



**CITY COUNCIL AGENDA
OCTOBER 14, 2019 – 7:00 P.M.**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF MINUTES
 - A. **Regular City Council Meeting of September 23, 2019**
5. MAYOR'S COMMENTS
6. CITY MANAGER'S COMMENTS
7. AGENDA CHANGES (ADDITIONS/DELETIONS)
8. GUEST SPEAKERS:
 - A. **Sherry Tedaldi – Cow Hill Yacht Club Venetian Festival Recap**
9. PUBLIC COMMENT *Agenda Items Only (Limit 3 minutes)*
10. REQUESTS FOR PAYMENT
 - A. **Approval of Accounts Payable**
11. INTRODUCTION OF ORDINANCES: **None**
12. PUBLIC HEARINGS: **None**
13. UNFINISHED BUSINESS: **None**
14. NEW BUSINESS
 - A. **Resolution No. 191014-A – Adoption of Personnel Policies & Procedures Manual (ROLL CALL)**
 - B. **Resolution No. 191014-B – Non-Motorized Trail Joint Resolution (ROLL CALL)**
 - C. **Lead & Copper Preliminary DSMI Proposal (VOICE VOTE)**
 - D. **Special Event Application – Glow in the Park (VOICE VOTE)**
 - E. **Special Event Application – Halloween Parade / Costume Contest (VOICE VOTE)**
15. CONSENT AGENDA: **None**
16. PUBLIC COMMENTS *(Limit 3 minutes)*
17. COMMUNICATIONS:
 - A. **Michiana Dunes Region Appreciation Letter – Accept as information**
 - B. **Lucy & Water Street Flooding – Accept as information**
18. BOARDS, COMMISSIONS & COMMITTEE REPORTS
 - A.
19. COUNCIL COMMENTS
20. ADJOURN

NOTICE

This facility is wheelchair accessible with accessible parking spaces available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact Saugatuck City Clerk at 269-857-2603 or monica@saugatuckcity.com for further information.

Proposed Minutes
Saugatuck City Council Meeting
Saugatuck, Michigan, September 23, 2019

The City Council met in regular session at 7:00 p.m. at City Hall, 102 Butler Street, Saugatuck, Michigan.

- 1. **Call to Order** by Mayor Trester at 7:00 p.m.
- 2. **Pledge of Allegiance**
- 3. **Attendance:**
Present: Simon, Bekken, Johnson, Hess, Verplank & Trester
Absent: Peterson
Others Present: City Manager Harrier & City Clerk Nagel

A motion was made by Hess, 2nd by Simon, to excuse Council Member Peterson with prior notification. Upon voice vote the motion carried unanimously.

- 4. **Approval of Minutes:** A motion was made by Johnson, 2nd by Verplank, to approve the September 9, 2019 regular meeting minutes as presented. Upon voice vote the motion carried unanimously.

- 5. **Mayor's Comments:** None

- 6. **City Manager's Report:** None

- 7. **Agenda Changes:** (*deletion*) 8(A) Lt. Brett Ensfield – Allegan Co. Sheriff Department
(*addition*) 8(B) Dean Kapenga – Allegan Co. Commissioner

- 8. **Guest Speakers:**
A. ~~Lt. Brett Ensfield – Allegan Co. Sheriff Department~~
B. **Dean Kapenga – Allegan Co. Commissioner:** County Commissioner Kapenga updated Council on various Allegan County projects.

- 9. **Public Comment:** None

- 10. **Request for Payment:** A motion was made by Hess, 2nd by Johnson, to approve the accounts payable in the amount of \$2,053,956.62. Upon voice vote the motion carried unanimously.

- 11. **Introductions of Ordinances:** None

- 12. **Public Hearings:** None

- 13. **Unfinished Business:** None

- 14. **New Business:**
A. **Resolution No. 190923-A – Temporary Traffic Calming Measures on North Park Street:**
A motion was made by Simon, 2nd by Johnson, to approve Resolution No. 190923-A as presented. Upon roll call the motion carried unanimously.

B. **Resolution No. 190923-B – MNRTF Grant Application Amendment:** A motion was made by Johnson, 2nd by Hess, to approve Resolution No. 190923-B as amended, to include additional language to the last paragraph so it now reads "Now Therefore, Be It Resolved Saugatuck City Council fully supports the project". Upon roll call the motion carried unanimously.

C. Holiday Lighting Services: A motion was made by Hess, 2nd by Verplank, to approve the bid dated September 18, 2019 from Chips Groundcover, LLC in the amount of \$9,710 to provide holiday lighting services for 35 trees in the City of Saugatuck for a three (3) year term and authorize the Mayor and City Clerk to effectuate the agreement. Upon voice vote the motion carried unanimously.

D. Tri-Community Recreation Advisory Board Appointment: A motion was made by Johnson, 2nd by Hess, to approve the Mayor's appointment of Kelly Roche to the Tri-Community Recreation Advisory Board with said term expiring September 23, 2021. Upon voice vote the motion carried unanimously.

15. Consent Agenda: None

16. Public Comment: Dan Fox (*resident*) recently visited the City's Department of Public Works (DPW) and observed the city's operation and thanked DPW Superintendent Herbert for a well-run operation.

