - none

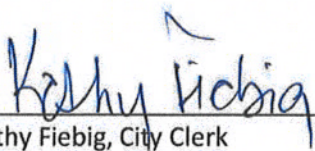
**Downtown Development Authority Report/Comment** - none

**Evert Area Fire Department** - none



**Citizens' Comments:** Roger Elkins stated that he understands that City Hall still has issues with the phone system. He called this afternoon and couldn't get through, but staff promptly returned his missed call. He appreciated the courtesy.

Motion by Mayor Emerick to adjourn. Support by Mr. Hildebrand. Motion passed with all in favor. The meeting was adjourned at 9:23pm.

  
Kathy Fiebig, City Clerk

**Sec. 8-125.** - Grower facility, safety compliance facility, processor facility or secured transporter.

- (a) No grower facility, excess grower facility, safety compliance facility, processor facility or secure transporter shall be located within 1,000 feet distance from real property comprising a church or religious institution, public or private elementary, licensed childcare facility, vocational or secondary school.
- (b) All grower facilities and excess grower facilities shall be limited to the general industrial I-2 zoning districts.
- (c) All safety compliance facilities, processor facilities, and secured transporter facilities shall be limited to the general industrial I-2 or general business C-2 zoning districts.

(Ord. No. 2019-09, § XI, 6-17-2019; Ord. No. 2020-04, § 2(XI), 8-10-2020)

**Sec. 8-126.** - Provisioning centers and microbusinesses.

- (a) No provisioning center shall be located within 1,000 feet of real property comprising a public or private elementary, vocational, or secondary school or 1,000 feet of a church or religious institution defined as exempt by the city assessor or county or state assessor's office or a licensed child care facility.
- (b) All provisioning centers or marihuana microbusinesses shall be limited to the general industrial I-2 or general business C-2 zoning districts.

(Ord. No. 2019-09, § XII, 6-17-2019)

## AGENDA REPORT

To: Honorable Mayor Emerick and Council members

From: Pepper Lockhart, City Manager

Date: January 12, 2022

Re: Revised Purchase Offer for Lots 2,3,4,6,7,8

For the Agenda of January 18, 2022: Regular Meeting

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### Background

There has been interest from Dr. Kalesperis and Mr. LaPeen regarding several lots in the industrial park. The first proposal was brought to you on October 5<sup>th</sup>. That proposal offered a purchase of Lot 2 for \$417,750, and lots 3,4,6,7,8 for \$182,250. Interim City Manager, Richard Lewis also noted a development agreement would need to follow if this is approved. Today I received a request to purchase Lots 2,3,4,6,7,8. They have offered \$415,000 for Lot 2 and \$305,000 for the other lots mentioned.

### Issues and Questions Specified

The purchase offer is requesting to have a final closing date no later than June 1, 2022. It will allow the 90-day notice to the tenant currently renting the building. This offer is contingent on the fact that council will need to approve the variance of 1,000 ft to 100 ft. They will provide a \$7,500 good faith deposit. I have sent this offer to the city attorney to review.

### Attachments

1. Purchase Offer dated January 12, 2022.



## **REVISED BUYERS OFFER TO PURCHASE**

### **OFFER TO PURCHASE PARTIES:**

**Dr. G. Steven Kalesperis D.O.** (Principle Buyer) EVART RESIDENT

Current Address: 10790 E. Bierri Rd, Evart, Michigan 49631

Owner: Utopian HeRxBs LLC

**Robb M. LaPeen** (Secondary Buyer)

Current Address: 7373 N. Seymour Rd Flushing, MI 48415

Owner: Birch Run Wellness Center LLC

Address: 9213 Birch Run Rd., Birch Run, MI 48415,

**City of Evart, Michigan 49631 (Seller)**

**Address of Property:** West 7<sup>th</sup> St./ US 10-aka lot 2 (See Exhibit 9)

**Including Lots 3, 4, 6, 7 & 8 = 24.29ac (See Exhibits 10, 11, 13, 14, & 15)**

### **Offer to Purchase**

Lot 2 w/11,408 sq ft building on 3.03 acres:

**Prior Agreed Purchase Offer: \$415,000.00**

**Offer on Lots 3, 4, 6, 7 & 8 = 24.29ac@ \$12,500/acre: Purchase Offer: \$305,000.00**

**Total Purchase Offer: \$720,000.00**

Lot 3 = 3.99 acres X \$12,500 = \$49,875

Lot 4 = 3.72 acres X \$12,500 = \$46,500

Lot 6 = 6.51 acres X \$12,500 = \$81,375

Lot 7 = 6.42 acres X \$12,500 = \$80,250

Lot 8 = 3.65 acres X \$12,500 = \$45,625

Total Value Lots 3-8 = \$303,625

Lots 3-8 Rounding Up Offer = **\$305,000**

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**Buyers: (G. Steven Kalesperis D.O. and Robb M. LaPeen)** hereby revise their previous purchase offers and provide as an **Earnest Deposit** to the Seller (City of Evart) **\$7,500** in Good Faith toward the purchase of Lots 2, 3, 4, 6, 7 & 8 within the Evart Air Industrial Park intended for the development of a Medical Office, a Hemp derived **CannaBiDiol/Cannabinoid Wellness Center**, as well as a Medicinal Plant and Herbal grow, processing, extraction, purification and medical research campus that will become Central Michigan's state of the art Teaching and Learning training center for persons seeking to be educated and involved in the development of natural treatment remedies for a variety of conditions where contemporary and potentially toxic pharmaceuticals coupled with conventional medical practice has failed to resolve many health issues.

If this offer is not accepted, or if the City is unwilling to provide the requested variance to allow the Buyers to pursue their intended use of developing the property, all earnest deposit funds shall be promptly refunded to the Principle Buyer.

**Type of Use:** Development of Evart Medical and Wellness Center, Veteran Service Connected CBD/THC Holistic Medical Treatment & Medical Card Certification Center, Veteran and Native American Church of T.I. Owned Cannabinoid and Medicinal Plant and Medicinal Herb Grow Facility for Future Processing, Extraction, Testing and Research Campus for Therapeutic Holistic Herb Cultivation and Training Center.

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This offer is conditional in that the Buyers will be devoting the majority of the land purchased to the development of renewal energy sources such as a Geothermal Power Plant that will be centrally located on the campus, as well as several locations devoted to Solar Panels. These power sources will be needed for the machinery, security, lighting, heating and additional power needed by the campus buildings. Any excess power generated may be available as needed by the city in times of extended power outage that frequently develops due to storms often experienced in Mid-Michigan.

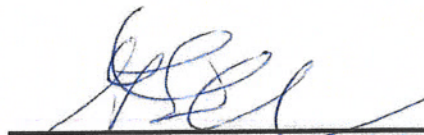
Due to the limiting verbiage of the Ewart, MI Code of Ordinances, namely Sections 8-125 and 8-126, we are respectfully requesting the adoption by the Ewart City Council a variance to the current limiting distance for certain facilities that we plan to build. Per the letter submitted with this revised offer, we request the adoption of a variance that will allow us to pursue the intended use as follows:

**All grower, processor, extraction, and provisional facilities for Marijuana shall be limited or developed within the Industrial Park areas of the City of Ewart; whereby, any zoning restrictions or limitations as described in Sec. 8-125 and 8-126 are hereafter modified to "1000 feet within areas zoned as Residential"; and such facilities within the Industrial Park that are secured by sophisticated equipment, (as is the standard practice in Michigan cannabis growing operations) and divided from Residential, School and Church zoned property lines by a major roadway, (i.e., Highway 10), that is at least 100 feet wide, shall be exempt from the 1,000 foot distance restrictions, since such roadway shall be deemed a sufficient barrier or deterrent similar to or considered a suitable substitute for the current 1,000 foot restriction required for ambulatory school-going minors or religious church attendees' access; and such deterrent-barrier adequately serves to assure the safety standards required of all business operations within the Ewart Community.**

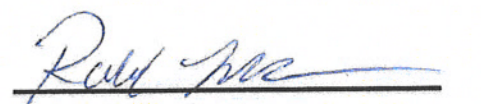
City of Ewart shall have **30 days** to provide a code variance similar to that submitted **above in bold type**, for approval and acceptance by Buyers.

Upon the adoption of such variance that will allow the Buyers to develop the property pursuant to their intended use, with acceptable verbiage for the buyers to finalize any funding by interested investors, grantors, hedge fund groups, intended Lessees, or financial institutions, Buyers shall have **30 days** to provide either Proof of Funds or Letters of Intent to move forward with final closing; whereupon, a 90 day notice to current renters to vacate the premises shall be served; and final closing shall be on or before June 01, 2022 or any date certain Buyers gain access and control of property.

**Offer Respectfully Submitted for City Council Review on this Date: 01/12/2022**



Buyer: G. Steven Kalesperis DO  
Medical Operations & Training  
Overseer Research & Development



Buyer: Robb M. Lapeen  
Wellness Center Operations & Training  
Overseer Herbal Grow & Processing



GEORGE S KALESERIS  
10790 BERRI RD  
EVART MI 49631-8463  
Phone: 630-975-7727

0052

74-8013/2724

01/12/2022

PAY TO THE  
ORDER OF

CITY of EVART

\$ 7,500<sup>00</sup>

SEVENTHousand FIVE-Hundred<sup>00</sup> DOLLARS

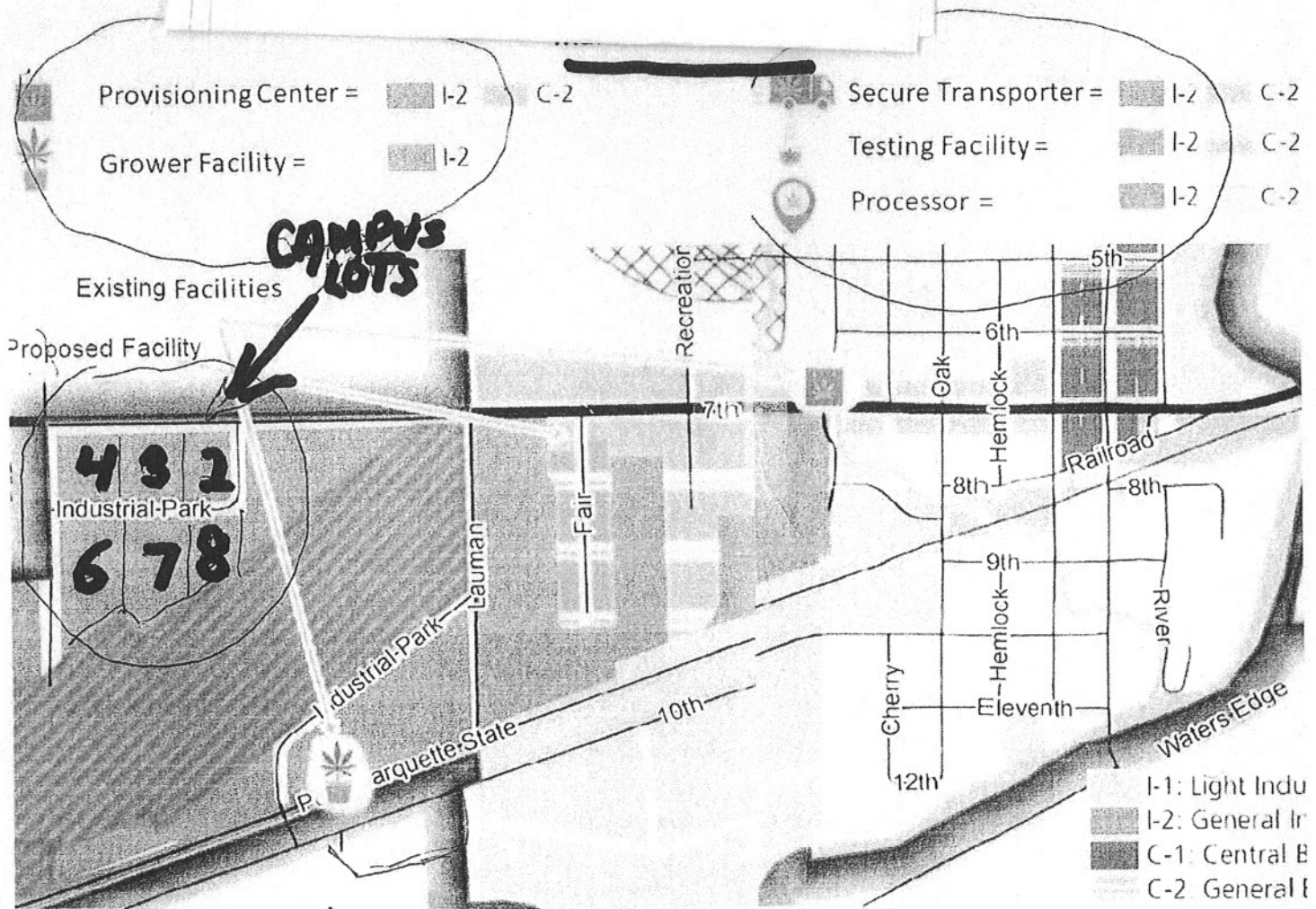


Frankenthuth Credit Union  
580 N. Main St.  
Frankenthuth, MI 48734  
(989) 497-1600

EVART DEPOSIT

PURCHASE A.I.P. LOTS 2, 3, 4, 6, 7 & 8

*[Signature]*



## Exhibit A

### (See Attached City Owned Real Property Parcels For Sale #9)

**Address:** West 7th Street/US Highway 10

**Parcel ID Number:** 67-51-610-002-00

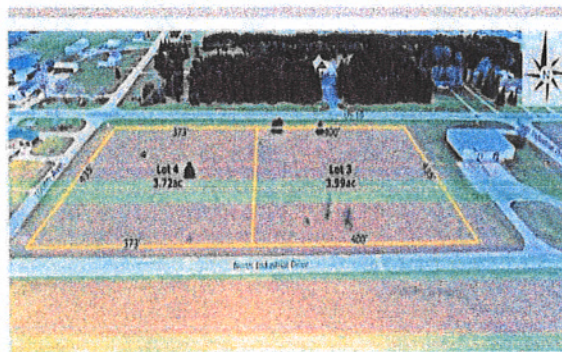
**Zoned:** Light Industrial I-2

**Executive Summary:** Development opportunity for sale approximately 3 acres along US 10 Hwy. Property is located on desirable high exposure US 10 which is accessible to both major expressways US 131 and US 127.

**Highlights:** 330 feet of frontage on US Hwy 10. The building is steel construction and 11,408 feet. This property is currently occupied with tenants.

## Exhibit B LOTS 3, 4, 6, 7 & 8 = 24.29 Acres

### (See City Owned Property Parcels For Sale #10, 11, 13, 14 & 15)

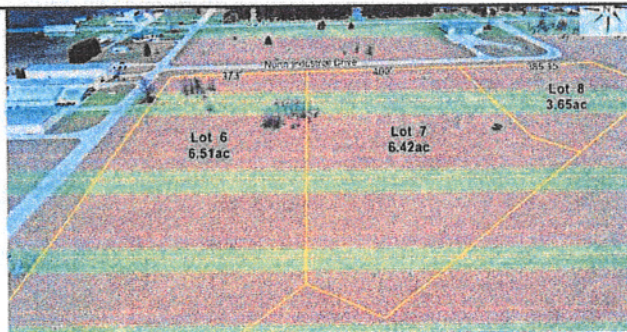


**Address:** US Highway 10

**Parcel ID Number:** 67-51-610-004-00

**Zoned:** General Industrial District and complete with underground utilities

**Executive Summary:** Development opportunity for sale approximately 3.72 acres along US 10 Hwy. Property is located on desirable high exposure US 10 which is accessible to both major expressways US 131 and US 127. Will consider splitting/rezoning/combining.



**Address:** North Industrial Park Drive

**Parcel ID Number:** 67-51-610-006-00

**Zoned:** General Industrial District and complete with underground utilities

**Executive Summary:** Development opportunity for sale approximately 6.51 acres along US 10 Hwy. Property is located on desirable high exposure US 10 which is accessible to both major expressways US 131 and US 127. Will consider splitting/rezoning/combining.

**Highlights:** Phase 1 Environmental completed March 2020.



EXHIBIT

## ⑨ Industrial Property 67-51-610-002-00

**Address:** 1033 West 7<sup>th</sup> Street (US Hwy 10)

**Parcel ID Number:** 67-51-610-002-00

**Legal description:** Lot 2 Evert Air Industrial Park

**Zoned:** General Industrial District

**Land AC:** 3.03 **Land SF:** 131,986

**Highlights**

-305 feet of frontage on US Hwy 10

-Industrial Building approx. 11,000 sf

**Executive Summary:** City is marketing parcel for sale or lease. Property is located on US 10 which is accessible to both major expressways US 131 and US 127. Will consider splitting/rezoning/combining. The building is currently occupied with tenants.

**Minimum Bid Price: \$450,000**

LOT 2





EXHIBIT

## 10 Industrial Property 67-51-610-003-00

**Address:** US Highway 10

**Parcel ID Number:** 67-51-610-003-00

**Legal description:** Lot 3 Evert Air Industrial Park

**Zoned:** General Industrial District

**Land AC:** 3.99 **Land SF:** 173,804

**Highlights**

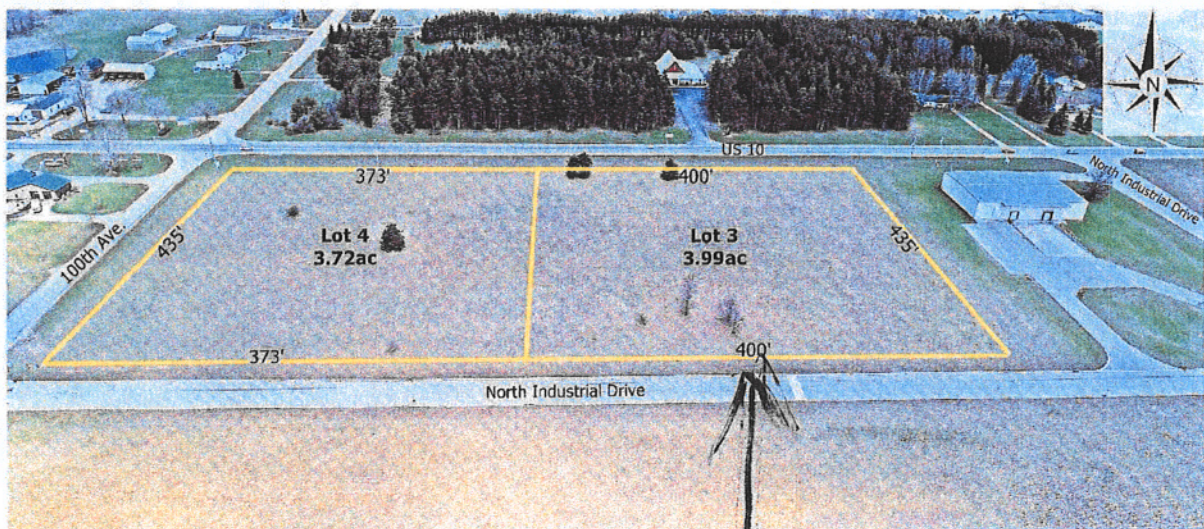
-400 feet of frontage on US Hwy 10

-Phase 1 Environmental completed March 2020

**Executive Summary:** Development opportunity for sale approximately 4 acres along US 10 Hwy. Property is located on US 10 which is accessible to both major expressways US 131 and US 127. Will consider splitting/rezoning/combining.

**Minimum Bid Price: \$70,000 (Development Agreement Required)**

LOT 3



LOT 3



EXHIBIT

## 11. Industrial Property 67-51-610-004-00

Address: US Highway 10

Parcel ID Number: 67-51-610-004-00

Legal description: Lot 4 Evert Air Industrial Park

Zoned: General Industrial District

Land AC: 3.72 Land SF: 162,043

### Highlights

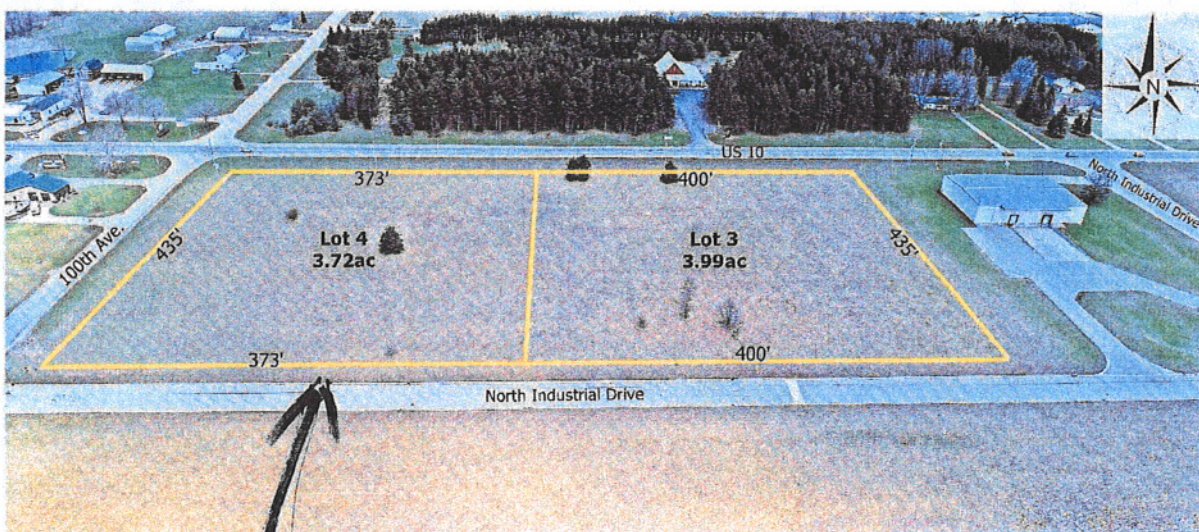
-373 feet of frontage on US Hwy 10

-Phase 1 Environmental completed March 2020

**Executive Summary:** Development opportunity for sale approximately 3.72 acres along US 10 Hwy. Property is located on US 10 which is accessible to both major expressways US 131 and US 127. Will consider splitting/rezoning/combining.