17. Communications:

- A. S/D Garden Club Community Pride Thank You – Accepted as information**
- B. Blue Star Trail Regional Stakeholder Meeting Notes – Accepted as information**
- C. Southwest Michigan Solid Waste Consortium Meeting Presentation – Accepted as information**

18. Boards, Commissions & Committee Reports: Council received reports from the following committee(s): KLSWA, Fire Board, Planning Commission, Harbor Authority

19. Council Comments: Council Member Verplank reiterated Dan Fox's comment under agenda item 16.

20. Personnel Evaluation – City Manager

A. Closed Session to Discuss Personnel Evaluation Pursuant to Section 8(a) of the Open Meetings Act: A motion was made by Verplank, 2nd by Johnson, to enter into closed session per Section 8(a) of the Michigan Open Meetings Act at the request of employee Kirk Harrier regarding personnel evaluation. Upon roll call the motion carried unanimously.

Council entered into closed session at 8:05 p.m.

Council reconvened into open session at 8:57 p.m.

Present: Simon, Bekken, Johnson, Hess, Verplank & Trester

Absent: Peterson

Others Present: City Manager Harrier

A motion was made by Hess, 2nd by Simon, to approve the closed session minutes of September 23, 2019 as presented. Upon voice vote the motion carried unanimously.

21. Adjournment: Mayor Trester adjourned the meeting at 8:58 p.m.

Respectfully Submitted,

Monica Nagel, CMC
City Clerk

10A

Vendor Name	Description	Amount
1. ACTION INDUSTRIAL SUPPLY CO		
	UNIFORMS & SAFETY EQUIPMENT	9.68
	UNIFORMS & SAFETY EQUIPMENT	83.79
	TOTAL	93.47
2. ALLEGAN COUNTY NEWS		
	PRINTING	253.18
3. ALLEGAN COUNTY TREASURER		
	PROPERTY TAXES	62,097.98
4. ALPHA NURSERIES INC		
	MT BALDHEAD TREES	924.98
5. AMERICAN LEGAL PUBLISHING CORP.		
	ORDINANCES UPDATES	1,306.92
6. APEX SOFTWARE		
	ASSESSING SOFTWARE	235.00
7. AT&T MOBILITY		
	CELL PHONES	79.54
8. BELL EQUIPMENT CO		
	STREET SWEEPER PARTS	463.81
	STREET SWEEPER BROOM	723.00
	TOTAL	1,186.81
9. BLOOM SLUGGETT PC		
	BLISS STREET	5,667.63
	LEGAL FEES	1,556.08
	LEGAL FEES	856.50
	TOTAL	8,080.21
10. BURNETT & KASTRAN PC		
	LEGAL FEES	120.00
11. CONSUMERS ENERGY		
	ELECTRIC	1,793.65
12. ETNA SUPPLY		
	OVAL	15.20
13. FASTENAL		
	SUPPLIES	5.82
	STREET SWEEPER	7.00
	TOTAL	12.82
14. FIRST BANK CARD		
	WEBSITE & TRAINING	20.75
	OVAL	82.18
	OVAL, ELECTION & TRAINING	1,418.48
	TOTAL	1,521.41
15. FLEIS & VANDENBRINK ENGINEERING INC		
	SAW GRANT	6,700.00
	MANCHESTER DRIVE	446.00
	PARK STREET	488.00
	SAW GRANT	8,000.00
	ENGINEERING FEES	744.00
	ENGINEERING FEES	870.00
	TOTAL	17,248.00
16. FRIS OFFICE OUTFITTERS		
	OFFICE SUPPLIES	86.40
	OFFICE SUPPLIES	28.66
	TOTAL	115.06

Vendor Name	Description	Amount
17. FRONTIER	911 PHONE OVAL BEACH	73.00
	OVAL BEACH	191.60
	DPW TELEPHONES & INTERNET	224.61
	TOTAL	489.21
18. GOVERNMENTAL BUSINESS SYSTEMS	ELECTION	51.20
19. IIMC	DUES CLERK	195.00
20. MCKELLIPS PLUMBING INC	OVAL	75.00
	MT BALDHEAD	255.00
	TOTAL	330.00
21. MERCHANTS BANCARD NETWORK	OVAL BANK FEES	240.03
22. MICHIGAN GAS UTILITIES	CITY HALL	39.80
	BUTLER STREET BATHROOM	39.80
	DPW BUILDING	18.87
	TOTAL	98.47
23. MINER SUPPLY CO	SUPPLIES	222.48
24. OTTAWA AREA INTERMEDIATE	SCHOOL DIS	
	PROPERTY TAXES	37,358.75
25. OVERISEL LUMBER COMPANY	SUPPLIES	529.11
26. PRIORITY HEALTH	HEALTH INSURANCE	6,959.13
27. PURITY CYLINDER GASES INC	CONCESSION	14.29
28. RATHCO SAFETY SUPPLY CO	SIGNS	181.95
29. SAUGATUCK FIRE	SHORT TERM RENTALS	225.00
30. SAUGATUCK PUBLIC SCHOOLS	PROPERTY TAXES	47,071.54
	CULVER STREET	403.76
	TOTAL	47,475.30
31. SHELL	GASOLINE & DIESEL	1,278.82
32. SHORELINE TECHNOLOGY SOLUTIONS	COMPUTER SERVICES	626.75
33. VALLEY CITY LINEN INC	SHOP TOWELS	165.40
34. WYOMING ASPHALT PAVING CO	ASPHALT	109.45
35. XEROX FINANCIAL SERVICES	COPIER LEASE	430.36
TOTAL - ALL VENDORS		192,064.93
FUND TOTALS:		
Fund 101 - GENERAL FUND		39,398.76
Fund 202 - MAJOR STREETS		1,220.00
Fund 203 - LOCAL STREETS		1,475.40
Fund 661 - MOTOR POOL FUND		3,440.88
Fund 701 - CURRENT TAX FUND		146,528.27

10/11/2019 12:11 PM
User: Peter
DB: Saugatuck

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF SAUGATUCK
EXP CHECK RUN DATES 09/24/2019 - 10/14/2019
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

Vendor Name	Description	Amount
Fund 715 - ROSE GARDEN		1.62



City Council Agenda Item Report

City of Saugatuck

FROM: Kirk Harrier, City Manager

MEETING DATE: October 14, 2019

SUBJECT: Resolution No. 191014-A (Adoption of Personnel Policies & Procedures Manual)

DESCRIPTION

The City Council has identified adopting an updated personnel policies & procedures manual as a priority project. The City engaged the Michigan Municipal League (MML) to assist with the project. An up-to-date, comprehensive and compliant personnel manual is a foundational piece of any employer's personnel system, and is especially critical in the public sector. There have been many changes in the laws and regulations governing personnel administration over the years. The City's previous Personnel Policies & Procedures Manual was extremely outdated as was over 15 years old. This updated Manual corrects many of policies that were not consistent with the City's operating procedures and changes in the personnel laws and regulations and brings the City into compliance.

BUDGET ACTION REQUIRED

N/A

COMMITTEE/COMMISSION REVIEW

N/A

LEGAL REVIEW

Municipal Attorney Jeff Sluggett has reviewed the City of Saugatuck Personnel Policies and Procedures Manual dated October 15, 2019 and has approved as to form and content.

SAMPLE MOTION:

Motion to **approve/deny** Resolution No. 191014-A adopting the City of Saugatuck Personnel Policies and Procedures Manual dated October 15, 2019 as presented following notice to all employees.

**CITY COUNCIL
CITY OF SAUGATUCK
COUNTY OF ALLEGAN**

RESOLUTION NO. 191014-A

**A RESOLUTION TO APPROVE AND ADOPT A PERSONNEL POLICIES AND
PROCEDURES MANUAL FOR THE CITY OF SAUGATUCK**

Minutes of a _____ meeting of the City Council of the City of Saugatuck, County of Allegan, State of Michigan, held in the Saugatuck City Hall on _____, 2019.

PRESENT: Members: _____

ABSENT: Members: _____

Member _____ offered and moved the adoption of the following preamble and resolution, seconded by Member _____:

WHEREAS, the City of Saugatuck (the "City") is, pursuant to the City Charter and state law, authorized to employ individuals to operate and administer public programs, services and facilities within the City; and

WHEREAS, the City Council values its employees and the work they do and strives to provide a work environment and conditions best suited to maximize their ability to serve the City's citizens, businesses and visitors to the City; and

WHEREAS, the City previously adopted (subject to periodic amendments) a Personnel Policies and Procedures Manual ("Old Manual") establishing policies and procedures associated with employment with the City; and

WHEREAS, following recent reviews of the Old Manual it is the opinion of the City Council that a new and more current Personnel Policies and Procedures Manual should be

adopted in place of the Old Manual to better address changing work conditions, changes in the law and similar matters.

NOW, THEREFORE, IT IS RESOLVED THAT:

1. The Personnel Policies and Procedures Manual dated October 15, 2019, a copy of which is attached to this Resolution and marked as "Attachment A," is hereby adopted in its entirety and the City Manager is directed to take all actions necessary to distribute copies of the adopted Personnel Policies and Procedures Manual to all employees of the City and to take such other action necessary to implement this Resolution.

2. The Old Manual is hereby repealed and no longer in effect.

3. The Resolution shall take effect on October 15, 2019, following notice to all employees of the City that the new Personnel Policies and Procedures Manual has been adopted by the City Council.

4. All resolutions and parts of resolutions in conflict herewith shall be and the same are hereby rescinded.

YEAS: Members: _____

NAYS: Members: _____

RESOLUTION NO. _____ DECLARED ADOPTED

Monica Nagel, Clerk
City of Saugatuck
County of Allegan

I hereby certify that the foregoing is a true and complete copy of a resolution duly adopted by the City Council of the City of Saugatuck, County of Allegan, at a _____ meeting held _____, 2019, said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Monica Nagel, Clerk
City of Saugatuck
County of Allegan



**PERSONNEL POLICIES AND PROCEDURES
MANUAL**

EFFECTIVE OCTOBER 15, 2019

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History of Personnel Policy
Adopted: October __, 2019
Revised:
Revised:
Revised:

SECTION 1.0

APPLICATION OF PERSONNEL POLICIES AND PROCEDURES

I. PURPOSE

To establish policies and procedures for personnel employed by the City of Saugatuck

II. APPLICATION

The City Council is responsible for the creation of policies for the operation of the City. The City Manager is responsible for implementation of City policies and has administrative control over City operations. The City's ability to provide services is directly related to the efficiency of the employees working for the City. An important factor in attracting and keeping efficient and fully trained personnel is the establishment of uniform personnel rules and regulations. The City has accordingly adopted the rules and regulations contained in this Personnel Policies and Procedures Manual but changing circumstances may require their revision from time to time.

The rules and regulations contained in this Personnel Policies and Procedures Manual apply to all City employees; provided however, where the provisions on this Manual conflict with or differ from the provisions of a written employment agreement, the provisions of the written employment agreement shall be applied to signatory to the written employment agreement rather than the provisions of this Manual. These rules and regulations are subject to change, and employees should consult with the City Manager to determine whether a particular rule or regulation remains in effect.