**Minimum Bid Price: \$70,000 (Development Agreement Required)**

LOT 4



LOT 4



EXHIBIT

## 13. Industrial Property 67-51-610-006-00

**Address:** N. Industrial Park Drive

**Parcel ID Number:** 67-51-610-006-00

**Legal description:** Lot 6 Evert Air Industrial Park

**Zoned:** General Industrial District

**Land AC:** 6.51 **Land SF:** 283,576

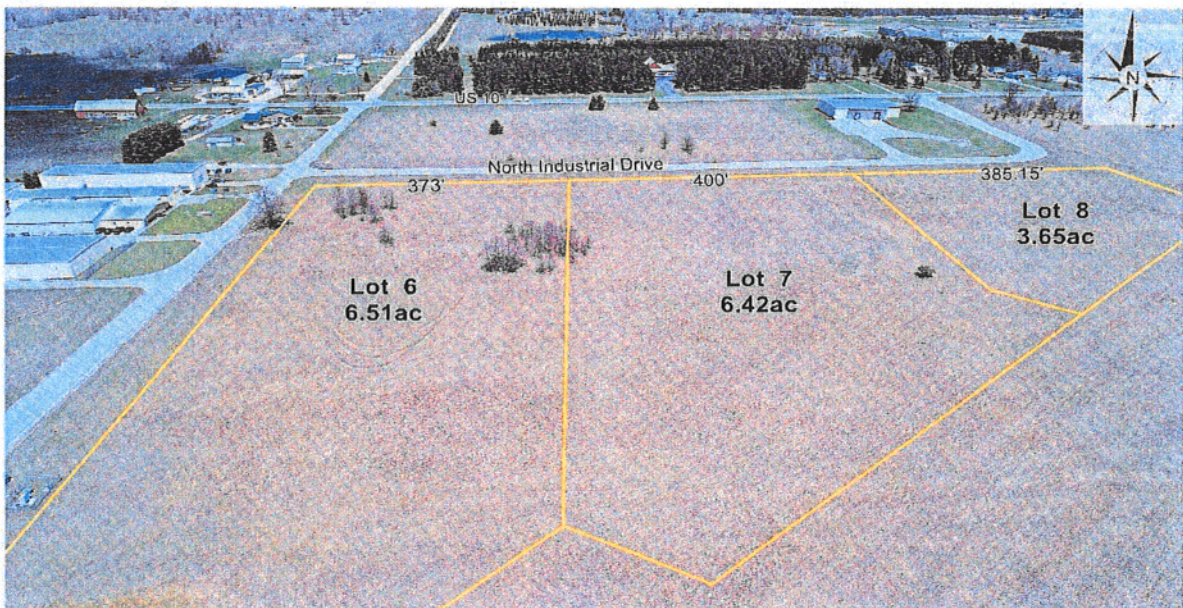
### Highlights

-Phase 1 Environmental completed March 2020

**Executive Summary:** Development opportunity for sale approximately 6.51 acres near US 10 Hwy. Property is located near US 10 which is accessible to both major expressways US 131 and US 127. Will consider splitting/rezoning/combining.

**Minimum Bid Price: \$70,000 (Development Agreement Required)**

Lot 6





## AGENDA REPORT

To: Honorable Mayor Emerick and Council members

From: Pepper Lockhart, City Manager

Date: January 11, 2022 **UPDATED ITEMS 2/7/22**

Re: Lot 2- Offer from MacLellan

For the Agenda of January 18, 2022: Regular Meeting

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### Background

I have been in discussion with Mr. Eades from MacLellan Integrated Services in regard to the purchase of this lot. MacLellan is the current tenant leasing the building. They have been in the building for over fifteen years, producing products that support Ventra, Evert's largest industry. The lease is currently month to month. The city chose not to renew the long-term lease after listing the property for sale.

### Issues and Questions Specified

MacLellan Integrated Services has completed an assessment and inspection of the building. **I have also included the lease so you can use it to compare what we are responsible for at this time.**

### Alternatives

1. Entertain offers from new tenants.
2. Do nothing.

### Financial Impact

1. It would be preferable to sell the property and return it to the tax rolls.

### Attachments

1. Lot 2 Listing
2. Offer
3. **Current Lease**

# Industrial Property 67-51-610-002-00

Address: 1033 West 7<sup>th</sup> Street (US Hwy 10)

Parcel ID Number: 67-51-610-002-00

Legal description: Lot 2 Evert Air Industrial Park

Zoned: General Industrial District

Land AC: 3.03 Land SF: 131,986

## Highlights

-305 feet of frontage on US Hwy 10

-Industrial Building approx. 11,000 sf

Executive Summary: City is marketing for sale or lease, minimum sale price \$450,000. Property is located on desirable high exposure US 10 which is accessible to both major expressways US 131 and US 127. Will consider subdividing/rezoning/combining.





MacLellan Integrated Services, Inc.  
3120 Wall Street, Suite 100  
Lexington, KY 40513  
Tel: 859.219.5400  
Fax: 859.219.5438

January 14, 2022

Attn: City Manager  
City of Ewart  
5814 100th Ave.  
Ewart, MI 49631

Re: Offer to Purchase Surplus Real Property located at 9811 US-10 (described in listing as West 7th Street/US Highway 10), Ewart, Michigan

Dear Ms. Lockhart:

MacLellan Integrated Service, Inc., on behalf of its affiliated entity to be formed, Highline-Ewart LLC, hereby respectfully submits the attached Offer to Purchase Surplus Real Property commonly known as 9811 US-10, Ewart, Michigan.

MacLellan has occupied the property for approximately 20 years under a lease with the City. MacLellan, through an affiliated entity, desires to purchase the property in order to secure its long-term occupancy at the property and to make further investments in its business operations at the property.

As set forth in the attached Offer, we are offering \$372,500 for the property. We understand that that the requested minimum bid sought by the City is \$450,000. In arriving at our Offer price, we have taken into consideration the City's 2020 appraisal of the property at \$400,000, and then increased the value for purposes of our evaluation to \$425,000 to recognize increases in the market since the time of the appraisal. From the \$425,000, we have deducted the estimated cost of repairs and replacements that should be undertaken immediately in order to address deferred maintenance issues identified through a recent inspection conducted by an independent 3<sup>rd</sup> party building inspector. The estimate of items in need of immediate replacement or repair is approximately \$52,500, as follows:

Deficient Item	Estimated Cost for Immediate Repairs/Replacement
Parking Lot/Driveway:	\$ 15,000.00
Concrete Parking lot/Dock/Sidewalk/Pad:	\$ 2,000.00
Building Lights:	
Exterior Outlets/GFCI:	\$ 100.00
Roof #1:	\$ 2,000.00
Gutters/Downspouts:	\$ 5,000.00
Metal Siding:	\$ 15,000.00
Metal Doors (2):	\$ 500.00
Overhead Doors (3):	\$ 1,200.00
Glass Doors:	
AC #1:	\$ 6,500.00
Furnace #1:	\$ 200.00
Water Heater #1:	
Roof-Wall Insulation:	\$ 5,000.00
<b>TOTAL</b>	<b>\$ 52,500.00</b>



Additional items for which maintenance has been deferred and will be needed in the near term have also been identified and are estimated to cost \$53,000. However, we have not made deductions to our offered price for those additional items.

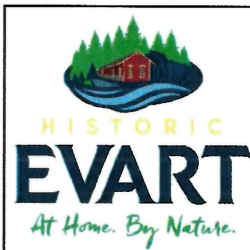
MacLellan has enjoyed conducting business in Ewart, Michigan and wishes to make a lasting investment in the City. We, therefore, respectfully submit this offer for the City's consideration.

We are happy to discuss our offer in further detail and look forward to the opportunity to become further invested in the Ewart community.

Respectfully,

Steven Eades  
Commercial Director  
MacLellan Integrated Services Inc.

w/Enc.:



# Disclaimer Form Regarding Surplus Real Property Attachment "A"

Adopted by City Council on June 30, 2020

Purchaser understands, acknowledges and agrees that he/she/it is purchasing the Surplus Real Property located at 9811 US Hwy. 10, City of Evart, Michigan, in its "AS IS" condition, and that neither the City of Evart, nor any of its officers, employees, brokers, agents or representatives [hereinafter collectively referred to as "City"] has made any promises, representations, warranties or guarantees concerning or relating to the Surplus Real Property, including, but not limited to, the legal ownership or marketability of title, or the condition of the Surplus Real Property or any building, structure, fixture or appurtenance thereon. It is expressly agreed that City makes no warranties that the Surplus Real Property complies with federal, state or local government laws or regulations applicable to its use. Purchaser assumes all responsibility for any damages caused by the condition of the Surplus Real Property upon transfer of title and the environmental condition of the Surplus Real Property, and hereby releases and forever discharges City from any and all actions, causes of actions, claims and demands, in law and equity, for, upon or by reason of any damage, loss or injury sustained by or threatened against Purchaser or any other person in connection with the Surplus Real Property and with respect to the environmental condition of the Surplus Real Property. Conveyance of the City's interest in the Surplus Real Property will be made by a quit claim deed prepared by the City which will include the releases set forth herein. All conveyances shall be subject to any existing easements, reservations, rights of use and restrictions of record, building and use restrictions, zoning ordinances, municipal regulations, prior conveyances or leases of oil, gas and mineral rights, and all liens, encumbrances, defects and other conditions on, concerning or relating to the Surplus Real Property.

Purchaser acknowledges that he/she has inspected the Surplus Real Property. Purchaser further acknowledges that he/she may not be able to obtain title insurance for the Surplus Real Property. Purchaser assumes all responsibility for any defects or deficiencies in the title and for the suitability of the Surplus Real Property for Purchaser's uses and purposes. Purchaser acknowledges and agrees that he/she/it will not be able to return the Surplus Real Property to the City nor obtain a refund of the purchase price for any reason.

Purchaser represents to City that he/she are not in default of any contract or obligation with the City, including, but not limited to, delinquent City real or personal property taxes or special assessments, past due City utility bills, outstanding invoices for City services, or any notice or citation for a violation of any City ordinance, rule or regulation.

Purchaser agrees and shall be responsible to pay for any owner's or mortgage title insurance policy, all costs in applying for and securing financing or assuming existing financing (if available), all costs of preparation of documents relating to new or existing financing, recording financing statements, inspections, environmental assessments, recording fees for mortgage and deed, costs in connection with matters relating to Purchaser's use or intended use of the Surplus Real Property, including but not limited to, re-zoning, special use permits,




variances, soil borings, surveying, rights of way, site plan preparation, sanitary sewer lines, water lines and all other matters related to his/her development of the Surplus Real Property, and Purchaser's broker and attorney fees.

All of the agreements and undertakings set forth above shall be binding upon Purchaser and its successors and assigns.

PURCHASER: SE Date: 1/14/2022

Highline-Evart LLC by Steven Eades, on behalf of such entity to be formed  
PURCHASER: \_\_\_\_\_ Date: \_\_\_\_\_

	<h2 style="text-align: center;">Offer to Purchase Surplus Real Property Form</h2>
	<p style="text-align: center;">Adopted by City Council on June 30, 2020</p>

**In accordance with City Policy, all offers to purchase Surplus Real Property shall be submitted in writing and signed by the prospective purchaser(s). The following must be completed in its entirety before an offer will be considered.**

☒ I acknowledge and certify that I have read the Policy for the Disposition of City Owned Surplus Real Property \_\_\_\_\_(initials)

☒ I acknowledge and certify that I have read and returned a signed Disclaimer Form Regarding City Owned Surplus Real Property (Attachment A) \_\_\_\_\_(initials)

Real Estate Brokers must enter into the listing agreement incorporated in the Policy for the Disposition of City Owned Surplus Real Property.

Purchaser(s) Name: Highline-Evart LLC (an affiliate of MacLellan Integrated Services Inc.)

Purchaser(s) Address: 3120 Wall Street Suite 100, Lexington, KY 40513

Telephone Number – Home: ( ) \_\_\_\_\_ Work: ( 859 ) 219-5402

Legal name of organization: Highline-Evart LLC  
(if applicable, if not insert n/a)

Name of principal for purchaser who is authorized to execute all documents of behalf of purchaser: Steven Eades or Jeff Betzoldt  
(if same as Purchaser, insert Same)

Parcel number: 67-51-610-002-00

Parcel address: 9811 US-10 (described in listing as West 7th Street/US Highway 10)

Total purchase price: \$372,500.00



*Proposed use and development of the property* MacLellan is the current occupant of  
of the property under a lease with the City. MacLellan has occupied the property for  
approximately 20+/- years and uses the property to provide cleaning of industrial  
racks. MacLellan would continue to use the property for its existing use.

*Guarantees for completing any proposed project* Not applicable.

*Dollars to be invested (if constructing a building /home)* \$106,000 +/- is estimated for  
for repairs and replacements. MacLellan has previously invested approximately  
\$330,000 for equipment at the Property.  
*Anticipated method(s) of financing* All cash at closing.

*Timeline for implementation and completion of any proposed project* MacLellan  
currently occupies the building under a lease and would continue its occupancy. Purchaser  
will undertake repairs and replacement of a number of items to address deferred  
maintenance issues. Certain repairs and replacements would be undertaken promptly after  
closing. Other items would be addressed over a period of 1 to 5 years.

*Contingencies required by purchaser* Purchaser's offer is contingent on satisfactory review  
of title and environmental assessments, to be completed within 30 days of City's  
acceptance of offer, which time period would be extended for up to 30 additional days if  
a Phase I environmental assessment indicates that environmental testing is warranted.  
Please see attached addendum for these and other terms applicable to this Offer.

*Any specific contingencies to be performed by the City* At closing, the City shall deliver  
the deed, a closing statement, bill of sale and other standard closing documents  
reasonably required by the title company to issue its policy (title policy to be paid  
for by Purchaser).

*If proposed use of the property is commercial or industrial complete the following:*

Number of jobs to be created/retained: 6

Average job wage: \$23.42/hour

Developer Name: Not applicable.

Developer's Address: Not applicable.

Developer's Telephone Number: Not applicable

Terms of Sale (e.g. cash, land contract or option): All cash at closing.

Signatures of Prospective Purchaser(s):  
Highline-Evart LLC, an entity to be formed

Name: By: Steven Eades  
on behalf of such entity to be formed

Date: 1/14/2022

Name: \_\_\_\_\_

Date: \_\_\_\_\_

Return this form along with the disclaimer form to:

Attn: City Manager, City of Evart 5814 100<sup>th</sup> Ave. Evart, MI 49631

**FOR INTERNAL USE ONLY:**

Received Date		Approved	
Received Disclaimer (Attachment A)		Commission Proceeding Date	
Real Estate Broker Listing Agreement (if applicable)		Date Title Recorded	



**ADDENDUM TO OFFER TO PURCHASE**  
**SURPLUS REAL PROPERTY FORM**

This Addendum to Offer to Purchase Surplus Real Property ("Addendum") is by Highline-Evart LLC, ("Purchaser"), with regard to that certain Offer to Purchase Surplus Real Property (the "Offer") regarding real property commonly known as 9811 US-10, Evart, Michigan (the "Property"). The Offer, as modified by the terms of this Addendum, is sometimes referred to herein as the "Agreement."

1. Closing. Purchaser and Seller agree to complete the sale as herein provided (the "Closing") within ten (10) days following the expiration of the Inspection Period (as defined below) (the "Closing Date"). The Closing shall take place at (or in escrow through) the offices of Title Connect, LLC (the "Title Company").
2. Inspection Period. Purchaser shall have thirty (30) days from the date of the City's acceptance of this Offer (the "Inspection Period") to inspect all aspects of the property, including, without limitation, the status of title to the property, and to conduct all surveys, environmental studies and soil and other tests on the Property deemed necessary by Purchaser. If Purchaser's Phase I environmental assessment recommends that a Phase II environmental assessment or other studies be conducted, Purchaser may, by written notice given to the City prior to the expiration of the Inspection Period, extend the Inspection Period for an additional thirty (30) days. If Purchaser, prior to the expiration of the Inspection Period, as the same may be extended as set forth above, provides written notice to Seller of its election to terminate this Agreement, neither party shall have any further liability or obligation under this Agreement.
3. Default. In the event of a default or failure to proceed on the part of Purchaser hereunder, the City's sole remedy shall be to terminate this Agreement and Purchaser shall have no further liability or obligation to the City under this Agreement. In the event of default by the City hereunder, Purchaser shall be entitled, at its option, to proceed under this Agreement and waive such default, to specifically enforce the terms hereof, or to terminate this Agreement. Neither party shall be deemed to be in default under this Agreement for any failure to comply with its obligations hereunder, and the other party shall not terminate nor take any action to terminate this Agreement, until the defaulting party has first been given written notice of any default hereunder and has failed to cure such default within five (5) days after the receipt of such notice."
4. Exclusivity. From and after the date of this Agreement and until such time as this Agreement is terminated, neither Seller nor its agents shall sell, offer for sale, negotiate with respect to, or otherwise deal in, the sale of the Property or any other interest therein to another person or entity.
5. Compliance with Local Ordinances. The City hereby acknowledges and agrees that the property is currently in compliance with all applicable zoning and use regulations and building codes.
6. Miscellaneous.
  - a. This Addendum may be executed by the parties hereto individually or in one or more counterparts, each of which shall be an original and all of which shall together constitute one and the same agreement. This Addendum, signed and electronically transmitted by facsimile or email, is to be treated as an original document and the signature of any party hereon, if so transmitted, is to be considered as an original signature, and the document so transmitted shall have the same binding effect as a manually executed original.

- b. If any provision of this Agreement is held to be illegal, invalid, or unenforceable under present or future laws effective during the term of this Agreement, the legality, validity, and enforceability of the remaining provisions of this Agreement shall not be affected thereby.
- c. Time is of the essence with respect to this Agreement.
- d. Any notice required or permitted by this Agreement shall be sufficient if in writing and delivered (i) by hand delivery, (ii) by nationally recognized overnight courier for next business day delivery, or (iii) by electronic mail (e-mail) addressed to the parties at their addresses specified below their signatures. Notices given by hand delivery shall be effective upon receipt; notices deposited by overnight courier shall be effective on the next business day after deposit with such courier, and notices given by email shall be effective when sent provided that the same is sent prior to 5:00 pm on a business day, or if sent on a non-business day or after 5pm, notice shall be deemed given on the following business day.


Purchaser and the City have executed this Addendum effective as of the latest date of their respective signatures below.

The "City"  
City of Ewart

By: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Dated: \_\_\_\_\_

Notice Address:  
Attn: City Manager  
5814 100th Ave.  
Ewart, MI 49631  
Email: citymanager@ewart.org

"PURCHASER"  
Highline-Ewart LLC (an entity to be formed)

By:  \_\_\_\_\_  
Steven Eades, on behalf such entity to be formed  
Dated: 1/14/2022

Notice Address:  
c/o MacLellan Integrated Services Inc.  
Attn: Steven Eades  
3120 Wall Street, Suite 100  
Lexington, KY 40513  
Email: steven.eades@maclellanlive.com



#### LEASE AGREEMENT

THIS LEASE AGREEMENT is entered on the 18<sup>th</sup> day of February 2020 by and between the City of Evert, hereinafter called "Lessor" and MacLellan Integrated Services Inc. a Delaware Corporation, hereinafter called "Lessee".

WHEREAS, the Lessor is the owner of the Industrial Incubator Building located in the Evert Air Industrial Park on Lot #2, hereinafter called "the property"; and

WHEREAS, said the Property has a gross building area of 12,500+SqFt.

WHEREAS, the Lessor and the Lessee desire to enter into a Lease Agreement covering said Property and desire to reduce the terms of the Lease Agreement to writing.

NOW, THEREFORE, it is agreed in consideration of the mutual of the mutual covenants herein contained, as follows:

#### LEASED PREMISES

1. The Lessor does hereby lease to the Lessee the Property located at 1033 W. 7<sup>th</sup> Street, City of Evert, Osceola County Michigan, and the Lessee does hereby agree to lease said premises upon the terms as hereinafter set forth.

#### TERM AND TERMINATION

2. The term of this lease shall commence on February 18, 2020 and shall be a month-to-month lease and continue until terminated by either party upon a 90 day notice to the other party.

#### RENTAL

3. The Lessee shall pay to the Lessor as rental, a monthly amount equal to \$2,500.00 per month.
4. The rent hereunder shall be due on or before the 1<sup>st</sup> of each month and shall be made payable to the City of Evert, 5814 100th Avenue, Evert, MI 49631.

#### PROPERTY TAXES

5. Michigan's Public Act of 189 of 1953, 211.181, Section 1. (1). The City of Evert is a tax-exempt entity but because the property is leased, and the business conducted is for profit the user of the real property is subject to taxation in the same amount and to the same extent as though the lessee owned the real property.

#### MAINTENANCE

6. Lessor shall maintain the exterior of the building, including the roof and structure. All leasehold improvements will be the responsibility of the Lessee but must be approved in advance by the Lessor.



#### UTILITIES

7. Commencing with the date of possession, Lessee shall pay the cost of all utility services, including heat, water, sewer service, and electricity consumed upon the leased premises during the term of this lease. Wastewater from the Lessee's operation shall be of domestic quality and comply with all provisions of the City of Evart's Sewer Use Ordinance. No waste of any kind shall be disposed of on the property.

#### INSURANCE

8. Lessee agrees that it will throughout the term of this lease; carry adequate Owner-Landlord-Tenant public liability insurance to protect the Lessor from claims of all persons for injuries to person or property which may be sustained in connection with the use of, or the occupation of, the leased premises by the Lessee. Such insurance shall be retained in companies acceptable to the Lessor. Lessee shall provide to the Lessor a certificate of such insurance listing Lessor as additional insured and loss payees.

#### FIXTURES AND LEASEHOLD IMPROVEMENTS

9. At the termination of this lease and provided the Lessee is not default hereunder, the Lessee shall have the right to remove from the leased premises all fixtures, counters, and furnishings installed by the Lessee; at the option of the Lessor, the Lessee shall have the obligation to remove such fixtures, counters, etc., and in so doing, the Lessee shall restore the leased premises to a clean, tenantable condition.

#### ACCESS TO PREMISES BY LESSOR

10. Lessee further agrees to allow Lessor and its agent's free access to the premises hereby leased for the purpose of exhibiting or examining the same or making any needful repairs or alterations thereof, provided that such right of access shall be exercised in a reasonable manner so as not to interfere with the Lessee's business.

#### SURRENDER OF POSSESSION

11. Lessee agrees at the time of expiration of this lease, or any extension thereof, to surrender the premises and deliver up possession to the Lessor without notice and in good condition, loss by fire or other casualty and ordinary wear and tear accepted.

#### SUBLEASE

12. Lessee agrees that it shall not assign this lease nor sublet or underlet the leased premises without first having received the express written consent of the Lessor, which consents shall not be unreasonably withheld. Lessee shall not be released from liability hereunder. Lessor shall respond to the consent request within thirty (30) business days. Otherwise, denial by Lessor shall be presumed.



#### CONTINUITY

13. This lease shall be binding upon and shall inure to the benefit of the respective Lessor and Lessee, their successors and assigns.

#### DEFAULT

14. If the Lessee shall be in default for failure to comply with the rental provisions herein and such default continues unremedied thirty (30) days after receipt of written notice thereof via certified mail to the Lessee, then this lease shall, at the option of the Lessor, be terminated. If the Lessee shall be in default with any other term or covenant and such default continues for sixty (60) days after receipt of written notice thereof via certified mail, then this lease shall, at the option of the Lessor, be terminated. If such default cannot be reasonably remedied prior to such time, and the Lessee is engaged in a good faith effort to cure such default, then its rights shall continue to effect, excluding from this extension of time the non-payment of rent by the Lessee.

#### ATTORNEY'S FEES AND COURT COSTS

15. In the event of a default by either party, the non-defaulting party shall be entitled to court costs and reasonable attorney's fees for any action successfully taken for enforcement of the terms and provisions of this lease, and the same may be included in any judgement obtained against the defaulting party.

#### SECURITY DEPOSIT

16. No security deposit is required.

#### NOTICES

17. Any notice required hereunder shall be given by certified mail, return receipt requested, to the Lessor addressed to:

MacLellan Integrated Services Inc.  
Attn: Steven Eades, Director of Finance  
3120 Wall Street, Suite 100  
Lexington KY 40513

To the Lessee addressed to:  
City of Ewart  
Attn: Sarah Dvoracek, City Manager  
5814 100<sup>th</sup> Avenue  
Ewart MI 49631

IN THE WITNESS WHEREOF, this Lease Agreement has been executed by the undersigned Lessor and by the undersigned Lessee on the day and year first above written.

MacLellan Integrated Services, Inc.  
A Kentucky Limited Liability Company

Signature: [Signature]

Name: Steven Eades

Its: Commercial Director

Date: 3/11/2020

City of Evart, Oseola County, Michigan

Signature: [Signature]

Name: Sarah J. Dvoracek

Its: City Manager, City of Evart

Date: 3/11/2020



## AGENDA REPORT

To: Honorable Mayor Emerick and Council members

From: Pepper Lockhart, City Manager

Date: January 12, 2022

Re: Green Gold Diner- Special Events

For the Agenda of January 18, 2022: Regular Meeting

---

### Background

Chris Elliott, owner of the Green Gold Diner would like to hold some special events this summer. These events will be partnered with Tri-Unity, community resources to help fundraise for a nonprofit in the Ewart area. Each event will have proper documentation with the State of Michigan and be licensed and insured. The events will be held at the Green Gold Diner.

### Issues and Questions Specified

Chris would like permission to submit an application to get a liquor license for three of the events for 2022. They would like to host a pig roast with live music, a seafood boil with live music, and an Oktoberfest type event.

### Alternatives

### Financial Impact

1. This will not have a financial impact on the city.

### Attachments

1. Request from Chris Elliott & Rachel Gokey
2. Certified Resolution Authorizing the Application for Special Use

January 2022

Dear Village of Evart Council-

We are extremely interested in hosting events in Evart for 2022. Community is extremely important to us. To be a united community there needs to be a certain amount of coming together, for the betterment of the whole.

The Green Gold Diner (owner, Chris Elliott) & Tri-Unity, community resources (owner, Rachel Gokey) would like to combine resources to help fundraise for the Evart area. We have been researching nonprofits in the area and want to help them succeed! The Green Gold Diner has several public events happening for 2022. Community give back is so important! We would like to have each event we host be a fundraiser for a nonprofit in the Evart community.

We come before the Board to ask permission, via resolution, to allow The Green Gold Diner & Tri-Unity to submit an application to the State of Michigan for the sales of alcoholic beverages to occur on the day of events ONLY. Each event will have proper documentation with the State of Michigan and will be fully licensed and insured. As a 501c(3) Tri-Unity, community resources may obtain a one-day license. If approved, we will serve alcoholic drinks during the day of the event pertaining to the license ONLY.

The list of events we have scheduled for 2022 are:

Saturday, June 11<sup>th</sup> time: TBD Pig Roast with live music

Saturday, July 9<sup>th</sup> time: TBD Seafood boil with live music

Saturday, October 1<sup>st</sup> time: TBD Octoberfest with a specialty food menu

First weekend in August: Back to school event

Sunday, December 11<sup>th</sup>: FREE community luncheon and visit with Santa at Osceola County Fair Grounds.

We would be asking for permission to obtain a temporary liquor license for our June, July, October events. We are happy to get approval for each event prior to the event or Prior to each event we will come before the Council and request permission via resolution, or you may include all 3 dates on this resolution, whichever you prefer.



Tri-Unity, community resources & The Green Gold Diner will make sure to provide the following at each event:

- Matching shirts for all team members to ensure easy identification.
- Security on site for each event-start to finish.
- Wristbands for all adults purchasing drink tickets, wristband colors will change for each event.
- ALL drivers licenses verified for appropriate age.
- Designated exterior tent space for additional.
- Open to anyone and everyone.
- Every event will be fully licensed and insured.
- ALL events are family friendly and welcome all.

Each event will have special touches to make our guests feel extra. We genuinely appreciate how welcoming the community has been to us and want to continue to foster a long-term relationship with Evart and surrounding areas.

Thank you for taking the time to review our proposal. We appreciate you taking the time to review. We ensure you that all procedures will be in place to host a safe, fun, yet successful fundraiser for the community!

Please do not hesitate to reach out with any questions! We appreciate it.

Sincerely,

Chris Elliott  
The Green Gold Diner  
201 W. Seventh Street  
(616)302-1211 (cell)  
[Christopher49319@gmail.com](mailto:Christopher49319@gmail.com)

A handwritten signature in black ink, appearing to read 'Rachel Gokey', with a large, stylized flourish at the end.

Rachel Gokey  
Tri-Unity, Community resources  
West Michigan  
(616)302-9793 (cell)  
[triunity49343@gmail.com](mailto:triunity49343@gmail.com)



Michigan Department of Licensing and Regulatory Affairs  
Liquor Control Commission (MLCC)  
Constitution Hall - 525 W. Allegan, Lansing, MI 48933  
Mailing Address: P.O. Box 30005, Lansing, MI 48909  
Toll-Free: 866-813-0011 - [www.michigan.gov/lcc](http://www.michigan.gov/lcc)

Business ID: \_\_\_\_\_  
Request ID: \_\_\_\_\_  
(For MLCC Use Only)

**Certified Resolution of the Membership or Board of Directors Authorizing the Application for Special License**

(Required under Administrative Rule R 436.576 - Not Required for Candidate Committee)

At a ☐ Regular ☐ Special meeting of the ☐ Membership ☐ Board of Directors

called to order by \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_  
(Date) (Time)

the following resolution was offered:

Moved by \_\_\_\_\_ and supported by \_\_\_\_\_

that the application from \_\_\_\_\_  
(Name of Organization)

for a Special License to serve alcohol on \_\_\_\_\_  
(Event Date or Dates)

to be located at \_\_\_\_\_  
(Physical Address - Include Location Name, Street Address, City, State, & Zip Code)

It is the consensus of this body that the application be \_\_\_\_\_ for issuance.  
(Recommended or Not Recommended)

**Approval Vote Tally**

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

**Certification by Authorized Officer of Organization:**

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the

☐ Membership ☐ Board of Directors at a ☐ Regular ☐ Special meeting held on \_\_\_\_\_  
(Date)

\_\_\_\_\_  
Print Name & Title of Authorized Officer

\_\_\_\_\_  
Signature of Authorized Officer

\_\_\_\_\_  
Date



**Part 5 - Local Law Enforcement Approval\***

The local law enforcement agency with primary jurisdiction over the event location must complete this section.

Name of law enforcement agency:	
Name & title of reviewing officer:	
Phone number of officer:	Email of officer:
If event will be held on a Sunday, is the sale of alcohol from 7:00am to 12:00 Noon on Sunday allowed in this local governmental unit? <input type="radio"/> Yes <input type="radio"/> No	
If the event will be held on a Sunday, is the sale of alcohol after 12:00 Noon on Sunday allowed in this local governmental unit? <input type="radio"/> Yes <input type="radio"/> No	
<b>I certify that I have reviewed the application of the applicant organization for a Special License and approve the issuance of a Special License by the Michigan Liquor Control Commission at the proposed event location.</b>	
<div style="text-align: right;">           _____            Signature of Reviewing Officer         </div> <div style="text-align: right;">           _____            Date         </div>	

**Part 6 - Church/School Consent (If Applicable)\***

If the event location is located within 500 feet of a church or school, the applicant organization must obtain the consent of the church or school. A church or school within 500 feet of the event location may object based on such the sale of alcohol at the location adversely affecting the church or school's operations. If a proper objection is filed, the Commission shall hold a hearing to determine whether the granting of the application will adversely affect the operation of the church or school.

Name of church or school:	
Address of church or school:	
City:	Zip Code:
Phone number:	Email:
Name of clergy member or superintendent:	
<b>I, the authorized representative of the above named church or school, state that the church or school has no objection to the issuance of a Special License to the applicant organization at its proposed event location.</b>	
<div style="text-align: right;">           _____            Signature of Clergy Member or Superintendent         </div> <div style="text-align: right;">           _____            Date         </div>	

**\*Please note: the Commission has the sole and only right to approve or deny this request for a Special License.**

**Part 7 - Existing On-Premises Licensee Escrow Request (If Applicable)**

If the event location is currently licensed with an on-premises license, the licensee must request that its license be placed into escrow for the date(s) and time(s) of the Special Licenses issued for use at the event location requested on this application. If the existing license would prefer to temporarily drop space from its licensed premises, it must submit a letter to the Commission requesting to drop space temporarily from its licensed premises during the event date(s) and time(s), accompanied by a diagram showing the area where the license will temporarily drop space from its licensed premises to accommodate the applicant organization.

Name of licensee:	Business ID Number:
Type of license held at this location (e.g. Class C, Club, Tavern, etc.):	
Phone number:	Email:
Name of authorized signer for licensee:	
<b>I, the authorized signer, for the above named on-premises licensee, request that the licensee's licenses at this location be placed into escrow during the date(s) and time(s) specified for the Special Licenses issued for use at this location.</b>	
<div style="text-align: right;">           _____            Signature of Authorized Signer for Licensee         </div> <div style="text-align: right;">           _____            Date         </div>	

## AGENDA REPORT

To: Honorable Mayor Emerick & Council Members  
From: Pepper Lockhart, City Manager  
Date: February 2, 2022  
Re: Downtown Development Authority Director's Contract

For the Agenda of February 7, 2022

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Background. Per MCL 125.4205, the (DDA) board may employ and fix the compensation of a director, subject to the approval of the governing body of the municipality. The DDA Board is seeking to hire Todd Bruggema as the new DDA Director.

Issues & Questions Specified. Mr. Bruggema is a resident of Ewart. He shows great passion for the community and wants to be a part of creating a thriving downtown. He has served on several committees that involved working with communities. He is looking forward to working as a team to help us make the DDA successful. The contract has also been reviewed by our city attorney.

Alternatives.

1. Not approve

Financial Impact. The DDA has increased the original salary offered to be competitive within our area.

Recommendation. Please approve Mr. Bruggema's contract as presented.

Attachments.

1. Bruggema's Resume
2. Bruggema's proposed employment contract



**TODD J. BRUGGEMA**  
**610 W. 5th St.**  
**Evart, MI 49631**  
**(231) 734-2161 (h)**  
**(231) 878-0363 (c)**

**EDUCATION:**

Master of Arts (in Administration), Central Michigan University, Mt Pleasant, MI 1995.  
Bachelor of Science, Central Michigan University, Mt Pleasant, MI 1988.  
Curriculum: Secondary Education  
Major: Mathematics  
Minor: Computer Science  
Supplement Coursework: Alma College, Alma Michigan

**EXPERIENCE:**

Facilities Manager and Safety Coordinator, Avon Protection Systems, Mike Hamner, Vice President of Operations, Cadillac, MI 49601, (231) 884-3067. Responsibilities include but are limited to managing the maintenance staff. Organizing, bidding and seeing the completion of various projects. Putting together our 14001 ISO plan. Developing and then delivering training sessions. A member of Avon's COVID task force. I am responsible for the facilities budget. (2018 - present)

Assistant Principal, Cadillac Senior High School, Shaina Squires, Central Office Administrator, Traverse City Schools, (231) 876-5806. Responsibilities included but were not limited to teacher evaluations, student discipline, handbook revisions, athletic supervision and setup, fine arts supervision, dealing with parent issues, organizing graduation commencement, organizing the Veteran's Day Assembly, oversaw all clubs and Schedule B activities that were non-athletic, etc. (2015 - 2018)

High School Principal, Cadillac Senior High School, Paul Liabenow, Retired Superintendent, Traverse City, Michigan 49686, (517) 898-1611. Responsibilities include but are not limited to teacher evaluations, School Improvement Committee (building and district), hiring of new teachers, support staff, and coaches, manage a yearly building budget, completed many yearly reports (such as School Improvement, Ed Yes (Assist), SID as well as others), organize the Senior Academic Achievement Banquet, represent Cadillac High School at expulsion hearings, use multiple software and online programs as well as setting up and administering calling/messaging system, etc. (2007- 2015)

Assistant Principal, Cadillac Senior High School, Bill Chilman, Retired Principal, Cadillac, Michigan 49601, (231) 775-2902. Responsibilities included but were not limited to teacher evaluations, student discipline, handbook revisions, athletic supervision and setup, fine arts supervision, dealing with parent issues, organizing graduation commencement, organizing the Veteran's Day Assembly, oversaw all clubs and Schedule B activities that were non-athletic, etc. (2003-2007)

Assistant Principal, Cadillac Junior High School, Jack Richards, Retired Principal, Cadillac, Michigan 49601, (231) 779-8195. Responsibilities included but were not limited to teacher evaluations, student discipline, handbook revisions, athletic supervision, etc. (2002-2003)

Algebra and General Math Teacher, Bill Chilman, Retired Principal, Cadillac, Michigan 49601, (231) 775-2902. Responsibilities included teaching General Math concepts to 9th, 10th, & 11th graders and teaching Algebra, Algebra II concepts from the University of Chicago Series to the same grade levels, and Basic Programming and Introduction to Computers to 10th - 12th graders. I also setup the initial phase of a Novell network in our High School. (1992-2002)

Middle School Computer Science and Math Teacher, Del Cochran, Drager Middle School, Adrian, Michigan 49221. Responsibilities included teaching Algebra from the University of Chicago Series to 8th graders, 8th Grade Transitional Math, and 6th, 7th, & 8th Grade Computer Literacy. I also helped establish and setup a Networked Macintosh Lab in the Middle School. (1988-1992)

**COMMITTEES AND EXTRA ACTIVITIES:**

Cadillac Schools Policy Committee  
Technology Committee  
NCA Student Profile Committee  
Girls & Boys Basketball Coach  
Chaperon NHS Chicago Trip  
Appeal Hearings Academic & Athletic  
Athletic Event Supervision  
Co-Designed Graphic Art Class  
MHSAA Ski Committee

Cadillac Athletic Policy Committee  
Student Assistance Program Committee  
NHS Selection Committee  
CEA Grievances Chairman  
Chaperon Prom & Homecoming Dance  
9<sup>th</sup> & 10<sup>th</sup> Grade Orientation  
Involvement in Math Department  
CEA Building Representative  
Administrative Team Negotiator

CEA PN Committee  
CEA Vice President  
CEA Treasure  
CEA Negotiation Team  
Liaison Committee  
Hall Lunch Supervision  
Special SASI Training  
School Improvement  
CAPS Negotiator

**INTERESTS:**

I enjoy spending time with my children, coaching, camping, hunting, fishing, boating and many other outdoor activities.



**Evart Main Street/Downtown Development Authority  
Executive Director Employment Agreement**

This Agreement, made and entered into at Evart, Michigan this 1<sup>st</sup> day of March, 2022 by and between the City of Evart Main Street/DDA (hereinafter called the "DDA"), and Todd Bruggema, (hereinafter called the "Director").