III. POLICY

- A. Personnel policies have been developed to assist employees of the City to understand the terms and conditions of their employment. These personnel policies are subject to change.
- B. A Personnel Policies and Procedures Manual containing applicable personnel policies shall be given to all employees of the City. Employees will be required to sign a statement indicating that they have received a copy of the Personnel Policies and Procedures Manual and that they understand that the policies contained in that Manual, are subject to change and govern their employment with the City.
- C. This Personnel Policies and Procedures Manual, or any other written or verbal communication by the City, is not intended as and does not create a contract of employment, either expressed or implied.

SECTION 1.1

EQUAL OPPORTUNITY POLICY

I. PURPOSE

To establish a policy guaranteeing equal opportunity in employment.

II. POLICY

The City is an equal opportunity employer and will not discriminate with regard to religion, race, color, national origin, age, sex, height, weight, marital status, disability, sexual orientation or genetic information. Individuals who believe that they have been unlawfully discriminated against may file a complaint with the City Manager, who is designated as the EEO/ADA/Section 504 Compliance Officer. In the event of an alleged act of discrimination caused by the City Manager, the report shall be made to the City Attorney or to a member of the Saugatuck City Council. The City will ensure that a prompt and equitable resolution of the complaint is achieved.

SECTION 1.2

PERSONNEL RECORDS

I. PURPOSE

To establish policies and procedures regarding personnel records.

II. POLICY

Personnel files are maintained for all employees at City Hall. Employees are required to advise the City Manager in writing of their current address, telephone number, name and marital status as well as any changes in this information. Employees requesting personnel information released to outside parties shall provide a signed authorization to the City Manager. Employees may review the contents of their personnel files upon request to the City Manager but may not remove their personnel file from City Hall. Access to an employee's personnel file is limited to the City Manager, an employee's immediate supervisor, the employee and such other agents of the City as deemed necessary by the City Manager and/or the City Council and consistent with state laws.

SECTION 1.3

PERSONAL HEALTH INFORMATION PRIVACY

I. PURPOSE

The City sponsors group health plans that provide medical, dental, and other benefits to eligible employees. The Privacy Rules under the Health Insurance Portability and Accountability Act (HIPAA) generally restrict the ability to use and disclose certain health or medical information about you that is created or received by these group health plans or by the City in connection with these group health plans. This Notice describes how medical information about you may be used or disclosed, and describes your legal rights regarding your medical information. References to the Plan throughout this notice also shall mean the City, as plan sponsor. If you have any questions about this Notice, please contact the City Treasurer, which serves as plan administrator.

II. POLICY

Protected Health Information

The HIPAA Privacy Rules protect only certain medical information known as protected health information (“PHI”). Generally, PHI is individually identifiable health information, including demographic information, collected from you or received by a health care provider, a health care clearinghouse, a health plan or your employer on behalf of a group health plan, that relates to: (1) your past, present, or future physical or mental health or condition; (2) the provision of health care to you; or (3) the past, present, or future payment for the provision of health care to you.

Our Pledge and Responsibilities Regarding PHI

We understand that PHI about you and your health is personal, and the Plan is committed to protecting PHI. The Plan is required by law to satisfy the following responsibilities with respect to any PHI created or received by the Plan: (1) maintain the privacy of your PHI; (2) provide you with certain rights with respect to your PHI; (3) give you this Notice of the Plan’s legal duties and privacy practices with respect to your PHI; and (3) follow the terms of the Notice that are currently in effect.

How the Plan May Use and Disclose Medical Information About You

As permitted by law, the Plan may use or disclose your PHI under certain circumstances without your permission. The following categories describe different ways that the Plan may use and disclose PHI. For each category of uses or disclosures an attempt will be made to provide an explanation and examples.

Not every use or disclosure in each category is listed. However, all of the ways the Plan is permitted to use and disclose PHI will fall within one of the categories.

For Treatment. The Plan may use or disclose your PHI to facilitate medical treatment or services by providers. The Plan may disclose PHI about you to providers, including doctors, nurses, technicians, medical students or other hospital personnel, who are involved in taking care of you. For example, the Plan might disclose information about your prior prescriptions to a pharmacist to determine if prior prescriptions contraindicate a pending prescription.

For Payment. The Plan may use and disclose PHI about you to determine eligibility for Plan benefits, to facilitate payment for the treatment and services you receive from health care providers, to determine benefit responsibility under the Plan, or to coordinate Plan coverage. For example, the Plan may tell your health care provider about your medical history to determine whether a particular treatment is experimental, investigational or medically necessary or to determine whether the Plan will cover the treatment. The Plan also may share PHI with a utilization review or pre-certification service provider. Likewise, the Plan may share PHI with another entity to assist with the adjudication or subrogation of health claims or to another health plan to coordinate benefit payments. The Plan may release PHI about you to a family member, friend or other person who is involved in your medical care or payment for your medical care, unless you tell us not to release such information.

For Health Care Operations. The Plan may use and disclose PHI about you for other Plan operations. These uses and disclosures are necessary to run the Plan. For example, the Plan may use PHI in connection with: conducting quality assessment and improvement activities; underwriting, premium rating, and other activities relating to Plan coverage; submitting claims for stop-loss (or excess loss) coverage; conducting or arranging for medical review, legal services, audit services, and fraud and abuse detection programs; business planning and development such as cost management; and business management and general Plan administrative activities.

For Business Associates. The Plan may contract with individuals or entities known as Business Associates to perform various functions or to provide certain types of services on the Plan's behalf. In order to perform these functions or provide these services, Business Associates will receive, create, maintain, use and/or disclose your PHI, but only if they agree in writing with the Plan to implement appropriate safeguards regarding your PHI. For example, the Plan may disclose your PHI to a Business Associate to administer claims or provide support services, such as utilization, management, pharmacy benefit management or subrogation, but only after the Business Associate enters into a Business Associate Agreement with the Plan.