1. Director shall perform the duties of DDA Director as prescribed by the DDA Board of Directors (hereinafter called the "Board") and as approved by the City Council of the City of Evart (hereinafter the "City Council"), pursuant to Public Act 57 of 2018, and as may be established, modified, and/or amended from time to time by the Board and approved by the City Council. Director acknowledges the authority of the Board and City Council with respect to their responsibilities and directions related thereto.
1. Director agrees to devote their talents, skills, efforts, and abilities toward competently and proficiently fulfilling all duties and responsibilities of the position assigned. Director agrees to faithfully perform those duties assigned by the Board and to comply with the directives of the Board with respect thereto. The Director agrees not to take on any conflicts of interest while employed by the DDA.
2. Director understands and acknowledges that the DDA is a public body corporate, funded with public tax dollars, and that as such, the documents that Director is privy to are generally going to fall within the category of public records as defined by the Freedom of Information Act, Public Act 442 of 1976, as amended, subject to transparency and disclosure. Director also recognizes that the business and operations of the DDA are subject to the requirements of the Open Meetings Act, Public Act 267 of 1976, as amended, and meetings shall be noticed and held accordingly. Furthermore, all public records shall remain the property of the DDA and the City of Evart and shall be retained in such a way that they are accessible to the public and kept safely in accordance with a State of Michigan approved record retention schedule as required by law.
3. The Director agrees to devote full time to the performance of the services required in this Agreement. The Director shall receive training from Michigan Main Street in order to fulfill the duties of the Main Street program. This will include mandatory training sessions hosted by the Main Street program at the state and national level. The Director shall also strive to maintain a consistent schedule and to regularly contact business owners in the Main Street/DDA district.
4. For all services rendered by the Director, the DDA shall pay to the Director an annual salary of \$62,000 payable in twenty-six (26) equal installments. (This amount includes a base salary of \$50,000 and an additional \$12,000 in lieu of health, vision, and dental insurance for the director and their dependents.)
5. Annually, a portion or all of one Board Meeting shall be used for the following purposes:
  - a. evaluating the Director and to discuss the working relationships between the Director and the Board,
  - b. consideration of renewal/nonrenewal of the Director's contract, and

- c. consideration of adjustments to compensation levels, all subject to approval by the City Council, in accordance with Public Act 57 of 2018, as amended.
6. Director understands and agrees that he is an "at will" employee and may be terminated at any time for any reason subject to thirty (30) days written notice. Director may also terminate this Agreement for any reason by providing thirty (30) days written notice. .
7. DDA and Director agrees to the following terms under this Agreement:
  - a. Unless terminated, Agreement shall be in effect from this date until February 29<sup>th</sup>, 2024 and thereafter is subject to renewal as approved by the Board and as ratified by City Council. A positive drug test nullifies this entire agreement.
  - b. Director may, at any time, and with thirty (30) days written notice, terminate this Contract.
  - c. DDA may, at any time, and with thirty (30) days written notice terminate this Agreement.
8. Fringe benefits:
  - a. The Board shall pay unemployment insurance and workers compensation insurance premiums on behalf of the Director.
  - b. Beginning with the effective date of this Agreement, the Director shall have fifteen (15) paid days available annually for use as sick days and/or vacation days. Additional days without pay will only be granted at the discretion of the Board.
  - c. Board shall pay, or reimburse the director for, reasonable expenses related to the performance of their duties. Eligible expenses must be documented in detail by Director prior to reimbursement and may include travel expenses including mileage, meals, parking, and lodging. Alcoholic beverages will not be paid for, nor reimbursed, by the Board. Mileage reimbursement will be made at the current IRS rate and shall be only for mileage traveled to conduct DDA business when using the Director's personal vehicle. Daily travel to and from work shall not be reimbursable.
  - d. Upon completion of one year of employment, the DDA will match up to a 3% contribution to the retirement plan designated by the Director.
  - e. The parties agree that this Agreement will not be interpreted or enforced in such a manner which discriminates on the basis of race, color, creed, religion, sex, age, national origin, or disability.
  - f. The Board shall not be obligated to pay for any health, vision, or dental insurance for the director, or their dependents, as long as the director is receiving the additional compensation described in paragraph 4 above.
9. This Agreement constitutes the sole and only Agreement of the parties and supersedes any prior understandings, oral, or written Agreement between the Parties respecting the subject matters contained. The Parties understand and agree that this Agreement shall be construed under and in accordance with the laws of the State of Michigan, that the Agreement may not be modified unless in writing, approved by City Council, and signed by both Parties. The Parties agree that any waiver of any part of this Agreement shall not be a waiver of any part or part of the whole, nor shall any waiver of a breach of this Agreement in whole or in part constitute a waiver of any other succeeding breach. In case any one or



more of the provisions in this Agreement shall be held to be invalid, illegal, or unenforceable for any reason, the invalidity, illegality, or unenforceability of any provisions shall not affect any other provision, but this Agreement shall be construed as if the invalid, illegal, or unenforceable provision had never been contained in the Agreement.

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Alan Bengry, President  
Evert Main Street/DDA Board of Directors

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Todd Bruggema, Director  
Evert Main Street/DDA

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June Essner, Secretary  
Evert Main Street/DDA Board of Directors

Dated: \_\_\_\_\_

## AGENDA REPORT

To: Honorable Mayor Emerick & Council Members  
From: Pepper Lockhart, City Manager  
Date: February 2, 2022  
Re: Savoy Energy L.P., Renewal of Oil and Gas Lease  
For the Agenda of February 7, 2022

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Background. In December of 2018 city staff met with Savoy Energy, L.P. to discuss the proposed lease for the property. Council approved the lease on February 4, 2019, for a three-year period. It was estimated for 62.76 acres for \$100.00 per acre.

Issues & Questions Specified. We have received extension paperwork and a check to extend the contract for another three-year period on the same terms. This has been reviewed by the city attorney.

Alternatives.

1. Not approve.

Financial Impact. The city will receive \$6,276.00 for three years unless they drill. If production occurs, we will receive 1/8 royalties.

Recommendation. I am requesting permission to sign the extension paperwork.

Attachments.

1. Original Savoy Energy L.P. Oil & Gas Lease signed February 13, 2019.
2. Extension Request from Savoy Energy, L.P.



## ORDER FOR PAYMENT FOR OIL AND GAS LEASE

Lease # \_\_\_\_\_

Lessee shall, subject to its approval of title, make payment as indicated herein by check within 45 days of Lessee's receipt of this Order For Payment and the executed Oil and Gas Lease associated herewith. No default shall be declared for failure to make payment until 10 days after written notice from payee of intention to declare such default. The right to receive this payment shall not be assigned, whether as collateral or otherwise.

If the oil and gas lease referenced herein covers less than the entire undivided interest in the oil and gas or other rights in such land, then the dollar amount listed herein shall be paid to the payee only in the proportion which the interest in said lands covered by the Oil and Gas Lease bears to the entire undivided interest therein. Further, should Lessor own more or less than the net interest defined herein, Lessee shall increase or reduce the dollar amount payable hereunder proportionately.

For collection, the original copy herein must be submitted along with the original executed Oil and Gas Lease. A copy is to be retained by payee. This Order For Payment is hereby recognized by Lessor as consideration paid by Lessee for the Oil and Gas Lease associated herewith.

PAYEE (Lessor): CITY OF EVART  
Address: 5814 100<sup>TH</sup> AVENUE  
EVART, MI 49631  
Phone: (231) 734-2181

This payment is for a three (3) year, Paid Up – Oil and Gas Lease with an effective date of the \_\_\_\_ day of \_\_\_\_\_, 2019 which covers property located in the County of Osceola, State of Michigan described as follows:

### TOWNSHIP 18 NORTH, RANGE 8 WEST (Osceola Township)

SECTION 35: The South Half of the Southwest Quarter of Section 35 lying South of US-10, except the West 14 acres thereof, containing 62.76 acres, more or less.  
Tax ID: 12-035-014-01

Estimated Gross Ac: 62.76 Estimated Net Ac: 62.76 Per Net Acre: \$100.00

THE TOTAL PAYMENT SHALL BE BASED UPON THE NET ACRES OWNED AND NOT SUBJECT TO AN EXISTING LEASE AS DETERMINED BY A SEARCH OF RECORDS AT THE REGISTER OF DEEDS IN OSCEOLA COUNTY MULTIPLIED BY THE BONUS \$ PER ACRE STATED ABOVE.

Completed by: \_\_\_\_\_

Accepted the 13<sup>th</sup> day of February, 2019 by:

City of Evart

Lessor: \_\_\_\_\_

Sarah J. Dvoracek  
Sarah Dvoracek, City Manager

SS#Tax ID: 38-6004553

Mathew Maritz

Lessee: Savoy Energy, L.P. Post Office Box 1560 Traverse City, MI 49685-1560 Ph: 231-941-9552

NOTE: Under the (1987) U.S. Tax Code, we are required by Law to Issue I.R.S. Form #1099 (Miscellaneous Income) to you for the consideration above, by January 31st of next year. In order to comply with the law we need to obtain the Federal Tax Identification or Social Security Number of the Payee that the income is to be credited. Please fill in the information requested. "Payments you receive will be subject to backup withholding if you do not furnish your TIN to the requester." This amount is 28% of such payments.

This Order for Payment expires one year from date of issuance unless paid sooner, terminated, or replaced by Lessee.

FOR OFFICE USE ONLY

Date Received:

Date Due:

Project: \_\_\_\_\_ Deck # \_\_\_\_\_  
Approved by: \_\_\_\_\_ Date: \_\_\_\_\_  
Date Paid: \_\_\_\_\_ Check # \_\_\_\_\_

**OIL AND GAS LEASE  
(NON-ENTRY – PAID UP)**

THIS AGREEMENT is made as of the 13<sup>th</sup> day of February, 2019, by and between City of Evart, Sarah Dvoracek, Interim City Manager, whose address is 5814 100<sup>th</sup> Avenue, Evart, MI 49631, hereinafter called Lessor, and Savoy Energy, L.P., P.O. Box 1560, Traverse City, Michigan 49685-1560 and 920 Hastings Street, Suite A, Traverse City, MI 49686, hereinafter called Lessee.

1. Lessor, for and in consideration of Ten Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, lease and let unto Lessee, the oil and gas mineral rights beneath the land described below, including all interest in such rights the Lessor may acquire by reversion or otherwise, (herein called "said land"), exclusively, for the purposes of exploration for and producing oil and/or gas. No surface operations of any nature shall be conducted on the leased land, except possible seismic surveys that may be conducted by Lessee, its successors or assigns. Said land is in the County of Osceola, State of Michigan, and is described as follows:

**TOWNSHIP 18 NORTH, RANGE 8 WEST (Osceola Township)**

SECTION 35:

A PARCEL OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SAID SECTION 35, BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 35; THENCE SOUTH 89 DEGREES 43'59" EAST ALONG THE SOUTH SECTION LINE, 700.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 08'15" EAST, 1069.23 FEET TO THE SOUTHERLY RIGHT OF WAY LINE FOR THE VACATED RAILROAD RIGHT OF WAY; THENCE NORTH 69 DEGREES 49'18" EAST ALONG SAID RIGHT OF WAY LINE, 1410.00 FEET TO A CURVE TO THE RIGHT; SAID CURVE HAVING A RADIUS OF 4620.00 FEET AND CHORD BEARING AND DISTANCE OF NORTH 71 DEGREES 43'13" EAST, 631.84 FEET, ALONG SAID CURVE A LENGTH OF 632.33 FEET TO THE NORTH-SOUTH QUARTER LINE; THENCE SOUTH 00 DEGREES 22'37" WEST ALONG SAID LINE, 1762.73 FEET TO SAID SOUTH SECTION LINE; THENCE NORTH 89 DEGREES 43'59" WEST ALONG SAID LINE, 1914.40 FEET TO THE POINT OF BEGINNING. CONTAINING 62.76 ACRES, MORE OR LESS.

TAX PARCEL ID: 12-035-014-01

Containing 62.76 acres, more or less, and including herein any oil and gas rights owned by Lessor beneath adjacent roadways, lakes, creeks, or rivers.

2. It is agreed that this lease shall remain in force for a primary term of three (3) years from the effective date of this lease, and as long thereafter as oil and/or gas is capable of being produced in commercial quantities from the land or from lands pooled or unitized with said lands.

3. Lessee covenants and agrees to pay the following royalties: one-eighth (1/8<sup>th</sup>) on oil and/or gas, valued at the wellhead, with no deductions, except Lessor's proportional share of taxes levied by Federal, State, and local governments. Lessor's 1/8<sup>th</sup> royalty will be calculated for royalty payment purposes in proportion to the fractional interest that Lessor's lands included in the pooled unit bear to the total acreage contained within the pooled unit so declared by Lessee.

4. If this lease covers less than the entire undivided interest in the oil and gas in said land, then the royalties and payments due hereunder shall be proportionately reduced.

5. Lessee is hereby granted the right to pool or unitize said land, or any part of said land, with other lands to establish oil and/or gas development units of not more than approximately 640 acres. Lessee may create, enlarge or reform the unit as provided above at any time when in Lessee's sole opinion it is advisable to do so, including the pooling of after acquired leases.

6. This lease and Lessee's operations shall be subject to the laws, rules, regulation and orders of all governmental agencies having jurisdiction, except that nothing therein shall prevent Lessee from declaring larger development units for the production of oil and/or natural gas based upon Lessee's sole geological evaluations of the oil and/or natural gas reservoir.

7. If the estate of either party hereto is assigned, and the privilege of assigning in whole or part is expressly allowed, the covenant and provisions of this lease shall extend to and be binding upon such party's successor and assigns. No assignment by Lessor shall be effective until written notice of the assignment is delivered to Lessee.



8. Lessee agrees to and hereby does defend, indemnify and hold harmless Lessor from and against any demands, claims, and lawsuits made or filed against the Lessor, which arise from Lessee's operations under the terms of this lease.

9. This lease may, at Lessee's option, be extended as to all or part of the lands covered hereby for an additional primary term of zero (0) years commencing on the date that the lease would have expired but for the extension. Lessee may exercise its option by paying or tendering to Lessor an extension payment of \$N/A per net acre for the land then covered by the extended lease. If Lessee exercises this option, the primary term of this lease shall be considered to be continuous, commencing on the date of the lease and continuing from that date to the end of the extended primary term. Lessee's option shall expire at expiration of the initial primary term of this lease.

S.D. SD

C.V. \_\_\_\_\_

10. Lessor hereby warrants and agrees to defend the title to said land and agrees that Lessee may at any time pay all or part of any land contract, mortgage, taxes, or other liens or charges with respect to said land, either before or after maturity and be subrogated to the rights of the holder thereof, and that Lessee shall be entitled to reimbursement out of any royalty or other monies payable to Lessor hereunder. This lease shall be binding upon each party who executes it without regard to whether it is executed by all those named herein as Lessor.

11. Notwithstanding anything to the contrary contained in this Lease wherever the fraction one-eighth (1/8th) appears it shall be replaced by one-sixth (1/6th).

**EXEMPT from Real Estate Transfer Tax pursuant to MCL 207.505(e) and MCL 207.526(e).**

Executed as of the day and year first above written.

LESSOR:

City of Evart

Sarah Dvoracek  
By: Sarah Dvoracek, Interim City Manager

By: \_\_\_\_\_

STATE OF MICHIGAN )  
COUNTY OF Oscoda ) SS. (Individual Acknowledgment)

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of February, 2019 by City of Evart, Sarah Dvoracek, Interim City Manager.

My Commission Expires:

October 29, 2021

Heather Patten

, Notary Public

Notary in Oscoda County, Michigan

Acting in Oscoda County, Michigan

Prepared by: Mathew Maritz, PO Box 1560, Traverse City, MI 49685  
Return to: Savoy Energy, L.P., PO Box 1560, Traverse City, MI 49685

**SAVOY ENERGY®, L.P.**

P.O. Box 1560  
TRAVERSE CITY, MI 49685  
(231) 941-9552 phone  
(231) 941-9885 fax

January 7, 2022

City of Ewart  
200 S. Main Street  
Ewart, MI 49631

Re: Lease # 10722-000 City of Ewart  
Osceola Twp., Osceola County

Dear City Manager:

Enclosed is Savoy Energy, L.P.'s check number 227316 in the amount of \$6,276.00 intended to cover the (3) year extension for the above referenced oil and gas lease due February 13, 2022.

Please acknowledge receipt of payment by signing below and returning one original signed copy of this letter to our office. A self-addressed stamped envelope is enclosed for your convenience.

If you have any questions, please contact our office.

Sincerely,

SAVOY ENERGY, L.P.

*Belinda A. Wellman*

Belinda A. Wellman  
Office and Land Administrator

Enclosure

Acknowledged and accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

By: \_\_\_\_\_  
City Manager



## AGENDA REPORT

To: Honorable Mayor Emerick and Council Members  
From: Kathy Fiebig, City Clerk  
Date: December 29, 2021  
Re: Appointment of Sandra Szeliga and Marsha Warren to the Election Commission  
For the Agenda of February 7, 2022: Regular Meeting

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### Background

Section 3.4 of the Evert City Charter requires a three person Elections Commission to be appointed by council. City Clerk serves as designated chair, one member must be a city officer (typically a council member) and one a qualified registered elector of the city.

### Issues and Questions Specified

The elections commission "shall have charge of all activities and duties required of it by state law and the city charter relating to the conduct of elections in the city. The compensation of election personnel shall be determined in advance by the election commission."

Sandra Szeliga and Marsha Warren served on the election commission in 2020 and both are willing to serve again.

### Alternatives

Deny appointments

### Financial Impact

None

### Recommendation

Appoint Sandra Szeliga and Marsha Warren to two-year terms on the elections commission, with terms expiring in January of 2024.

### Attachments

None

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## CHECK DISBURSEMENT REPORT FOR CITY OF EVART

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Check Date	Bank	Check #	Payee	Description	GL #	Amount
01/05/2022	751	38883	1 WAY INSULATION SERVICES, LLC	PROFESSIONAL SERVICES	101-265-801.000	800.00
		38883		PROFESSIONAL SERVICES	590-538-801.000	800.00
		38883		PROFESSIONAL SERVICES	591-546-801.000	800.00
						2,400.00
01/05/2022	751	38884	RCB CONTRACTING	PROFESSIONAL SERVICES	101-442-801.000	29,000.00
01/06/2022	751	38885	CORELOGIC, INC	DUE TO TAXPAYER REFUND	704-000-214.201	667.43
01/06/2022	751	38886	CORELOGIC, INC	DUE TO TAXPAYER REFUND	704-000-214.201	374.73
01/06/2022	751	38887	CORELOGIC, INC	DUE TO TAXPAYER REFUND	704-000-214.201	660.67
01/10/2022	751	38888	CITY OF EVART	DUE TO GENL - PROPERTY TAX	703-000-214.102	1,648.56
		38888		INTEREST & PENALTY	703-000-214.103	538.70
		38888		DUE TO GENL-ADMIN FEE	703-000-214.104	12.54
		38888		DUE TO NORTH OAK ASSESSMENT	703-000-214.326	498.16
						2,697.96
01/10/2022	751	38889	EVART PUBLIC LIBRARY	DUE TO LIBRARY	703-000-214.223	109.84
		38889		DUE TO LIBRARY - INTEREST	703-000-223.100	26.06
						135.90
01/10/2022	751	38890	OSCEOLA COUNTY TREASURER	DUE TO STATE EDUCATION TAX	703-000-214.221	679.61
		38890		DUE TO COUNTY	703-000-214.222	721.78
		38890		DUE TO COUNTY - INTEREST	703-000-222.100	95.23
		38890		STATE ED TAX INTEREST	703-000-222.110	89.66
						1,586.28
01/10/2022	751	38891	WELLS FARGO VENDOR FINANCIAL	DUE TO TAXPAYER REFUND	704-000-214.201	4,840.11
01/10/2022	751	38892	CITY OF EVART	DUE TO GENL-ADMIN FEE	704-000-214.104	2,396.94
		38892		DUE TO GEN PUBLIC SAFETY MILL	704-000-214.480	21,421.43
						23,818.37
01/10/2022	751	38893	EVART FIRE DEPARTMENT	DUE TO FIRE DIST MILLAGE	704-000-214.481	23,802.02
01/10/2022	751	38894	EVART PUBLIC SCHOOLS	DUE TO SCH NEW-DEBT	704-000-214.226	23,802.03
		38894		DUE TO SCHOOL OPERATION	704-000-214.229	92,196.61
						115,998.64



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01/10/2022	751	38895	MECOSTA OSCEOLA TRANSIT AUTHORITY	DUE TO MOTA	704-000-214.230	5,911.03
01/10/2022	751	38896	MECOSTA-OSCEOLA INTERMEDIATE	DUE TO INTERM SCHOOL	704-000-214.227	60,075.23
01/10/2022	751	38897	OSCEOLA COUNTY TREASURER	DUE TO COA	704-000-214.224	11,851.01
		38897		DUE TO ROAD PATROL	704-000-214.228	11,842.82
		38897		DUE TO EMS	704-000-214.231	8,924.59
						<hr/> 32,618.42
01/18/2022	751	38898	AXON ENTERPRISE, INC	EDUCATION AND TRAINING	101-301-957.000	375.00
01/18/2022	751	38899	CITY OF EVART	UTILITIES	101-265-921.000	238.63
		38899		UTILITIES	101-301-921.000	44.74
		38899		UTILITIES	101-442-921.000	60.03
		38899		UTILITIES	207-751-921.000	216.65
		38899		UTILITIES	208-757-921.000	66.56
						<hr/> 626.61
01/18/2022	751	38900	CORE&MAIN LP	OPERATING SUPPLIES	591-546-740.000	598.52
01/18/2022	751	38901	DEERE CREDIT, INC	CAPITAL OUTLAY-CAPITALIZED	661-599-970.100	1,315.64
01/18/2022	751	38902	DTE ENERGY	UTILITIES	101-301-921.000	260.66
		38902		UTILITIES	101-440-921.000	468.66
		38902		UTILITIES	590-538-921.000	863.74
						<hr/> 1,593.06
01/18/2022	751	38903	EVART PARTS PLUS	OPERATING SUPPLIES	101-440-740.000	74.29
		38903		REPAIRS AND MAINTENANCE	661-599-930.000	85.03
						<hr/> 159.32
01/18/2022	751	38904	FILE SAFE, INC	PROFESSIONAL SERVICES	101-265-801.000	50.08
		38904		PROFESSIONAL SERVICES	590-537-801.000	50.08
		38904		PROFESSIONAL SERVICES	591-545-801.000	50.09
						<hr/> 150.25
01/18/2022	751	38905	HOMETOWN HARDWARE	OPERATING SUPPLIES	591-546-740.000	49.56
01/18/2022	751	38906	IDEXX LABORATORIES, INC.	OPERATING SUPPLIES	591-546-740.000	1,542.41
01/18/2022	751	38907	KIENITZ-NIX MEMORIALS, INC	GRAVE OPENINGS/CLOSINGS	209-000-637.000	110.00