As Required by Law. The Plan will disclose PHI about you when required to do so by federal, state or local law. For example, the Plan may disclose PHI when required by a court order in a litigation proceeding, such as a malpractice action.

To Avert a Serious Threat to Health or Safety. The Plan may use and disclose PHI about you when necessary to prevent a serious threat to your health and safety or the health and safety of the public or another person. Any disclosure, however, would only be to someone able to help prevent the threat. For example, the Plan may disclose PHI about you in a proceeding regarding the licensure of a physician.

To Plan Sponsor (i.e. The City). For the purpose of administering the Plan, PHI may be disclosed to certain employees of the City. However, those employees will only use or disclose that PHI only as necessary to perform plan administration functions or as otherwise required by HIPAA, unless you have authorized further uses or disclosures. Your PHI cannot be used for employment related purposes without your specific, written authorization. Information also may be disclosed to another health plan maintained by the City for purposes of facilitating claim payments under that health plan.

Special Situations. In addition to the above, the following categories describe other possible ways that the Plan may use and disclose your PHI.

- A. **Organ and Tissue Donation.** If you are an organ donor, the Plan may release PHI to organizations that handle organ procurement or organ, eye or tissue transplantation or to an organ donation bank, as necessary to facilitate organ or tissue donation and transplantation.
- B. **Military and Veterans.** If you are a member of the armed forces, the Plan may release PHI about you as required by military command authorities. The Plan also may release PHI about foreign military personnel to the appropriate foreign military authority.
- C. **Workers' Compensation.** The Plan may release PHI about you for worker's compensation or similar programs. These programs provide benefits for work related injuries or illness.
- D. **Public Health Risks.** The Plan may disclose PHI about you for public health activities. The activities generally include the following: (1) to prevent or control disease, injury or disability; (2) to report births and deaths; (3) to report child abuse or neglect; (4) to report reactions to medications or problems with products; (5) to notify people of recalls of products they may be using; (6) to notify a person who may have been exposed to a disease or may be at risk for contracting or spreading a disease or condition; and (7) to notify the appropriate government authority if we believe a patient has been the victim of abuse, neglect or domestic violence. The Plan will only make this disclosure if you agree or

when required or authorized by law.

- E. **Health Oversight Activities.** The Plan may disclose PHI to a health oversight agency for activities authorized by law. These oversight activities include, for example, audits, investigations, inspections, and licensure. These activities are necessary for the government to monitor the health care system, government programs, and compliance with civil rights laws.
- F. **Lawsuits and Disputes.** If you are involved in a lawsuit or a dispute, the Plan may disclose PHI about you in response to a court or administrative order. The Plan also may disclose PHI about you in response to a subpoena, discovery request, or other lawful process by someone else involved in the dispute, but only if efforts have been made to tell you about the request or to obtain an order protecting the information requested.
- G. **Law Enforcement.** The Plan may release PHI if asked to do so by a law enforcement official: (1) in response to a court order, subpoena, warrant, summons or similar process; (2) to identify or locate a suspect, fugitive, material witness, or missing person; (3) about the victim of a crime if, under certain limited circumstances, we are unable to obtain the person's agreement; (4) about a death we believe may be the result of criminal conduct; and (5) in emergency circumstances to report a crime; the location of the crime or victims; or the identity, description or location of the person who committed the crime.
- H. **Coroners, Medical Examiners and Funeral Directors.** The Plan may release PHI to a coroner or medical examiner. This may be necessary, for example, to identify a deceased person or determine the cause of death.
- I. **National Security and Intelligence Activities.** The Plan may release PHI about you to authorized federal officials for intelligence, counterintelligence, and other national security activities authorized by law.
- J. **Inmates.** If you are an inmate of a correctional institution or under the custody of a law enforcement official, the Plan may release PHI about you to the correctional institution or law enforcement official. This release would be necessary (1) for the institution to provide you with health care; (2) to protect your health and safety or the health and safety of others; or (3) for the safety and security of the correctional institution.

Required Disclosures

The following is a description of disclosures of your PHI the Plan is required to make:

Government Audits. The Plan is required to disclose your PHI to the Secretary of the United States Department of Health and Human Services when the Secretary is investigating or determining the Plan's compliance with the HIPAA Privacy rule.

Disclosures to You. When requested, the Plan is required to disclose to you the portion of your PHI that contains medical records, billing records, and any other records used to make decisions regarding your health care benefits. The Plan also is required, when requested, to provide you with an accounting of most disclosures of your PHI where the disclosure was for reasons other than for payment, treatment or health care operations, and where the PHI was not disclosed pursuant to your individual authorization.

Other Disclosures

Personal Representatives. The Plan will discuss your PHI to individuals authorized by you, or to an individual designated as your personal representative, attorney in fact, etc., as long as you provide the Plan with a written notice/authorization and any supporting documents (e.g. durable power of health care attorney). Note that under HIPAA privacy rule, the Plan does not have to disclose PHI to a personal representative if we have a reasonable belief that: (1) you have been, or may be, subjected to domestic violence, abuse or neglect by such person; (2) treating such person as your personal representative could endanger you; or (3) in the exercise or professional judgment, it is not in your best interest to treat the person as your personal representative.

Authorizations. Other uses or disclosures of your PHI not described above will only be made with your written authorization. You may revoke written authorization at any time, as long as the revocation is in writing. Once we receive your written revocation, it will only be effective for future uses and disclosures. It will not be effective for any information that may have been used or disclosed in reliance upon the written authorization and prior to receiving your written revocation.