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01/18/2022	751	38908	KUBE PROPANE, LLC	UTILITIES	101-441-921.000	697.53
01/18/2022	751	38909	LEXIPOL	EDUCATION AND TRAINING	101-301-957.000	495.00
01/18/2022	751	38910	POINT BROADBAND	COMMUNICATIONS	101-442-850.000	76.80
		38910		COMMUNICATIONS	590-537-850.000	38.40
		38910		COMMUNICATIONS	591-545-850.000	38.40
						<hr/> 153.60
01/18/2022	751	38911	RCB CONTRACTING	PROFESSIONAL SERVICES	101-265-801.000	76.67
		38911		PROFESSIONAL SERVICES	101-301-801.000	115.00
		38911		PROFESSIONAL SERVICES	101-440-801.000	38.33
		38911		PROFESSIONAL SERVICES	101-441-801.000	306.67
		38911		PROFESSIONAL SERVICES	101-442-801.000	76.67
		38911		PROFESSIONAL SERVICES	207-751-801.000	76.66
		38911		PROFESSIONAL SERVICES	208-757-801.000	76.67
		38911		PROFESSIONAL SERVICES	590-538-801.000	1,533.33
		38911		PROFESSIONAL SERVICES	591-546-801.000	1,533.33
						<hr/> 3,833.33
01/18/2022	751	38912	REPUBLIC SERVICES #239	PROFESSIONAL SERVICES	101-441-801.000	129.00
		38912		PROFESSIONAL SERVICES	101-526-801.000	10,126.60
		38912		PROFESSIONAL SERVICES	590-538-801.000	57.50
		38912		PROFESSIONAL SERVICES	591-546-801.000	57.50
						<hr/> 10,370.60
01/18/2022	751	38913	REVIZE, LLC	PROFESSIONAL SERVICES	101-265-801.000	375.00
		38913		PROFESSIONAL SERVICES	101-301-801.000	375.00
		38913		PROFESSIONAL SERVICES	590-537-801.000	375.00
		38913		PROFESSIONAL SERVICES	591-545-801.000	375.00
						<hr/> 1,500.00
01/18/2022	751	38914	ROTARY MULTIFORMS, INC	OFFICE SUPPLIES	101-301-727.000	306.49
01/18/2022	751	38915	SMITH LUMBER CO	OPERATING SUPPLIES	101-265-740.000	41.99
		38915		OPERATING SUPPLIES	101-301-740.000	47.47
		38915		OPERATING SUPPLIES	101-440-740.000	740.44
		38915		REPAIRS AND MAINTENANCE	101-442-930.000	176.94
						<hr/> 1,006.84



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01/18/2022	751	38916	SUMMIT COMPANIES	PROFESSIONAL SERVICES	101-265-801.000	95.20
		38916		PROFESSIONAL SERVICES	101-441-801.000	95.21
		38916		PROFESSIONAL SERVICES	207-751-801.000	290.21
		38916		PROFESSIONAL SERVICES	590-538-801.000	325.21
		38916		PROFESSIONAL SERVICES	591-546-801.000	195.21
		38916		PROFESSIONAL SERVICES	661-599-801.000	400.21
						<hr/> 1,401.25
01/18/2022	751	38917	WIELAND TRUCK CENTER-CLARE	OPERATING SUPPLIES	661-599-740.000	148.59
01/18/2022	751	38918	WILLIAMS, ERIC D.	PROFESSIONAL SERVICES	101-210-801.000	1,450.00
01/18/2022	751	792 (E)	CONSUMERS ENERGY	UTILITIES	101-441-921.000	413.66
		792 (E)		UTILITIES	101-448-921.000	104.41
		792 (E)		UTILITIES	591-546-921.000	46.29
						<hr/> 564.36
01/18/2022	751	793 (E)	FIRST BANK CARD	EDUCATION AND TRAINING	101-101-957.000	60.00
		793 (E)		EDUCATION AND TRAINING	101-172-957.000	60.00
		793 (E)		EDUCATION AND TRAINING	101-242-957.000	71.70
		793 (E)		OFFICE SUPPLIES	101-265-727.000	36.07
		793 (E)		OFFICE SUPPLIES	101-301-727.000	122.43
		793 (E)		OPERATING SUPPLIES	101-301-740.000	139.95
		793 (E)		UNIFORMS	101-301-758.006	39.96
		793 (E)		TRAVEL EXPENSES	101-301-860.000	(3.64)
		793 (E)		COMPUTERS/EQUIPMENT/IT	101-301-932.000	115.88
		793 (E)		EDUCATION AND TRAINING	101-301-957.000	90.95
		793 (E)		OPERATING SUPPLIES	101-440-740.000	1,014.85
		793 (E)		MISCELLANEOUS EXPENSE	590-537-955.000	124.48
		793 (E)		MISCELLANEOUS EXPENSE	591-545-955.000	124.49
		793 (E)		REPAIRS AND MAINTENANCE	661-599-930.000	805.38
						<hr/> 2,802.50
01/18/2022	751	794 (A)	AFFORDABLE PRINTS	PUBLISHING/PRINTING	101-265-900.000	9.34
		794 (A)		PUBLISHING/PRINTING	590-537-900.000	9.33
		794 (A)		PUBLISHING/PRINTING	591-545-900.000	9.33
						<hr/> 28.00
01/18/2022	751	795 (A)	AMERICAN SPECIALTY PRODUCTS	OPERATING SUPPLIES	591-546-740.000	524.25

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01/18/2022	751	796 (A)	CHARTER/SPECTRUM	COMMUNICATIONS	101-265-850.000	60.56
		796 (A)		COMMUNICATIONS	101-301-850.000	52.74
		796 (A)		COMMUNICATIONS	101-442-850.000	61.66
		796 (A)		COMMUNICATIONS	590-537-850.000	122.22
		796 (A)		COMMUNICATIONS	591-545-850.000	122.22
						<hr/> 419.40
01/18/2022	751	797 (A)	DRUG SCREEN PLUS	PHYSICALS/CDL DRUG TESTING	101-441-840.000	30.00
		797 (A)		PHYSICALS/DRUG TESTING	590-537-840.000	30.00
		797 (A)		PHYSICALS/DRUG TEST	591-545-840.000	30.00
						<hr/> 90.00
01/18/2022	751	798 (A)	MAURER'S TEXTILE RENTAL	PROFESSIONAL SERVICES	101-265-801.000	139.40
		798 (A)		PROFESSIONAL SERVICES	101-441-801.000	139.40
		798 (A)		PROFESSIONAL SERVICES	590-537-801.000	139.40
		798 (A)		PROFESSIONAL SERVICES	591-545-801.000	139.40
						<hr/> 557.60
01/18/2022	751	799 (A)	SCOTLAND OIL COMPANY, INC.	GAS AND OIL	101-301-861.000	665.80
		799 (A)		GAS AND OIL	661-599-861.000	2,558.82
						<hr/> 3,224.62
01/20/2022	751	800 (E)	UNEMPLOYMENT INSURANCE AGENCY	UNEMPLOYMENT COMP.	101-850-723.000	4.20
		800 (E)		UNEMPLOYMENT COMP.	202-850-723.000	1.68
		800 (E)		UNEMPLOYMENT COMP.	590-850-723.000	6.93
		800 (E)		UNEMPLOYMENT COMP.	591-850-723.000	8.19
						<hr/> 21.00
01/26/2022	751	38919	MWEA	EDUCATION AND TRAINING	591-545-957.000	500.00
01/26/2022	751	38920	TELNET WORLDWIDE	COMMUNICATIONS	101-265-850.000	46.02
		38920		COMMUNICATIONS	590-538-850.000	46.02
		38920		COMMUNICATIONS	591-546-850.000	46.02
						<hr/> 138.06
01/26/2022	751	801 (E)	LINGO	COMMUNICATIONS	590-538-850.000	151.69
		801 (E)		COMMUNICATIONS	591-546-850.000	75.84
						<hr/> 227.53



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01/26/2022	751	802 (E)	VERIZON WIRELESS	COMMUNICATIONS	101-265-850.000	81.59
		802 (E)		COMMUNICATIONS	101-301-850.000	126.00
		802 (E)		COMMUNICATIONS	590-537-850.000	81.59
		802 (E)		COMMUNICATIONS	591-546-850.000	81.59
						<hr/> 370.77
02/07/2022	751	38921	BARNETT'S AUTO REPAIR	VEHICLE REPAIR & MAINTENANCE	101-301-931.000	301.18
		38921		PROFESSIONAL SERVICES	661-599-801.000	225.00
		38921		REPAIRS AND MAINTENANCE	661-599-930.000	438.11
						<hr/> 964.29
02/07/2022	751	38922	BS&A SOFTWARE, INC	COMPUTERS/EQUIPMENT/IT	101-265-932.000	856.00
		38922		COMPUTERS/EQUIPMENT/IT	101-301-932.000	856.00
		38922		COMPUTERS/EQUIPMENT/IT	590-537-932.000	856.00
		38922		COMPUTERS/EQUIPMENT/IT	591-545-932.000	856.00
						<hr/> 3,424.00
02/07/2022	751	38923	DICKINSON WRIGHT PLLC	PROFESSIONAL SERVICES	101-210-801.000	3,300.00
02/07/2022	751	38924	ETNA SUPPLY	OPERATING SUPPLIES	591-546-740.000	990.00
02/07/2022	751	38925	EVART PARTS PLUS	OPERATING SUPPLIES	661-599-740.000	5.08
		38925		PREVENTATIVE MAINTENANCE	661-599-930.100	105.26
						<hr/> 110.34
02/07/2022	751	38926	FASTENAL COMPANY	OPERATING SUPPLIES	101-441-740.000	178.66
		38926		OPERATING SUPPLIES	590-537-740.000	178.65
		38926		OPERATING SUPPLIES	591-545-740.000	178.65
						<hr/> 535.96
02/07/2022	751	38927	KUBE PROPANE, LLC	UTILITIES	101-441-921.000	784.98
		38927		UTILITIES	101-442-921.000	410.06
						<hr/> 1,195.04
02/07/2022	751	38928	LAESSER, BRADY	CART REFUSE/RECYCLE	101-000-627.000	16.97
		38928		SEWER	590-000-642.000	79.00
		38928		RTS SEWER	590-000-642.000	13.91
		38928		RTS WATER	591-000-642.000	6.68
						<hr/> 116.56

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02/07/2022	751	38929	MILES, GREG	PROFESSIONAL SERVICES	101-440-801.000	85.00
		38929		REPAIRS AND MAINTENANCE	101-440-930.000	250.00
						<hr/> 335.00
02/07/2022	751	38930	MORGAN COMPOSTING, INC.	OPERATING SUPPLIES	202-453-740.000	85.00
		38930		OPERATING SUPPLIES	203-453-740.000	170.00
						<hr/> 255.00
02/07/2022	751	38931	PIONEER GROUP	PUBLISHING/PRINTING	101-242-900.000	52.25
02/07/2022	751	38932	SLC METER, LLC	CAPITAL OUTLAY-CAPITALIZED	591-547-970.100	3,602.55
02/07/2022	751	38933	SMITH LUMBER CO	OPERATING SUPPLIES	101-265-740.000	1.77
		38933		VEHICLE REPAIR & MAINTENANCE	101-301-931.000	12.79
		38933		REPAIRS AND MAINTENANCE	101-440-930.000	56.21
		38933		OPERATING SUPPLIES	101-441-740.000	17.58
		38933		OPERATING SUPPLIES	590-537-740.000	1.77
		38933		OPERATING SUPPLIES	591-545-740.000	1.76
		38933		OPERATING SUPPLIES	591-547-740.000	75.66
		38933		OPERATING SUPPLIES	661-599-740.000	22.48
						<hr/> 190.02
02/07/2022	751	38934	SPECTRUM HEALTH OCCUPATIONAL	PHYSICALS	101-265-840.000	107.00
02/07/2022	751	38935	STANDARD INSURANCE CO.	OTHER FRINGE BENEFITS	101-301-719.000	195.29
		38935		OTHER FRINGE BENEFITS	101-850-719.000	139.49
		38935		OTHER FRINGE BENEFITS	202-850-719.000	16.74
		38935		OTHER FRINGE BENEFITS	203-850-719.000	11.17
		38935		OTHER FRINGE BENEFITS	590-850-719.000	106.01
		38935		OTHER FRINGE BENEFITS	591-850-719.000	89.27
						<hr/> 557.97
02/07/2022	751	38936	STAPLES CREDIT PLAN	OFFICE SUPPLIES	101-265-727.000	23.32
		38936		OFFICE SUPPLIES	101-301-727.000	124.92
		38936		OPERATING SUPPLIES	101-301-740.000	124.91
		38936		COMPUTERS/EQUIPMENT/IT	101-301-932.000	124.91
		38936		OFFICE SUPPLIES	101-441-727.000	4.43
		38936		OFFICE SUPPLIES	590-537-727.000	27.73
		38936		OFFICE SUPPLIES	591-545-727.000	27.74



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CHECK DISBURSEMENT REPORT FOR CITY OF EVART  
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Check Date	Bank	Check #	Payee	Description	GL #	Amount
						457.96
02/07/2022	751	38937	TELNET WORLDWIDE	COMMUNICATIONS	101-301-850.000	284.63
02/07/2022	751	38938	TRUCK AND TRAILER SPECIALTIES	OPERATING SUPPLIES	661-599-740.000	2,167.16
02/07/2022	751	38939	WILLIAMS & WORKS, INC.	PROFESSIONAL SERVICES	101-242-801.000	50.00
02/07/2022	751	38940	XEROX CORPORATION	PUBLISHING/PRINTING	101-265-900.000	99.17
		38940		COMPUTERS/EQUIPMENT/IT	101-301-932.000	41.91
		38940		PUBLISHING/PRINTING	590-537-900.000	99.14
		38940		PUBLISHING/PRINTING	591-545-900.000	99.14
						339.36
02/07/2022	751	803 (E)	CONSUMERS ENERGY	UTILITIES	101-265-921.000	301.45
		803 (E)		UTILITIES	101-301-921.000	168.31
		803 (E)		UTILITIES	101-441-921.000	80.48
		803 (E)		UTILITIES	101-442-921.000	553.21
		803 (E)		UTILITIES	101-448-921.000	722.34
		803 (E)		UTILITIES	202-460-921.000	89.44
		803 (E)		UTILITIES	207-751-921.000	794.32
		803 (E)		UTILITIES	208-757-921.000	577.01
		803 (E)		UTILITIES	590-538-921.000	3,157.68
		803 (E)		UTILITIES	591-546-921.000	7,138.67
						13,582.91
02/07/2022	751	804 (E)	CONSUMERS ENERGY	UTILITIES	101-441-921.000	455.40
		804 (E)		UTILITIES	101-448-921.000	1,826.87
		804 (E)		UTILITIES	202-460-921.000	37.07
		804 (E)		UTILITIES	591-546-921.000	28.77
						2,348.11
02/07/2022	751	805 (E)	FIRST BANK CARD	EDUCATION AND TRAINING	101-172-957.000	249.00
		805 (E)		OFFICE SUPPLIES	101-301-727.000	38.39
		805 (E)		OPERATING SUPPLIES	101-301-740.000	67.23
		805 (E)		COMPUTERS/EQUIPMENT/IT	101-301-932.000	14.99
		805 (E)		OFFICE SUPPLIES	590-537-727.000	151.41
		805 (E)		MISCELLANEOUS EXPENSE	590-537-955.000	135.38
		805 (E)		OFFICE SUPPLIES	591-545-727.000	151.40
		805 (E)		MISCELLANEOUS EXPENSE	591-545-955.000	135.36

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CHECK DISBURSEMENT REPORT FOR CITY OF EVART  
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Check Date	Bank	Check #	Payee	Description	GL #	Amount
		805 (E)		PROFESSIONAL SERVICES	661-599-801.000	180.00
						<hr/> 1,123.16
02/07/2022	751	806 (A)	NCL OF WISCONSIN, INC	OPERATING SUPPLIES	590-538-740.000	322.86
02/07/2022	751	807 (A)	USA BLUE BOOK	OPERATING SUPPLIES	591-547-740.000	690.94
TOTAL - ALL FUNDS				TOTAL OF 74 CHECKS		379,041.55

--- GL TOTALS ---

101-000-627.000	REFUSE COLLECTION	16.97
101-101-957.000	EDUCATION AND TRAINING	60.00
101-172-957.000	EDUCATION AND TRAINING	309.00
101-210-801.000	PROFESSIONAL SERVICES	4,750.00
101-242-801.000	PROFESSIONAL SERVICES	50.00
101-242-900.000	PUBLISHING/PRINTING	52.25
101-242-957.000	EDUCATION AND TRAINING	71.70
101-265-727.000	OFFICE SUPPLIES	59.39
101-265-740.000	OPERATING SUPPLIES	43.76
101-265-801.000	PROFESSIONAL SERVICES	1,536.35
101-265-840.000	PHYSICALS	107.00
101-265-850.000	COMMUNICATIONS	188.17
101-265-900.000	PUBLISHING/PRINTING	108.51
101-265-921.000	UTILITIES	540.08
101-265-932.000	COMPUTERS/EQUIPMENT/IT	856.00
101-301-719.000	OTHER FRINGE BENEFITS	195.29
101-301-727.000	OFFICE SUPPLIES	592.23
101-301-740.000	OPERATING SUPPLIES	379.56
101-301-758.006	UNIFORMS	39.96
101-301-801.000	PROFESSIONAL SERVICES	490.00
101-301-850.000	COMMUNICATIONS	463.37
101-301-860.000	TRAVEL EXPENSES	(3.64)
101-301-861.000	GAS AND OIL	665.80
101-301-921.000	UTILITIES	473.71
101-301-931.000	VEHICLE REPAIR & MAINTENANCE	313.97
101-301-932.000	COMPUTERS/EQUIPMENT/IT	1,153.69
101-301-957.000	EDUCATION AND TRAINING	960.95
101-440-740.000	OPERATING SUPPLIES	1,829.58
101-440-801.000	PROFESSIONAL SERVICES	123.33
101-440-921.000	UTILITIES	468.66
101-440-930.000	REPAIRS AND MAINTENANCE	306.21
101-441-727.000	OFFICE SUPPLIES	4.43
101-441-740.000	OPERATING SUPPLIES	196.24
101-441-801.000	PROFESSIONAL SERVICES	670.28
101-441-840.000	PHYSICALS/CDL DRUG TESTING	30.00
101-441-921.000	UTILITIES	2,432.05
101-442-801.000	PROFESSIONAL SERVICES	29,076.67

Check Date	Bank	Check #	Payee	Description	GL #	Amount
101-442-850.000			COMMUNICATIONS			138.46
101-442-921.000			UTILITIES			1,023.30
101-442-930.000			REPAIRS AND MAINTENANCE			176.94
101-448-921.000			UTILITIES			2,653.62
101-526-801.000			PROFESSIONAL SERVICES			10,126.60
101-850-719.000			OTHER FRINGE BENEFITS			139.49
101-850-723.000			UNEMPLOYMENT COMP.			4.20
202-453-740.000			OPERATING SUPPLIES			85.00
202-460-921.000			UTILITIES			126.51
202-850-719.000			OTHER FRINGE BENEFITS			16.74
202-850-723.000			UNEMPLOYMENT COMP.			1.68
203-453-740.000			OPERATING SUPPLIES			170.00
203-850-719.000			OTHER FRINGE BENEFITS			11.17
207-751-801.000			PROFESSIONAL SERVICES			366.87
207-751-921.000			UTILITIES			1,010.97
208-757-801.000			PROFESSIONAL SERVICES			76.67
208-757-921.000			UTILITIES			643.57
209-000-637.000			GRAVE OPENINGS/CLOSINGS			110.00
590-000-642.000			SALES			92.91
590-537-727.000			OFFICE SUPPLIES			179.14
590-537-740.000			OPERATING SUPPLIES			180.42
590-537-801.000			PROFESSIONAL SERVICES			564.48
590-537-840.000			PHYSICALS/DRUG TESTING			30.00
590-537-850.000			COMMUNICATIONS			242.21
590-537-900.000			PUBLISHING/PRINTING			108.47
590-537-932.000			COMPUTERS/EQUIPMENT/IT			856.00
590-537-955.000			MISCELLANEOUS EXPENSE			259.86
590-538-740.000			OPERATING SUPPLIES			322.86
590-538-801.000			PROFESSIONAL SERVICES			2,716.04
590-538-850.000			COMMUNICATIONS			197.71
590-538-921.000			UTILITIES			4,021.42
590-850-719.000			OTHER FRINGE BENEFITS			106.01
590-850-723.000			UNEMPLOYMENT COMP.			6.93
591-000-642.000			SALES			6.68
591-545-727.000			OFFICE SUPPLIES			179.14
591-545-740.000			OPERATING SUPPLIES			180.41
591-545-801.000			PROFESSIONAL SERVICES			564.49
591-545-840.000			PHYSICALS/DRUG TEST			30.00
591-545-850.000			COMMUNICATIONS			160.62
591-545-900.000			PUBLISHING/PRINTING			108.47
591-545-932.000			COMPUTERS/EQUIPMENT/IT			856.00
591-545-955.000			MISCELLANEOUS EXPENSE			259.85
591-545-957.000			EDUCATION AND TRAINING			500.00
591-546-740.000			OPERATING SUPPLIES			3,704.74
591-546-801.000			PROFESSIONAL SERVICES			2,586.04
591-546-850.000			COMMUNICATIONS			203.45
591-546-921.000			UTILITIES			7,213.73
591-547-740.000			OPERATING SUPPLIES			766.60



Check Date	Bank	Check #	Payee	Description	GL #	Amount
591-547-970.100				CAPITAL OUTLAY-CAPITALIZED		3,602.55
591-850-719.000				OTHER FRINGE BENEFITS		89.27
591-850-723.000				UNEMPLOYMENT COMP.		8.19
661-599-740.000				OPERATING SUPPLIES		2,343.31
661-599-801.000				PROFESSIONAL SERVICES		805.21
661-599-861.000				GAS AND OIL		2,558.82
661-599-930.000				REPAIRS AND MAINTENANCE		1,328.52
661-599-930.100				PREVENTATIVE MAINTENANCE		105.26
661-599-970.100				CAPITAL OUTLAY-CAPITALIZED		1,315.64
703-000-214.102				DUE TO GENL - PROPERTY TAX		1,648.56
703-000-214.103				INTEREST & PENALTY		538.70
703-000-214.104				DUE TO GENL-ADMIN FEE		12.54
703-000-214.221				DUE TO STATE EDUCATION TAX		679.61
703-000-214.222				DUE TO COUNTY		721.78
703-000-214.223				DUE TO LIBRARY		109.84
703-000-214.326				DUE TO NORTH OAK ASSESSMENT		498.16
703-000-222.100				DUE TO COUNTY - INTEREST		95.23
703-000-222.110				STATE ED TAX INTEREST		89.66
703-000-223.100				DUE TO LIBRARY - INTEREST		26.06
704-000-214.104				DUE TO GENL-ADMIN FEE		2,396.94
704-000-214.201				DUE TO TAXPAYER REFUND		6,542.94
704-000-214.224				DUE TO COA		11,851.01
704-000-214.226				DUE TO SCH NEW-DEBT		23,802.03
704-000-214.227				DUE TO INTERM SCHOOL		60,075.23
704-000-214.228				DUE TO ROAD PATROL		11,842.82
704-000-214.229				DUE TO SCHOOL OPERATION		92,196.61
704-000-214.230				DUE TO MOTA		5,911.03
704-000-214.231				DUE TO EMS		8,924.59
704-000-214.480				DUE TO GEN PUBLIC SAFETY MILL		21,421.43
704-000-214.481				DUE TO FIRE DIST MILLAGE		23,802.02
				TOTAL		379,041.55

Check Register Report For City Of Evert  
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Check Date	Bank	Check Number	Name	Check Gross	Physical Check Amount	Direct Deposit	Status
02/02/2022	750	23282	MISDU	112.41	112.41	0.00	Open
02/02/2022	750	DD6300	BEAM, JOHN	1,250.00	0.00	826.79	Cleared
02/02/2022	750	DD6301	DUNCAN, JENNIFER	932.69	0.00	698.36	Cleared
02/02/2022	750	DD6302	FIEBIG, KATHY	192.31	0.00	169.42	Cleared
02/02/2022	750	DD6303	FLACHS, MICHAEL J	745.20	0.00	507.12	Cleared
02/02/2022	750	DD6304	HIGGINS, JERALD J	387.00	0.00	327.23	Cleared
02/02/2022	750	DD6305	KIRWIN, DAVID	1,173.33	0.00	1,024.70	Cleared
02/02/2022	750	DD6306	LOCKHART, PEPPER L	1,756.59	0.00	1,271.71	Cleared
02/02/2022	750	DD6307	MARTIN, DALE	947.42	0.00	548.70	Cleared
02/02/2022	750	DD6308	MCCLURE, PATRICK K	1,074.42	0.00	730.36	Cleared
02/02/2022	750	DD6309	MOMA, DUSTIN L	1,394.23	0.00	1,034.01	Cleared
02/02/2022	750	DD6310	MUCZYNSKI, PATRICK	1,035.20	0.00	667.08	Cleared
02/02/2022	750	DD6311	MULKERNS, CHRISTINE L	760.00	0.00	589.09	Cleared
02/02/2022	750	DD6312	NEWSOME, LISA R	814.94	0.00	670.06	Cleared
02/02/2022	750	DD6313	SWIFT-ECKERT, TERESA M	163.88	0.00	151.34	Cleared
02/02/2022	750	DD6314	TUPPER, VICTORIA	381.75	0.00	336.32	Cleared
02/02/2022	750	DD6315	WILSON, CHAD W	904.28	0.00	723.67	Cleared
02/02/2022	750	DD6316	ZINGER, ADAM	882.55	0.00	612.53	Cleared
02/02/2022	750	EFT718	FEDERAL 941	3,134.72	3,134.72	0.00	Open
01/31/2022	750	23278	MAURERS	48.00	48.00	0.00	Open
01/31/2022	750	23279	P.O.L.C.	100.52	100.52	0.00	Open
01/31/2022	750	23280	TEAMSTERS LOCAL 214	199.00	199.00	0.00	Open
01/31/2022	750	23281	ICMA RC-HEADQUARTERS	97.60	97.60	0.00	Open
01/31/2022	750	EFT713	BLUE CROSS BLUE SHIELD	6,996.05	6,996.05	0.00	Open
01/31/2022	750	EFT714	MICHIGAN CONF OF TEAMSTERS	8,426.75	8,426.75	0.00	Open
01/31/2022	750	EFT715	STATE OF MICHIGAN	2,043.92	2,043.92	0.00	Open
01/31/2022	750	EFT716	ALERUS FINANCIAL	708.28	708.28	0.00	Open
01/31/2022	750	EFT717	MERS OF MICHIGAN	9,627.96	9,627.96	0.00	Open
01/27/2022	750	DD6299	BEAM, JOHN	2,500.00	0.00	1,783.89	Cleared
01/27/2022	750	EFT712	FEDERAL 941	681.42	681.42	0.00	Open

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Check Date	Bank	Check Number	Name	Check Gross	Physical Check Amount	Direct Deposit	Status
01/26/2022	750	23277	MISDU	112.41	112.41	0.00	Open
01/26/2022	750	DD6278	BEAM, JOHN	1,250.00	0.00	826.78	Cleared
01/26/2022	750	DD6279	DANIELS, JOHNNIE L	136.00	0.00	119.82	Cleared
01/26/2022	750	DD6280	DUNCAN, JENNIFER	932.69	0.00	698.36	Cleared
01/26/2022	750	DD6281	FIEBIG, KATHY	192.31	0.00	169.43	Cleared
01/26/2022	750	DD6282	FLACHS, MICHAEL J	743.20	0.00	506.41	Cleared
01/26/2022	750	DD6283	HIGGINS, JERALD J	450.00	0.00	376.45	Cleared
01/26/2022	750	DD6284	LOCKHART, PEPPER L	1,756.59	0.00	1,271.72	Cleared
01/26/2022	750	DD6285	MARTIN, DALE	946.40	0.00	585.87	Cleared
01/26/2022	750	DD6286	MCCLURE, PATRICK K	1,017.20	0.00	748.45	Cleared
01/26/2022	750	DD6287	MOMA, DUSTIN L	1,394.23	0.00	1,034.01	Cleared
01/26/2022	750	DD6288	MUCZYNSKI, PATRICK	1,190.48	0.00	790.40	Cleared
01/26/2022	750	DD6289	MULKERNS, CHRISTINE L	760.00	0.00	589.09	Cleared
01/26/2022	750	DD6290	NEWSOME, LISA R	510.00	0.00	448.11	Cleared
01/26/2022	750	DD6291	TUPPER, VICTORIA	382.50	0.00	336.99	Cleared
01/26/2022	750	DD6292	WILSON, CHAD W	904.28	0.00	748.81	Cleared
01/26/2022	750	DD6293	ZINGER, ADAM	743.20	0.00	508.66	Cleared
01/26/2022	750	EFT710	FEDERAL 941	2,894.93	2,894.93	0.00	Open
01/19/2022	750	23276	MISDU	169.88	169.88	0.00	Open
01/19/2022	750	DD6258	BEAM, JOHN	1,250.00	0.00	826.79	Cleared
01/19/2022	750	DD6259	DUNCAN, JENNIFER	932.69	0.00	698.37	Cleared
01/19/2022	750	DD6260	FIEBIG, KATHY	192.31	0.00	169.43	Cleared
01/19/2022	750	DD6261	FLACHS, MICHAEL J	743.20	0.00	448.95	Cleared
01/19/2022	750	DD6262	HIGGINS, JERALD J	306.00	0.00	263.98	Cleared
01/19/2022	750	DD6263	LOCKHART, PEPPER L	1,756.59	0.00	1,271.71	Cleared
01/19/2022	750	DD6264	MARTIN, DALE	946.41	0.00	585.88	Cleared
01/19/2022	750	DD6265	MCCLURE, PATRICK K	1,017.20	0.00	748.45	Cleared
01/19/2022	750	DD6266	MOMA, DUSTIN L	1,394.23	0.00	1,034.01	Cleared
01/19/2022	750	DD6267	MUCZYNSKI, PATRICK	1,112.84	0.00	742.20	Cleared
01/19/2022	750	DD6268	MULKERNS, CHRISTINE L	760.00	0.00	589.09	Cleared



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Check Date	Bank	Check Number	Name	Check Gross	Physical Check Amount	Direct Deposit	Status
01/19/2022	750	DD6269	SWIFT-ECKERT, TERESA M	362.25	0.00	331.16	Cleared
01/19/2022	750	DD6270	TUPPER, VICTORIA	372.45	0.00	328.13	Cleared
01/19/2022	750	DD6271	WILSON, CHAD W	904.28	0.00	748.79	Cleared
01/19/2022	750	DD6272	ZINGER, ADAM	938.29	0.00	655.47	Cleared
01/19/2022	750	EFT705	FEDERAL 941	2,829.43	2,829.43	0.00	Open
01/12/2022	750	23275	MISDU	169.88	169.88	0.00	Open
01/12/2022	750	DD6237	BEAM, JOHN	1,250.00	0.00	826.79	Cleared
01/12/2022	750	DD6238	DANIELS, JOHNNIE L	93.50	0.00	82.37	Cleared
01/12/2022	750	DD6239	DUNCAN, JENNIFER	932.69	0.00	698.36	Cleared
01/12/2022	750	DD6240	FIEBIG, KATHY	192.31	0.00	169.43	Cleared
01/12/2022	750	DD6241	FLACHS, MICHAEL J	744.21	0.00	449.72	Cleared
01/12/2022	750	DD6242	HIGGINS, JERALD J	459.00	0.00	383.48	Cleared
01/12/2022	750	DD6243	LOCKHART, PEPPER L	1,756.59	0.00	1,271.71	Cleared
01/12/2022	750	DD6244	MARTIN, DALE	947.41	0.00	586.59	Cleared
01/12/2022	750	DD6245	MCCLURE, PATRICK K	1,017.20	0.00	723.31	Cleared
01/12/2022	750	DD6246	MOMA, DUSTIN L	1,394.23	0.00	1,034.02	Cleared
01/12/2022	750	DD6247	MUCZYNSKI, PATRICK	1,268.12	0.00	853.86	Cleared
01/12/2022	750	DD6248	MULKERNS, CHRISTINE L	760.00	0.00	589.08	Cleared
01/12/2022	750	DD6249	SWIFT-ECKERT, TERESA M	310.50	0.00	285.57	Cleared
01/12/2022	750	DD6250	TUPPER, VICTORIA	373.80	0.00	329.31	Cleared
01/12/2022	750	DD6251	WILSON, CHAD W	904.28	0.00	723.68	Cleared
01/12/2022	750	DD6252	ZINGER, ADAM	798.94	0.00	550.60	Cleared
01/12/2022	750	EFT703	FEDERAL 941	2,878.88	2,878.88	0.00	Open
01/05/2022	750	23274	MISDU	169.88	169.88	0.00	Open
01/05/2022	750	DD6216	BEAM, JOHN	1,096.15	0.00	716.14	Cleared
01/05/2022	750	DD6217	DUNCAN, JENNIFER	932.69	0.00	698.37	Cleared
01/05/2022	750	DD6218	FIEBIG, KATHY	167.31	0.00	147.40	Cleared
01/05/2022	750	DD6219	FLACHS, MICHAEL J	744.20	0.00	448.72	Cleared
01/05/2022	750	DD6220	HIGGINS, JERALD J	297.00	0.00	256.96	Cleared
01/05/2022	750	DD6221	KIRWIN, DAVID	1,173.33	0.00	1,018.03	Cleared

Check Register Report For City Of Evert  
For Check Dates 01/04/2022 to 02/07/2022

Check Date	Bank	Check Number	Name	Check Gross	Physical Check Amount	Direct Deposit	Status
01/05/2022	750	DD6222	LOCKHART, PEPPER L	1,756.59	0.00	1,271.71	Cleared
01/05/2022	750	DD6223	MARTIN, DALE	1,036.52	0.00	664.49	Cleared
01/05/2022	750	DD6224	MCCLURE, PATRICK K	1,017.20	0.00	732.47	Cleared
01/05/2022	750	DD6225	MOMA, DUSTIN L	1,394.23	0.00	1,034.01	Cleared
01/05/2022	750	DD6226	MUCZYNSKI, PATRICK	1,035.20	0.00	656.65	Cleared
01/05/2022	750	DD6227	MULKERNS, CHRISTINE L	802.75	0.00	622.11	Cleared
01/05/2022	750	DD6228	SHERMAN, GREGG A	60.00	0.00	52.86	Cleared
01/05/2022	750	DD6229	TUPPER, VICTORIA	315.00	0.00	277.51	Cleared
01/05/2022	750	DD6230	WILSON, CHAD W	904.28	0.00	698.54	Cleared
01/05/2022	750	DD6231	ZINGER, ADAM	854.68	0.00	591.55	Cleared
01/05/2022	750	EFT700	FEDERAL 941	2,928.48	2,928.48	0.00	Open
Totals:			Number of Checks: 101	114,713.92	44,330.40	51,319.55	
Total Physical Checks:			9				
Total Check Stubs:			92				

# WHITE LAW OFFICE P.L.C.

JAMES R. WHITE  
ATTORNEY AT LAW

116 NORTH MAIN STREET  
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EVART, MI 49631

Legal Assistants:  
Nadine A. White  
Shannon H. Myers

Phone: (231)734-3531 -- Fax: (231)683-4772

E-mail: [jwhite@whitelawoffice.net](mailto:jwhite@whitelawoffice.net)

## CITY OF EVART

### City Attorney Report

#### **December 15, 2021 – January 15, 2022**

- 12/16 - Research Freedom of Information Act regarding land appraisals
- 12/21 - Research and Opinion of Airport Clearing Contracts
- 12/28 - Review of Employment Contract for DPW Manager
- 12/29 - Review of Industrial Park Map, with possible sale regarding Lots 6, 7 & 8, and email response to City Clerk.
- 1/3 - Follow up on 6251 property, with Loren Andrulis & Jessica Wood.
- 1/6 - Follow up on Building Violation letters and research possible Court Action.
- 1/10 - Follow up on property exchange with Visio Clara
- 1/14 - Review Purchase Agreement with Kalesperis & LaPeen & email to Pepper



## RILEE — WIOA In-School Youth

Rilee is a student at Evert Public Schools and a participant of their Work-Based Learning Program. As part of their program, Rilee needed a work experience she could do during her school day. Due to her age, Rilee had very little real-world work experience. She was hesitant about what type of work would be best for her, and what her career should be. She was also juggling a lot at school and was concerned about how much time and extra work the experience might be.

Rilee's goal in the program was to gain valuable experience in the workplace. She most certainly gained this. She was setup to complete her work experience with the City of Evert. Rilee tackled the job of digitizing the city's cemetery records, providing customer service to visitors and callers, and assisted in organizing the office. She has gained customer service skills, phone etiquette, how to build positive workplace relationships and many other employability skills.

Rilee was also challenged to work on



Virtual Job Shadow, where she was able to explore her career options, post-secondary education and job searching skills. Rilee has made such a great impact on the city that they have been working find a way to hire Rilee after her work experience is complete. By the time Rilee grad-

uates high school, she will have the skills, experience and the network of professionals to succeed in anything she does.

"I really think this program is amazing. It has really helped me learn more about adult life and how working in the real world will look like," Rilee said. "The program gave me many options and really wanted to benefit me, it wasn't like someone was forcing me to do it, I wanted to. This program really helped me fill some things into my resume and taught me about some of the things I will need to look into when interviewing or when looking for a job."

"This program has really helped me get out of my comfort zone and really explore a different career, it gave me the ability to work in a business office and learn things you would need to do and things that would be expected if choosing to continue in this job in the future. The program helped me find some new characteristics about myself I didn't know I had and it really brought me out of my shell."

## MATTHEW — WIOA Adult

As an unemployed single father, Matthew came to Michigan Works! West Central on July 13, 2021, to begin the process of completing the paperwork to be trained and earn a commercial driver's license. When he came to the office, Matthew exhibited the confidence needed to attain his goals and the honest personal appraisal that he needed additional financial assistance to finish them.

Juggling the responsibilities of fatherhood and often bring-

ing his two sons with him to the service center, Matthew confidently addressed his needs. What's more, he noted to his Talent Specialist that he had already contacted his desired training location receiving the necessary information to move forward in the review and approval stage.

His personal priorities of becoming a third-time father prompted Matthew to sacrifice starting this training a few weeks later than planned.

With the assistance of our

area veteran's liaison and West Michigan CDL in Grandville, Matthew was able to apply his Post 9/11 GI BILL to pay for 60 percent of the associated costs. Michigan Works! West Central then worked with Matthew to complete the remaining 40 percent in funding necessary to complete the training.

His confidence in fatherhood and training resulted in a healthy addition to the family and a successful completion of his training earning his CDL certificate on Oct. 1, 2021.

The following week after his completion, Matthew sent his Talent Specialist the following note: "I leave tomorrow for orientation for my new job for a guy who leases vehicles through AAA. He will be training me to be his replacement! We leave next week spending 3-4 weeks on and then a week at home. Estimated wages are between \$1,200 and \$1,600 weekly. Once again, I just wanted to say thank you for all you did to help me achieve this new career!"





Jennie Duncan  
Finance Director/Treasurer  
o: (231) 734-2181  
jennie.duncan@evart.org

To: Honorable Mayor Emerick & Council Members  
From: Jennie Duncan, Finance Director/Treasurer  
Date: January 12, 2022  
Re: Finance Director's Report for December 2021

Vendor's List- You will have the vendor's summary report in your packet that list's all vendors paid up until January 18, 2022.

Payroll Report-You will have a payroll report including the dates of 1/4/2022 – 1/18/2022.

Completed all payroll reconciliations for December 2021.

Completed DDA Financials for December 2021 including payroll, vendor's list, revenue/expense report, and balance sheets.

Completed Fire Department Financials for December 2021, including payroll, vendor's list and revenue/expense report

Completed weekly payroll for the Evart Housing Commission

Completed bank reconciliation for September and October 2021

2022 Health Insurance Renewals

Completed the city's annual Economic Vitality and Incentive Program (EVIP)/State Revenue Sharing Report. This annual report changes the way the State Revenue Sharing is distributed to the local units throughout the state.

Completed the city's annual Public Act 202/Form 5572. This annual report is to protect local governments retirement and benefits.