Your Rights

You have the following rights regarding PHI that the Plan maintains about you:

Right to Inspect and Copy. You have the right to inspect and copy PHI that may be used to make decisions about your Plan benefits. To inspect and copy PHI that may be used to make decisions about you, you must submit your request in writing to the Contact Person listed above. If you request a copy of the information, you may be charged a fee for the costs of copying, mailing or other supplies associated with your request. The Plan may deny your request to inspect and copy PHI in certain very limited circumstances. If you are denied access to PHI, you may

request that the denial be reviewed by submitting a written request to the Contact Person listed above.

Right to Amend. If you believe that PHI the Plan has about you is incorrect or incomplete, you may ask us to amend the information. You have the right to request an amendment for as long as the information is kept by the Plan. To request an amendment, your request must be in writing and submitted to the Contact Person listed above. In addition, you must provide the reason that supports your request. The Plan may deny your request for an amendment if it is not in writing or does not include a reason to support the request. In addition, the Plan may deny your request if you ask us to amend information that: (1) is not part of the PHI kept by the Plan; (2) was not created by the Plan, unless the person or entity that created the information is no longer available to make the amendment; (3) is not part of the information which you would be permitted to inspect and copy; or (4) is already accurate and complete.

If the Plan denies your request, you have the right to file a statement of disagreement with the Plan, and any future disclosure of the disputed information will include your statement.

Right to an Accounting of Disclosures. You have the right to request an “accounting” of certain disclosures of your PHI. The accounting will not include (1) disclosures made for purposes of treatment, payment or health care operations; (2) disclosures made to you; (3) disclosures made pursuant to your authorization; (4) disclosures made to friends or family in your presence or because of an emergency; (5) disclosures for national security purposes; and (6) disclosures incidental to otherwise permissible disclosures.

To request this list of accounting of disclosures, you must submit your request, in writing, to Human Resources. Your request must state a time period which may not be longer than six years and may not include dates before April 14, 2004. Your request should indicate the form you want the list (for example, paper or electronic). The first list you request within a 12 month period will be free of charge. For additional lists, the Plan may charge you for the costs of providing the list. The Plan will notify you of the cost involved, and you may choose to withdraw or modify your request at that time before any costs are incurred.

Right to Request Restrictions. You have the right to request a restriction or limitation on the PHI the Plan uses or discloses about you for treatment, payment or health care operations. You also have the right to request a limit on the PHI the Plan discloses about you to someone who is involved in your care or the payment for your care, such as a family member or friend. For example, you could ask that we not use or disclose information about a surgery you had. The Plan is not required to agree to your request. To request restrictions, you must make your request in writing to Human Resources. In your request, you must tell us what information you want to limit; whether you want to limit our use, disclosure or

both; and to whom you want the limits to apply, for example, disclosures to your spouse.

Right to Request Confidential Communications. You have the right to request that the Plan communicate with you about medical matters in a certain way or at a certain location. For example, you can ask that we only contact you at work or by mail. To request confidential communications, you must make your request in writing to Human Resources. The Plan will not ask you the reason for your request. The Plan will accommodate all reasonable requests.

Right to a Paper Copy of This Notice. You have the right to a paper copy of this Notice. You may ask the Plan to give you a copy of this Notice at any time. Even if you have agreed to receive this Notice electronically, you are still entitled to a paper copy of this Notice. To obtain a paper copy of this Notice, contact Human Resources.

Changes to This Notice

The Plan reserves the right to change the terms of this Notice. The Plan reserves the right to make the revised or changed Notice effective for PHI the Plan already has about you as well as any information the Plan receives in the future. If the Plan makes any material change to this Notice, you will be provided with a copy of a revised Notice of Privacy Practices either by mail or electronically.

Complaints

If you believe your privacy rights have been violated, you may file a complaint with the Plan or with the Office of Civil Rights. Complaints to the Plan must be submitted in writing to Human Resources. A complaint to the Office of Civil Rights should be sent to Office for Civil Rights, U.S. Department of Health & Human Services, 233 N. Michigan Ave. - Suite 240, Chicago, IL 60601, (312) 886-2359; (312) 353-5693 (TDD), (312) 886-1807 (fax). You also may visit OCR's website at: <http://www.hhs.gov/ocr/privacyhowtofile.htm>, for more information.

You will not be penalized, or in any other way retaliated against, for filing a complaint with the Plan or the Office of Civil Rights.

SECTION 1.4

SOCIAL SECURITY NUMBER PRIVACY

I. PURPOSE

To establish policies and procedures regarding employee selection.

II. POLICY

Pursuant to Public Act 454 of 2004 the City of Saugatuck will protect the confidentiality of social security numbers. No person shall knowingly acquire, disclose, transfer, or unlawfully use the social security number of any employee or other individual unless in accordance with applicable state and federal law and the procedures and rules established by this policy.

The term "social security number" includes both the entire nine-digit number and more than 4 sequential digits of the number. Social security numbers shall not be placed on identification cards or badges, membership cards, permits, licenses, time cards, employee rosters, bulletin boards, or any other materials or documents that are publicly displayed. Documents, materials, or computer screens that display social security numbers or other sensitive information shall be kept out of public view at all times.

Only persons authorized by the City Manager or his/her designee shall have access to information or documents that contain social security numbers.