Started accepting 2021 Winter Taxes

# DPW/ Sewer & Water Communications

## December 2021

### Streets

- Plowed and salted major & local streets/snow removal
- Street light maintenance
- Street sign maintenance
- Cleaned gutter pans/storm drains

### DPW

- Prepared trucks for snow removal
- Snow removal on sidewalks/ramps
- Truck/Equipment maintenance
- Worked on street lights for Christmas decorations

### Misc.

- Cleaned workshop and WWTP lab
- Miss-Digs
- Trash run (weekly)
- Salt parking lot at Depot
- Delivered extra trash bins

### Airport

- Monthly light test
- Plowed runway/snow removal

### Parks

- Shoveled ramps at Cant Hook
- Cleared snow from around trash cans

### Water

- Collected samples for drinking water wells
- Completed the Monthly Operating Report (MOR)
- Filled day tanks
- Replacing residential meters
- Assisted with service line replacements
- Performed daily well reads
- Performed water and sewer reads for monthly billing
- Re-reads of water meters
- Repairs/Maintenance on pumps at Well 1, 2, 3, 4, 6 and 14
- 387 new meters installed to date

### Sewer

- Jetted sewer line at WWTP
- Jetted sewer main line on 800 block of N. Cedar
- Worked on ferric chloride pump at WWTP
- Maintenance on aerators in N. primary pond

### Current Water/Sewer Rates

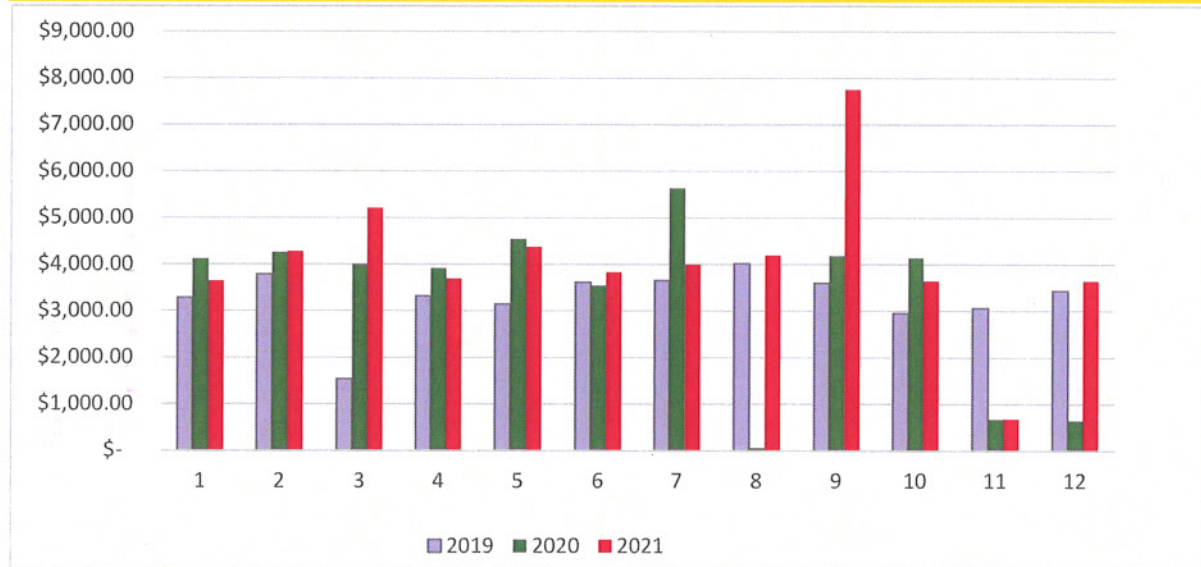
- Water Rates: \$4.82/1000 gallons
- Sewer Rates: \$9.74/1000 gallons
- Water RTS Fee: \$6.50
- Sewer RTS Fee: \$14.0



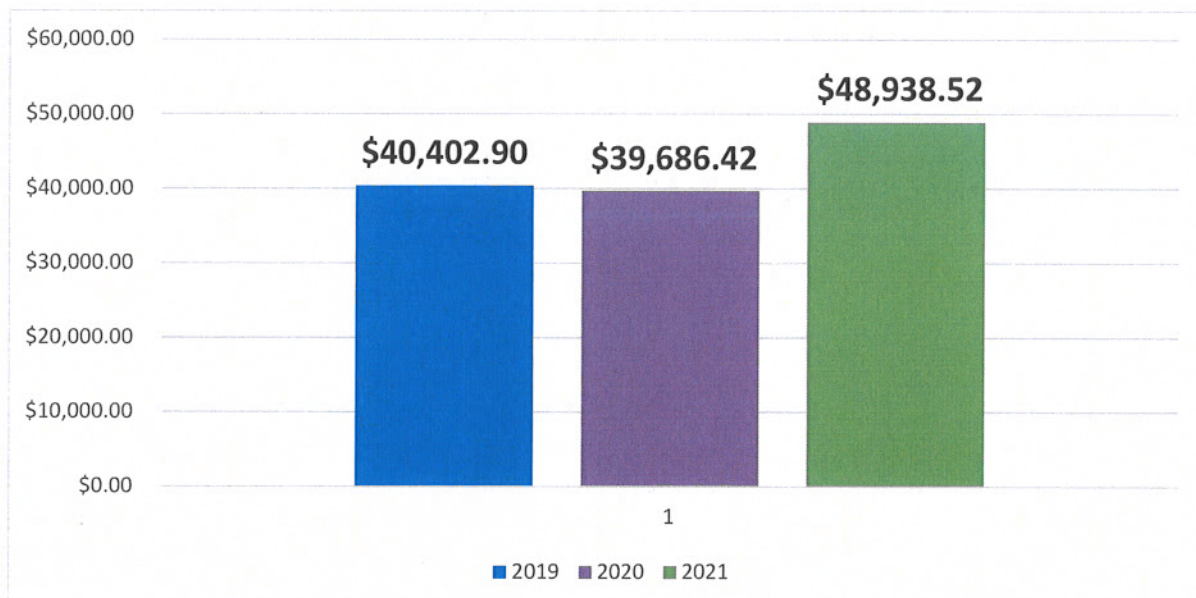
## ELECTRIC COMPARISON REVIEW FOR DECEMBER 2020-2021

	WATER	SEWER
2020	\$ 873.89	\$ 639.51
2021	\$ 6,988.06	\$ 3,638.83
DIFFERENCE/SAVINGS	<b>\$6,114.17</b>	<b>\$2,999.32</b>

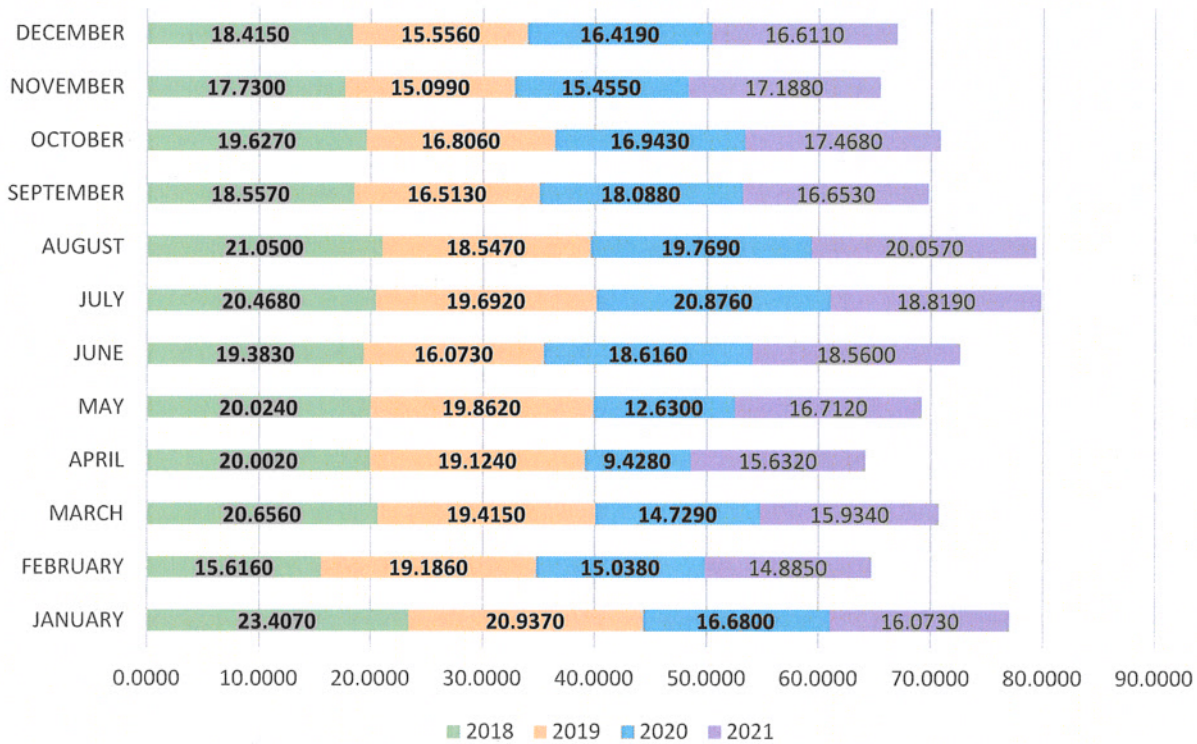
## SEWER ELECTRIC COST COMPARED TO PRIOR TWO YEARS (MONTH BY MONTH)



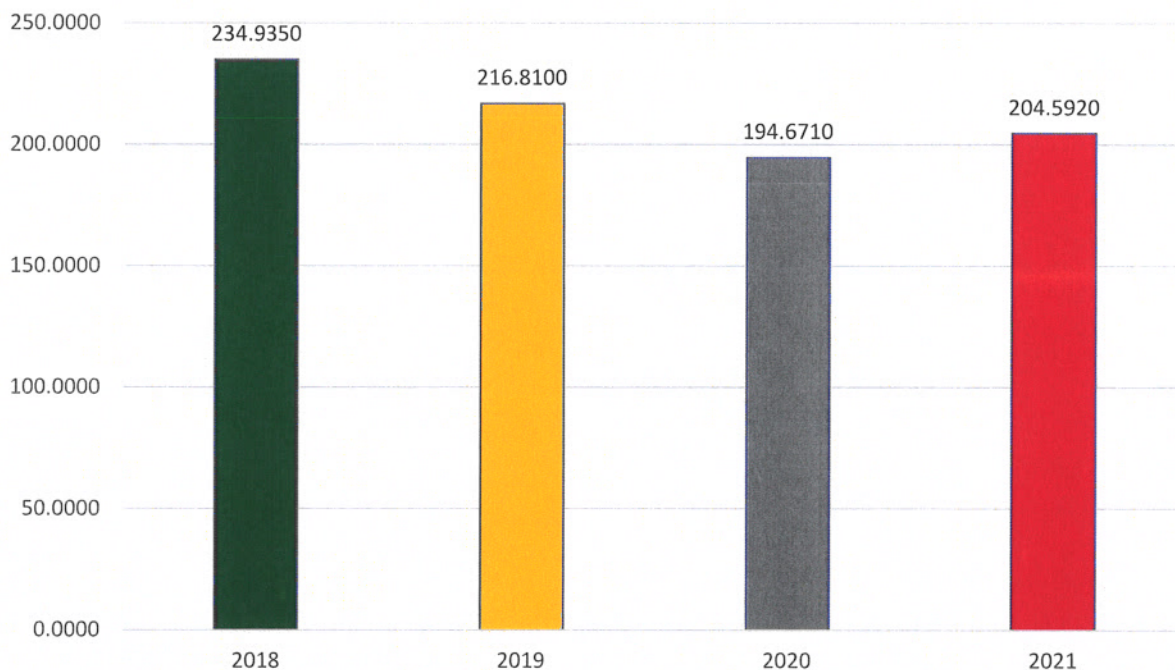
## SEWER ELECTRIC COST (CURRENT MONTHS USAGE COMPARED TO PAST ANNUAL COSTS)



Monthly Water Pumpage for 2018 - 2021 (in million gallons)



Annual Water Pumpages 2018 - 2021 Current Months Usage Compared to Past Annual Pumpages (in million gallons)







## Evart Police Department

### Monthly Report

December 2021

### Community Events

The Evart Police Department, in conjunction with the Michigan State Police, Hersey Township Fire Department, Reed City Fire Department, Lincoln Township Fire Department, LeRoy-Rose Lake Fire Department, Osceola County Emergency Management, Osceola County Community Emergency Response Team, Marion Fire Department, Reed City Fire Department, and Life EMS participated in the annual Shop with a Hero event on December 4th at Meijer in Big Rapids.

Tiffany Wolak, a social worker from Evart Elementary School, provided these details on the event:

We had a very successful Shop with a Hero event on Saturday, the huge smiles we saw on the children's and Hero's faces were the perfect pay off for all of the hard work put into making this event happen!

We had 20 First Responders shopping with the children, Chief Beam did an awesome job matching heroes with kids from the same area that they attend school in. We had 30 students confirmed to participate.

Our event reached a total of 25 families in the Marion, Pine River, Reed City and Evart school districts. It was evident that some of these families were uncomfortable when they arrived, but our heroes and volunteers did a fantastic job of making them all feel welcome and safe!

Each student was able to have their picture taken with the hero they shopped with. Meijer was gracious enough to donate all of the wrapping paper, tape, name tags and several grocery/toy orders. We even had a gentlemen walk up and donate cash to the event!

After shopping, children were transported by First Responders to Resurrection Life Church to wrap presents; they were able to choose to ride in a police car, ambulance, or fire truck; that sure brought out more big smiles!! While at the church the students were able to wrap their families gifts along with receive a family engagement activity (gingerbread house or ornaments to paint), a board game, a card game, candy, and popcorn.

There are no words that could show how much we appreciate these First Responders taking the time to spend the day with these students!





Members of the Evart Police Department attended a memorial visitation for Mecosta County Deputy Shawn Brimmer. Shawn passed away Thursday, December 16, 2021, from a medical emergency while on duty for the Mecosta County Sheriff's Department. Our sincerest sympathies to his family, loved ones and to all of his co-workers.



## **Trainings**

Administrative Assistant Teresa Swift-Eckert was invited to participate on a panel hosted by the Law Enforcement Records Management Association to speak on the use of body worn cameras for:

Small departments using the Watchguard system. (Us)

Large departments using the Watchguard system.

Small departments using the Axon system.

And

Large departments using the Axon system.

In addition to the panel discussion, attendees heard presentations from the Michigan State Police on the ins and outs of body camera technology, body worn camera policy from the Michigan Municipal League, and handling FOIA requests for body worn camera footage.

## **Technology**

Chief Beam is working in conjunction with the Department of Public Works to install surveillance cameras in key location throughout the city. The cameras are being installed in hopes to reduce the number of vandalisms and other crimes.

The Evart Police Department proceeded with the installation of the Tel-Net VoIP telephone system. The upgrade provides callers with options, making it easier for them to reach the appropriate person, department, or service.

## Department Roster

<i>Title</i>	<i>Name</i>	<i>Badge Number</i>
Chief of Police	John Beam Jr.	39-01
K9-Officer	Patrick McClure	39-K9
Full Time Police Officer	Chad Wilson	39-04
Part Time Police Officer	JJ Higgins	39-06
Part Time Police Officer	Johnnie Daniels	39-03
Reserve Officer	Daniel Winters	39-14

## Activity Report

TOTAL ACTIVITIES	
OFFICER	TOTAL ACTIVITIES
Beam, John Jr.	34
Higgins, JJ	177
McClure, Patrick	197
Wilson, Chad	198
TOTAL:	606

ARRESTS	
OFFICER	NUMBER OF ARRESTS
Higgins, JJ	5
Beam, John Jr.	0
McClure, Patrick	6
Wilson, Chad	0
TOTAL:	11

ASSISTS	
AGENCY	NUMBER OF ASSISTS
Assist Citizen	11
Assist Evert Public School	1
Assist MIC Unit	1
Assist MSP	1
Assist OCSD	9
Assist Police Agency	5
Motorist Assist	1
TOTAL:	29

ACCIDENTS
-----------

TYPE	NUMBER OF ACCIDENTS
Accident - PD	1
Accident - Private Property	3
<b>TOTAL:</b>	4

TRAFFIC VIOLATIONS				
OFFICER	Traffic Complaint/Hazard	Traffic Offense	Traffic Stop Citation	Traffic Stop Verbal Warning
Beam, John Jr.	2	0	0	0
Higgins, JJ	6	1	1	1
McClure, Patrick	0	0	1	4
Wilson, Chad	1	0	0	3
<b>TOTAL:</b>	9	1	2	8

ORDINANCE VIOLATIONS		
OFFICER	ORDINANCE VIOLATIONS	ORDINANCE COUNT
Beam, John Jr.	Ordinance Violation - Warning	1
Wilson, Chad	Ordinance Violation - Warning	2
<b>TOTAL:</b>		3

## Activity types by Officer

Name	Activity	Activity Count
Beam, John Jr.	Assist Evart Public School	2
	Civil Complaint	1
	Follow-Up	10
	Juvenile Complaint	2
	Miscellaneous Criminal Offense	1
	Ordinance Violation - Warning	1
	Property Check	14
	Suspicious Situation	1
	Traffic Complaint/Hazard	2
Activity Categories Total Count:		34
Higgins, JJ	Assault	2
	Assist Citizen	7
	Assist MIC Unit	1
	Assist Police Agency	2
	Attempt to Locate	33
	Check Well Being	1



	Civil Complaint	3
	Follow-Up	9
	MDOP	1
	Motorist Assist	1
	Parking Citation	4
	Property Check	87
	Runaway	1
	Stationary Radar	12
	Suspicious Situation	1
	Traffic Complaint/Hazard	3
	Traffic Offense	2
	Traffic Stop Citation	2
	Training	1
	Trespassing	1
	Warrant Attempt	3
Activity Categories Total Count:		177
McClure, Patrick	Accident - Private Property	1
	Animal Complaint	1
	Assist Citizen	5
	Assist OCSD	8
	Assist Police Agency	4
	Civil Complaint	3
	Domestic	1
	Embezzlement	1
	Felony Arrest	3
	Follow-Up	12
	Found Property	1
	Juvenile Complaint	1
	Misdemeanor Arrest	1
	OWI/OUID	2
	Property Check	103
	Stationary Radar	34
	Suspicious Person	4
	Suspicious Situation	2
	Suspicious Vehicle	1
	Traffic Stop Citation	1
	Traffic Stop Verbal Warning	6
	Trespassing	2
Activity Categories Total Count:		197
Wilson, Chad	Accident - PD	1

Accident - Private Property	1
Animal Complaint	1
Assist Citizen	2
Assist MSP	2
Assist OCSD	5
Attempt Suicide	1
Civil Complaint	2
Domestic	1
Follow-Up	35
Fraud	1
Juvenile Complaint	2
Larceny	1
MDOP	1
Ordinance Violation - Warning	2
Property Check	73
Public Relation Event	3
Runaway	2
Stationary Radar	16
Suspicious Person	4
Suspicious Situation	3
Threats	4
Traffic Complaint/Hazard	1
Traffic Stop Verbal Warning	2
Training	2
Trespassing	2
Vehicle Patrol	28
Activity Categories Total Count:	198



EVART DOWNTOWN DEVELOPMENT AUTHORITY  
Tuesday January 11th, 2022 8:00 AM  
200 South Main Street; Evart, MI 49631  
BOARD MEETING AGENDA



1. Call Meeting to Order
2. Attendance
3. Introduction of Guests
4. Citizen Comments
5. Approval of Agenda
6. Election of Officers
7. Approval of December 14, 2021 Regular Meeting Minutes
8. Approval of Vendor List for December 2021
9. President's Comments
10. Director's Comments
11. City Manager's Comments
12. Committee Updates
  - Economic Vitality
    - a. Farmers Market
    - b. Pop-Up
    - c. Business Recruitment Primer-draft
  - Design
    - a. SBEI
    - b. Benches/Bike Racks
    - c. Way Finding Signage (paused)
  - Promotion
    - a. Shop Local
  - Organization
    - a. Board Recruiting
    - b. Volunteers
13. Old Business
  - a. Development Plan and Tax Increment Financing Plan
  - b. Director Search Committee
  - c. Trails Magazine



14. New Business

- a. MMS/MEDC Reporting
- b. Lori Tesch email
- c.

15. Citizen's Comments

16. Adjournment



## EVART DOWNTOWN DEVELOPMENT AUTHORITY

Tuesday December 14th, 2021 8:00 AM  
200 South Main Street; Evart, MI 49631

### BOARD MEETING MINUTES



1. Meeting called to order by Bengry at 8:02am
2. Attendance: Alan Bengry, Molly Cataldo, Lynn Salinas, June-Marie Essner, Shannon Schmidt, Erica Henry, Pepper Lockhart  
Absent: Jason O'Dell, Sandy Szeliga
3. Guests: Angela Hunter
4. Citizen Comments: None
5. Approval of Agenda: Approved as presented
6. Moved by Cataldo, supported by Schmidt for approval of November 10, 2021 Regular Meeting Minutes.  
Ayes: 7                              Nays: 0                              Result: Carried
7. Approval of Vendor List for November 2021:  
Moved by Cataldo, supported by Salinas to approve the November 2021 Vendor list in the amount of \$917.77. \$475.21 to K. Jordan is being disputed.  
Ayes: 7                              Nays: 0                              Result: Carried
8. President's Comments: Arrival of 2021 MCACA Grant final disbursement 2022 MCACA Grant first payment.
9. Director's Comments: No report
10. City Manager's Comments: Fiebig sent out a doodle survey for dates on the next joint meeting. MDOT responded to the Wayfinding signage application. Moma is working on the Safe Walkways to School.
11. Committee Updates

#### Economic Vitality

- a. Farmers Market: Manager will attend the Food Access meeting for MIFMA. Looking into a program offered by Farm to Family which allows SNAP users to get produce via CSA offerings. Discussion on COA activity book to get the word out about the food assistance programs offered at the market. FNS reauthorization application submitted.
- b. Pop-Up: Leased for December
- c. Business Recruitment Primer: No Action

#### Design

- a. SBEI: In process
- b. Benches/Bike Racks: FSU contacted the DDA to see if we would like a few students to work on bike racks. Consensus is yes, with some themes suggested to highlight Evart's history.

- c. Way Finding Signage:

Promotion

- a. Shop Local: Discussion regarding Shop Small Neighborhood initiative.

Organization

- a. Board Recruiting: No action at this time
- b. Volunteers

13. Old Business

- a. Development Plan and Tax Increment Financing Plan
- b. Director Search: Committee will be holding an initial interview at 9:30am
- c. Trails Magazine

14. New Business

- a.
- b.