Documents containing social security numbers shall only be mailed or transmitted in the following circumstances:

- A. State or Federal law, rule, regulation, or court order or rule authorizes, permits, or requires that a social security number appear in the document.
- B. The document is sent as part of an application or enrollment process initiated by the individual whose social security number is contained in the document.
- C. The document is sent to establish, confirm the status of, service amend, or terminate an account, contract, policy, or employee or health insurance benefit or to confirm the accuracy of a social security number of an individual who has an account, contract, policy, or employee health insurance benefit.
- D. The document or information is a copy of a public record filed or recorded with the county clerk or register of deeds office and is mailed by that office to a person entitled to receive that record.
- E. The document or information is a copy of a vital record recorded as provided by law and is mailed to a person entitled to receive that record.

- F. The document or information is mailed at the request of an individual whose social security number appears in the document or information or his or her parent or legal guardian.

Documents containing social security numbers that are mailed or otherwise sent to an individual shall not reveal the number through the envelope window, nor shall the number be otherwise visible from outside the envelope or package.

Social Security numbers shall not be sent over the Internet or a computer system or network (e.g. through e-mail or websites) unless the connection is secure or the transmission is encrypted. No individual shall be required to use or transmit his or her social security number over the internet or a computer system, or to gain access to an internet website, computer system, or network (e.g. through e-mail or websites) unless the connection is secure, the transmission is encrypted, or a password or other unique personal identification number or other authentication device is also required to gain access to the internet website or computer system or network.

All documents or files that contain social security numbers shall be stored in a physically secure manner. Social security numbers shall not be stored on computers or other electronic devices that are not secured against unauthorized access. Documents or other materials containing social security numbers shall be discarded or destroyed only in a manner that protects their confidentiality, such as shredding.

Social security numbers should only be collected where required by federal and state law or as otherwise permitted under the Michigan Social Security Number Privacy Act. If a unique identifier is needed, a substitute for the social security number shall be used.

Any officer or employee of the City of Saugatuck who violates the provisions of this policy shall be subject to disciplinary actions provided by City policies and applicable laws, up to and including dismissal or discharge, as well as civil and/or criminal action.

If any questions regarding social security number privacy and security should arise, contact the City Manager or the Manager's designee for policy clarification and guidance.

SECTION 2.0

EMPLOYEE SELECTION

I. PURPOSE

To establish policies and procedures regarding employee selection.

II. POLICY

The City Council is responsible for the selection, employment, and discharge of the City Manager. The City Manager is responsible for the selection, employment and discharge of all other employees of the City.

When a permanent full-time or regular part-time job or vacancy occurs in a City position, notice of the job or vacancy shall be advertised by such means as deemed appropriate by the City Manager. Individuals interested in the position may file a written application by the deadline established in the vacancy notification. The City Manager shall give due consideration to all applicants for the permanent vacancy, including applications from non-City employees. The applicant considered by the City Manager to be the best qualified shall be awarded the permanent vacancy, but the City reserves the right to determine that none of the applicants are qualified and leave the position open or to seek further applicants.

III. PROCEDURES

- A. All new employees shall be selected exclusively on merit. Employment of relatives of the City Manager or City Council Members will require unanimous approval of the City Council. Employment of relatives of employees shall be at the discretion of the City Manager.
- B. When a vacancy exists, the City Manager will initially consider the feasibility of filling the vacancy by promotion from within the City. The decision as to whether qualified employees exist within the City is reserved to the City Manager, who will determine whether solicitation of candidates for the position will be limited to current employees or open to outside candidates as well.
- C. Position vacancies will be posted in the lobby of the City Hall. In addition, the City Manager may publicize the notice of vacancy through the use of regularly circulated newspapers, professional publications, departmental bulletin board, e-mail bulletin boards, listings with employment services and other means of communication as deemed appropriate by the City. The notice of position vacancy shall include a statement that the City is an equal opportunity employer and does not discriminate on the basis of religion, race, color, national origin, age, sex, height, weight, marital status, disability, sexual orientation, or genetic information. Application forms will be available at the City Office.

- D. Each applicant shall submit a written application and references in the form to be determined by the City. The application form will request information concerning conviction of crimes and disclosure of pending felony charges and will advise prospective employees that their employment is subject to termination if the information provided is subsequently determined to be false. In addition, each applicant shall be requested to sign a waiver allowing a thorough background search to be conducted, and to provide evidence of citizenship or lawful entry into the United States.
- E. Applicants will not be employed unless they meet the minimum requirements for the position. The City may require applicants to undergo written, oral or physical testing to demonstrate the skills and qualifications necessary for the position.
- F. The City Manager will normally review the employment history of the applicants, interview those applicants considered to be potentially eligible for the position, and make a decision regarding the applicant to be hired. In accordance with state and federal law, the City will give preference in hire to qualified veterans.
- G. Applicants tentatively selected for appointment to a position may be required to undergo a medical examination by a physician designated by the City at the City's expense prior to commencement of employment. This pre-employment physical examination will include drug testing. The physician will be provided with a copy of the job description of the position and requested to advise the City if the applicant can presently perform the essential functions required for that position.
- H. Each appointment to a position shall be on a probationary basis.
- I. The City Manager may vary the hiring procedures in appropriate circumstances.

SECTION 2.1

JOB CLASSIFICATION

I. PURPOSE

To establish policies and procedures regarding job classifications.

II. POLICY

Written job descriptions are maintained for all job classifications. Each job description includes a classification title, a general statement of normal duties and responsibilities, a listing of the position's essential functions, a statement of the qualification requirements for the position and a determination whether the position is required to be paid overtime under the Fair Labor Standards Act. The City Manager will periodically review and update job descriptions.