15. Citizen's Comments

16. Motion made by Salinas, supported by Cataldo to adjourn at 9:02am.

Ayes: 7                      Nays: 0                      Result: Carried

Respectfully submitted, June-Marie Essner, secretary



## Evart Concert at the Station Series.

Lori Tesch <diamondmmusic@hotmail.com>

Tue 1/4/2022 1:41 PM

To: Eric Kehoe <Eric.Kehoe@evart.org>

📎 1 attachments (76 KB)

241370128\_10225713235520392\_6008046945391168569\_n.jpg;

Hi Eric,

The Bob Marshall Band have made a lot of friends and fans in the City of Evart and we would love to return there again this summer to entertain your audience. We hope you will consider having us back.

Lori

EPK:

### BOB MARSHALL BAND

Welcome to the musical world of Bob Marshall Band. We would like to provide you with some information that you may find useful in deciding to book the Bob Marshall Band for your venue.

"The multiple award winning Bob Marshall Band is more than just another country band. Bob calls his music 'Cowboy Rock and Roll'. Country music, cowboy music, blues, rock, jazz and Motown are all infused into a lively show that will keep your audience engaged. Winner of the AWA Will Rogers Award for Best Male Vocalist, CMA of Texas for Best Country Album of the Year, and Red-Carpet Awards of the Netherlands for Outstanding Male Vocalist are just a few of the recognitions that the Bob Marshall Band has received."

#### Video/Promotional:

<https://www.youtube.com/watch?v=5LgXmBYc4Nk>

<https://www.youtube.com/watch?v=20SvcdO5zsY>

#### Website:

[WWW.BobMarshallBand.com](http://WWW.BobMarshallBand.com)

#### Social Media:

Facebook, 24K followers: <https://www.facebook.com/BobMarshallBand/>

ReverbNation, 35.8K followers: <https://www.reverbnation.com/bobmarshallband>

#### Press/Acknowledgements:

***"To anyone that is looking for a down-to-earth band, I would highly recommend the Bob Marshall band. They play a variety of songs, so there is something for everyone. My favorite, though, has to be when Bob sings "The Dance". He truly does that song, and all the other songs justice."*** Edna Burton Center

***"Thank you for a great performance!"*** Clay Township Parks & Recreation

***"Last nights performance by the Bob Marshall Band at the Almont Music in the Park concert was sensational! Bob has surrounded himself with outstanding, experienced musicians that bring out the best in his music, and his storytelling allows his audience to participate and feel as if they themselves were a part of the story, a rare gift indeed! Listen to his hit "SCREENDOOR" and you will hear what I am talking about!"*** Gary Peltier, Almont Concert in the Park Series

*"You guys were great!!!"* **City of Warren**

*"Bob was a crowd pleaser. The band is pure country and we loved having them here."* **Brandon Township September-Fest**

*"The Bob Marshall Band exceeded all expectations of a country music band and put on an awesome show covering various music genre as well as throwing in colorful stories along the way. We will definitely be getting the band back next year."*  
**Evart Mainstreet Fall Festival**

Lori Tesch,

Diamond M Music

DiamondMMusic@Hotmail.com

(919) 417-1898

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Evart Area Joint Fire Department

Fire Board Meeting

December 14, 2021 @ 4:30 PM

**PLEDGE OF ALLEGIANCE**

Meeting called to order by Chairman Hammer 4:35pm.

**ROLL CALL:** Gary Hammer – Evart Township, Dan Elliott – City of Evart, Sherri Bancroft – Osceola Township, Bev Mills – Sylvan Township, Diane Brackett – Orient Township.

**GUESTS:** Shane Helmer, Jesse Hyden, Angie Cushman.

**Citizens Comments:** None

**MOTION BY CITY OF EVART 2<sup>ND</sup> BY SYLVAN TWP to amend and approve the agenda as revised with the addition of new business #2 Corrective Action Plan. MOTION PASSED.**

**MOTION BY CITY OF EVART 2<sup>ND</sup> by SYLVAN TWP to approve the consent agenda with the approval of payment of bills, treasurers report, and November 9, 2021 regular meeting minutes. MOTION PASSED.**

The board asked questions about the \$54,000 that was on the Revenue and Expenditure Report from the City, Shane will ask the city and get an answer and report back to the board.

Monthly Bills totaling \$20,858.28 with checks written #7172-7185 and payroll totaling \$2,318.96 with 21 checks written #7186-7206. General Checking - \$7,291.75 High Yield Savings \$291,871.35. Grand Total \$299,168.10.

**OLD BUSINESS:**



1. **STATUS OF ENGINE 8:** Shane stated that Engine 8 is back in service and that there was no bill, the total repairs came to \$26,732.15.

Recess was taken to look at the new truck at 4:55pm and resumed at 5:01pm.

2. **UPDATE ON NEW TRUCK:** Shane stated that the new truck was delivered last Wednesday, and has not been put into service at this point, there are a few issues with it and they were corrected today, and everything will be added to the trucks and put into service as soon as possible.
3. **DRAFT BUDGET:** Shane stated that the budget is adjusted and the 2 mills are larger due to property sales and properties being uncapped, Shane would like the board to go over the budget and check with their boards with any issues.
4. **PAY PROPOSAL – NOVEMBER MEETING:** Shane presented the board with a payroll form with rates to the board, discussion was held regarding hourly rate, and how they were determined and how the accountability will be handled. Discussion was held.

**MOTION BY CITY OF EVART, 2<sup>ND</sup> BY ORIENT TWP to adjust the firefighters pay with the current proposed per call rate Shane has presented to the board, beginning January 1, 2022. MOTION PASSED. (Proposal Attached)**

5. **MANNED STATION – NOVEMBER MEETING:** Shane has gotten questions from the townships asking when this will take place. One question asked were numbers so they can see the improvement of the times, and numbers of people responding. There will be multiple tasks that need to be done if this were to happen, the department will need to be kept clean, stocked and all employees will be asked to be involved within the community

much more. They will be required to make all the businesses up to date with all MSDS, do businesses walk through for mapping purposes. They will also be involved with any community program, such as fire prevention, and school fire drills and sporting events, funerals, traffic control, anything that the city or townships may need help with. Shane stated that this will also improve our ISO rating. Shane presented the board with a schedule for January, and there are only 2 days that are not covered, for 7 days a week, from 9-5pm, and must be less than 30 hours per week per employee. There will be a medical and fire personnel on each day, so that each avenue will be covered. Shane stated that he has outside departments that are willing to be added to our department as part time to help fill spots during the month that are not filled, if needed. Shane would like to do this for 6 months on a month to month basis at this time. Discussion was held.

**MOTION BY OSCEOLA TWP 2<sup>ND</sup> BY CITY OF EVART to approve on January 1, 2022 to begin a manned station with 2 department employees being paid \$17.50 an hour for 8 hours a day, 7 days a week, conditional on month by month basis for a 6 month trial period. MOTION PASSED.**

**NEW BUSINESS:**

- 1. CHANGE OF INTERNET PROVIDER:** Shane would like to change our internet provider from Charter to Total Broadband. Right now the dept pays \$124 monthly and with Total it would be \$100 monthly. There would be a onetime \$300 installation fee.

**MOTION BY ORIENT TWP, 2<sup>ND</sup> BY SYLVAN TWP to approve the change of internet providers from Charter to Total Point Broadband for \$100 a month, with a onetime fee of \$300 for the installation. MOTION PASSED.**

- 2. CORRECTIVE ACTION PLAN:** Shane needs to do a corrective action plan for being over budget in the utilities section, by \$30 from last year's budget.

**MOTION BY CITY OF EVART, 2<sup>ND</sup> BY OSCEOLA TWP to approve the corrective action plan and allow Shane to submit it to the Auditors to then be submitted to the state for adjustment. MOTION PASSED.**

**FIRE CHIEF REPORT:** Shane let the board know that he will not be going to the Sherriff's Department Academy beginning in January as planned. He stated with him having COVID, he is unable to do that at this time. His place will be saved until he can attend. He still will have the Assistant Chief's attend the meetings and be much more involved in the management areas of the department. Shane stated that he also was put in as the Interim Director of Osceola County EMS, as the past director put in his resignation and it was approved immediately at the last County Board Meeting.

**CITIZENS COMMENTS:** Sherri stated that she would like to reach out to the FuelMan representative to try to get the switch over for the new bank accounts. She has multiple times asked that the account be terminated from TCF/HUNTINGTON banks, and be transferred to the MFCU account for future payments.

**Next Meeting: JANUARY 11, 2022 AT 4:30PM, with ZOOM.**

**MINUTES ARE NOT OFFICIAL UNTIL APPROVED AT A FUTURE BOARD MEETING.**

**MOTION BY SYLVAN, 2<sup>ND</sup> BY ORIENT TWP, to adjourn the meeting @ 6:12pm  
MOTION PASSED.**

**Angela Cushman**

**Administrative Assistant**

**Evart Area Joint Fire Department**





Evart Area Joint Fire Department

Fire Board Meeting

January 11, 2022 @ 4:30 PM

**PLEDGE OF ALLEGIANCE**

Meeting called to order by Chairman Hammer at 4:56 pm.

**ROLL CALL:** Gary Hammer – Evart Township, Dan Elliott – City of Evart, Sherri Bancroft – Osceola Township, Bev Mills – Sylvan Township, Diane Brackett – Orient Township.

**GUESTS:** Shane Helmer, Jesse Hyden, Angie Cushman, Travis Douglas.

**Citizens Comments:** None

**MOTION BY CITY OF EVART 2<sup>ND</sup> BY ORIENT TWP to approve the agenda as presented. MOTION PASSED.**

**MOTION BY CITY OF EVART 2<sup>ND</sup> by ORIENT TWP to approve the consent agenda with the approval of the payment of bills, treasurers report, and December 14, 2021 regular meeting minutes. MOTION PASSED.**

General Checking, \$5,306.21. High Yield Savings, \$314,856.00. Grand Total \$320,167.21.

**OLD BUSINESS:**

- 1. STATUS OF ENGINE 8:** Shane stated that Engine 8 is back in service and running.
- 2. UPDATE ON NEW TRUCK – TRAINING DATES:** Shane stated that the new truck was lettered and s completely into service as of today. All electrical and the dump tanks were

fixed and corrected. Training will take place on January 14-15 for the use of the truck.

3. **DRAFT BUDGET:** Shane stated that he had forgotten to add the payroll, and life, liability, and workman's comp insurance into the budget. He has added that to the budget, and the new draft budget was handed out to take to the entities for a proposed budget for 2022-23.
4. **MANNED STATION – ACTIVITY LOGS:** Shane handed out the logs for the last 11 days for the manned station, he is very happy with the progress that we have had so far. The response and times are very well accepted, and everyone seems to be engaged with all the jobs, and activities the department is doing. Discussion was held.

#### **NEW BUSINESS:**

1. **FOAM ISSUES:** Shane stated that while getting the new truck and the inspector noticed that we have foam that has PFAS, upon further review, Shane stated that we do indeed have the foam, and that it was purchased after the PFAS was recalled, and we were sold this foam by the manufacturer, while being told it was safe and was not included in the PFAS recall. Shane stated that the department cannot use the foam, which the department currently has 46 buckets, and 2 – 50 gallon drums. Discussion was held.

#### **CITIZENS COMMENTS: NONE**

**Fire Chief Report:** Shane stated that last year we had 755 calls for the year 2021, which is a record year for us. Which included grass fires increased by 30% house fires we had 10, of our own we only had 3, the rest were mutual aid. We have 27 active members right now. New gear should arrive late February, early March. Would like to pursue looking into a generator for the building for the next USDA grant. The least gas meters are here and will be tagged out to members and in



service in February. Hand rail was fixed and updated on the tower. Air bottles will be certified in May, air packs are due in March. Chief is also looking into uniforms for the crew to wear each day that they are on shift here at the fire department.

We also do a new Form Stack QR code with all the reports, and the paperwork.

Shane stated that next month the Direct Deposit should be up to date, and the city should be able to use this instead of checks. Shane stated that Jennie Duncan is the one who does all the fire departments books at the City of Evart; she is not listed on our checking because Pepper Lockhart was on until she now is the Interim City Manager. Shane would like for Jennie Duncan to be added to the checking account so she can access our account to be able to give any reconciliations that need to be done.

**MOTION BY OSCEOLA TWP, 2<sup>ND</sup> BY ORIENT TWP, to remove Pepper Lockhart as the City of Evart's representative and add Jennie Duncan as the representative to Evart Fire Department Member's First Credit Union banking account.**

**MOTION PASSED.**

**Next Meeting: February 8, 2022 AT 4:30PM.**

**MINUTES ARE NOT OFFICIAL UNTIL APPROVED AT A FUTURE BOARD MEETING.**

**MOTION BY SYLVAN, 2<sup>ND</sup> BY CITY OF EVART, to adjourn the meeting @ 5:45pm**  
**MOTION PASSED.**

**Angela Cushman**

**Administrative Assistant**

**Evart Area Joint Fire Department**

## MINUTES

### REGULAR MEETING

#### EVART HOUSING COMMISSION

Tuesday, November 16, 2021, 6:00 P.M.

Centennial Arms Community Room

The meeting was called to order at 6:00 p.m. by President Lockhart.

#### ROLL CALL

Present - Dellar, Molenaar, Moyer, Northon and Lockhart  
Absent - None

#### ADOPTION OF AGENDA – ADDITIONS/CHANGES

It was moved by Commission Northon and supported by Commissioner Moyer to add item 8l. Appointment of New President and 8m. Check Signing Schedule to the Agenda.

Yeas: Dellar, Molenaar, Moyer, Northon and Lockhart  
Nays: None

#### APPROVAL OF MINUTES

- a. It was moved by Commissioner Molenaar, supported by Commissioner Dellar to approve the Minutes of the Regular Meeting held October 19, 2021.

Yeas: Dellar, Molenaar, Moyer, Northon and Lockhart  
Nays: None

#### BILLS AND COMMUNICATIONS

- a. It was moved by Commissioner Northon, supported by Commissioner Molenaar to approve the Bills and Disbursements for October 2021.

Yeas: Dellar, Molenaar, Moyer, Northon and Lockhart  
Nays: None

- b. It was moved by Commissioner Northon and supported by Molenaar to receive and file the November 2021 Newsletter.

Yeas: Dellar, Molenaar, Moyer, Northon and Lockhart  
Nays: None

## REPORTS OF THE DIRECTOR

- a-e. It was moved by Commissioner Northon, supported by Commissioner Moyer to receive and file the available reports.

Yeas: Dellar, Molenaar, Moyer, Northon and Lockhart

Nays: None

## UNFINISHED BUSINESS

- a. None

## COMMISSIONER COMMENTS/CONCERNS

President Lockhart commented on the website moving forward and she will be glad to see the Minutes of the Meetings and other correspondence available online.

## NEW BUSINESS

- a. It was moved by Commissioner Moyer, supported by Commissioner Northon to adopt Resolution #2021-7, approving the revised Evert Housing Commission By-Laws.

Yeas: Dellar, Molenaar, Moyer, Northon and Lockhart

Nays: None

- b. It was moved by Commissioner Dellar, supported by Commissioner Northon to adopt Resolution #2021-8, approving the Evert Housing Commission Public Housing Utility Allowances.

Yeas: Dellar, Molenaar, Moyer, Northon and Lockhart

Nays: None

- c. It was moved by Commissioner Northon, supported by Commissioner Dellar to adopt Resolution #2021-9, approving the Evert Housing Commission Public Housing Flat Rents.

Yeas: Dellar, Molenaar, Moyer, Northon and Lockhart

Nays: None

- d. It was moved by Commissioner Dellar, supported by Commissioner Northon to adopt Resolution #2021-10, approving the Evert Housing Commission Housing Choice Voucher Utility Allowances.

Yeas: Dellar, Molenaar, Moyer, Northon and Lockhart

Nays: None



- e. It was moved by Commissioner Molenaar, supported by Commissioner Northon to adopt Resolution #2021-11, approving the Passbook Savings Rate.

Yeas: Dellar, Molenaar, Moyer, Norton and Lockhart  
Nays: None

- f. The Public Comment Policy was discussed.

- g. Motion by Molenaar and supported by Northon to approve the Management Invoice from the Big Rapids Housing Commission.

Yeas: Dellar, Molenaar, Moyer, Northon and Lockhart  
Nays: None

- h. It was moved by Commissioner Northon and supported by Commissioner Dellar to approve the 2022 Schedule of Meetings Calendar.

Yeas: Dellar, Molenaar, Moyer, Northon and Lockhart  
Nays: None

- i. It was moved by Commissioner Molenaar, supported by Commissioner Northon to adopt the revised Laundry Room Policy.

Yeas: Dellar, Molenaar, Moyer, Norton and Lockhart  
Nays: None

- j. The Commissioners reviewed the Budget Input Form.

- k. It was moved by Commissioner Molenaar and support by Northon to accept the Resignation Letter from President Lockhart.

Yeas: Dellar, Molenaar, Moyer, Northon and Lockhart  
Nays: None

- l. It was moved by Commissioner Northon and supported by Commissioner Moyer to appoint the current Vice-President Commissioner Molenaar to act as President until the Annual Meeting in January 2022.

Yeas: Dellar, Molenaar, Moyer, Northon and Lockhart  
Nays: None

- m. The check signing schedule was received and discussed.

#### HEARING OF THE PUBLIC

During the Hearing of the Public comments were heard regarding voting, sidewalks, a new

laundry room cart and residents letting the office know if they will be away from their apartments for a week or more.

ADJOURNMENT

It was moved by Commission Molenaar and supported by Commissioner Moyer to adjourn the meeting at 7:42 p.m.

Yeas: Dellar, Molenaar, Moyer, Northon and Lockhart

Nays: None

Respectfully submitted,

Pepper Lockhart  
President

Mark W. Sochocki  
Executive Director/Secretary

**CITY OF EVART  
COMPENSATION (PAY) COMMISSION MEETING  
Thursday, December 30, 2021 @ 5:00PM  
Depot, 200 S. Main Street**

The meeting was called to order by Finance Director/Treasurer Jennie Duncan at 5:09pm.

Ms. Duncan led the assembly in the Pledge of Allegiance.

**Present (via roll call):** Ralph Carlson, Mechelle Farrell, Jim Schwab

**Absent:** Terri Parish

**Present (staff):** Finance Director/Treasurer Jennie Duncan, City Clerk Kathy Fiebig

**Guests:** none

Motion by Mr. Carlson to appoint Ms. Farrell as Chair. Support by Mr. Schwab. Motion passed with all in favor.

Motion by Mr. Schwab to appoint Ms. Fiebig as recording secretary. Support by Mr. Carlson. Motion passed with all in favor.

***Citizens' Comments – none***

Ms. Farrell opened the floor to discussion regarding pay for mayor, council and city clerk.

Motion by Mr. Carlson to leave council and mayor meeting pay as is. Motion died for lack of support.

Motion by Ms. Farrell to raise council and mayor meeting pay from \$50 to \$55 per meeting attended with an annual cap of \$1,540. The mayor's stipend will remain at \$1,000 annually. Support by Mr. Schwab. Motion passed with all in favor.

Motion by Ms. Farrell to keep training pay for council at \$50 per special training event if less than four hours and \$75 per special training events up to eight hours with a maximum of two events per year. All trainings must be at the invitation of the city manager. Support by Mr. Carlson. Motion passed with all in favor.

Motion by Ms. Farrell to raise the city clerk's pay from \$8,700 annually to \$10,000 annually and to raise the clerk's meeting pay from \$50 to \$55 for meetings attended, with no annual cap. Clerk will be given a \$1,000 annual stipend. Support by Mr. Carlson. Motion passed with all in favor.

This determination of the commission shall be effective immediately upon its filing with the city clerk unless rejected by the city council.

***Citizens' Comments - none***

Motion by Mr. Schwab to adjourn. Support by Ms. Farrell. Motion passed with all in favor. The meeting was adjourned at 6:05pm.

\_\_\_\_\_  
Kathy Fiebig, City Clerk



**CITY OF EVART  
HISTORIC DISTRICT COMMISSION REGULAR MEETING  
Wednesday January 12, 2022 @ 4:00PM  
Depot Community Room, 200 S. Main St.**

The meeting was called to order by Pepper Lockhart at 4:01pm.

**Present:** Roger Elkins, Pepper Lockhart, Diane Carlson, Jennifer Joyce

**Absent:** Kathy Fiebig, Karen Higgins

***Citizens' Comments:*** none

**Approval of Minutes** – March 10, 2021

Motion by Ms. Joyce to approve the minutes as presented. Support by Mr. Elkins. Motion passed with a voice vote; all were in favor.

**Approval of Agenda**

Motion by Mr. Elkins to approve the agenda as presented. Support by Ms. Joyce. Motion passed with a voice vote; all were in favor.

**New Business**

**A.** Quarterly schedule for 2022

Motion by Ms. Joyce to approve the Quarterly Schedule as presented. Support by Mr. Elkins. Motion passed with a voice vote; all were in favor.

**B.** Training opportunities-

Asked the commission on ideas for training. Asked the commission to think about training going forward. Asked the members if they still had their commission packets to refer to. All stated they did.

***Citizens' Comments:*** none

Motion by Ms. Joyce to adjourn. Support by Mr. Elkins. Motion passed with a voice vote; all were in favor. The meeting adjourned at 4:34pm.

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Pepper Lockhart  
Acting Secretary