SECTION 2.2

CATEGORIES OF EMPLOYMENT

I. PURPOSE

To establish policies and procedures regarding categories of employment.

II. POLICY

In addition to an employee's job classification, employees are categorized as follows:

- A. Full-Time Employees are normally scheduled to work forty (40) hours per week. Full-time employees are eligible for the employee benefit programs described in this manual.
- B. Part-Time Employees are those employees not designated as a full-time employee and who are not regularly scheduled for work or who are normally scheduled to work less than 40 hours per week. Part-time employees are not eligible for employee benefit programs.
- C. Temporary/Seasonal Employees are those employees hired on a temporary basis to work either full-time or part-time which may include: seasonal work, summer work, a special job assignment, or for a specific period of time. Temporary/seasonal employees are not eligible for employee benefit programs.
- D. Non-Exempt Employees are those Employees who are covered by the minimum wage and overtime provisions of the Fair Labor Standards Act. Non-exempt employees receive overtime payment for work in excess of forty (40) hours per week (or compensatory time) and are usually paid on an hourly basis.
- E. Exempt Employees are those employees who, by the nature of the work they perform, are exempt from the overtime provisions of the Fair Labor Standards Act and are paid on a salaried basis.

SECTION 2.3

PROBATIONARY PERIOD

I. PURPOSE

To establish policies and procedures regarding employee probationary period.

II. POLICY

All full time and regular part-time employees are in a period of probation for their first 12 months of continuous employment. The City reserves the right to extend the probationary period of individuals whose service is not entirely satisfactory for a period of an additional six months upon written notice to the employee. The probationary period is a time for an employee to decide whether to continue to work for the City and for the City to determine if the employee can provide the level of performance required from City employees. An employee may be discharged for any reason during the probationary period without recourse to the grievance procedure. The employment relationship with the employee after probation is subject to the employee's continued performance of assigned work in a manner satisfactory to the City and the City's financial ability and need to continue the services provided by the employee.

SECTION 2.4

ANNIVERSARY DATE

I. PURPOSE

To establish policies and procedures regarding employee anniversary dates.

II. POLICY

An employee's anniversary date is the most recent date upon which the employee commenced work for the City, and the same date thereafter in succeeding years.

SECTION 2.5

TERMINATION OF EMPLOYMENT

I. PURPOSE

To establish policies and procedures regarding termination of employment.

II. POLICY

The employment relationship with employees of the City is at-will and is subject to termination for any reason by the employee or the City. This at-will employment relationship with the City exists regardless of any other written statements or policies contained in the Personnel Policies and Procedures Manual or any other City document or any verbal statement to the contrary. The at-will employment relationship cannot be changed, except pursuant to written and signed authorization from the City Council. Nothing in this Personnel Policies and Procedures Manual should be interpreted as being inconsistent with at-will employment.

In most instances, the City provides at least two weeks advance notice that an individual's employment will end. Employees who resign or retire shall notify the City Manager in writing at least two weeks prior to the effective date of the resignation or retirement and make arrangements for the return of any City equipment in their possession on or before their last day of work. The City Manager may schedule an exit interview with employees who leave City employment. The final paycheck for employees who leave City employment will be the first regularly scheduled payday following termination of employment.

SECTION 2.6

PERFORMANCE EVALUATIONS

I. PURPOSE

To establish policies and procedures regarding performance evaluations.

II. POLICY

Periodically, employees may be provided with a formal evaluation of their performance by their supervisor, which will also be reviewed by the City Manager. A performance evaluation is an ongoing assessment process that assists employers and employees in reaching organizational goals by providing a formal opportunity to review objectives, identify strengths, and to define training or improvement programs for areas requiring development. Completion of the performance evaluation form and discussion of noted ratings will facilitate communication and an understanding of expectations while providing a history of employee progress and development. A special evaluation of an employee's performance may be required at any time.

SECTION 3.0

HOURS OF WORK

I. PURPOSE

To establish policies and procedures regarding hours of work.

II. POLICY

Work Period. The work period for all employees shall begin at 12:00 a.m. on Saturday and ends at 11:59 a.m. the following Friday.

Hours of Work. The regular work hours of all City employees shall be determined by each Department Head and City Manager. The normal workweek for full-time employees shall be 40 hours and the normal workday shall consist of eight hours, not including meal periods. Nothing contained herein shall be construed to constitute a guarantee of any particular number of hours of work or pay per day or hours of work or pay per week. The City may change the normal workweek and workday whenever the City Manager determines that operating conditions warrant such changes.

Schedule. The work schedule of all City employees shall be determined by each Department Head and/or the City Manager. The City may change the normal work schedule whenever the City Manager determines that operating conditions warrant such changes.

Overtime. All employees shall be expected to work overtime when required. Overtime must be authorized in advance by their supervisor.

Meal Periods. All employees working at least six hours will be allowed a one half hour meal period without pay. This meal period shall be at or near the midpoint of the scheduled day. The timing of an employee's meal period shall be scheduled by their supervisor so as not to interfere with prompt and efficient service to the City and the public.

DPW Break Periods. Supervisors will endeavor to provide employees working at least eight hours with a 15-minute break period during the first half of the day and a 15-minute break period during the second half of their work day. All break periods will be scheduled by supervisors, so it does not interfere with the prompt and efficient service to the City and the public. During these periods, the employee remains on active duty and must take appropriate actions if necessary.

SECTION 3.1

EMERGENCY CALL IN

I. PURPOSE

To establish policies and procedures regarding emergency call in.

II. POLICY

Employees who are called in to work at times other than their regularly scheduled shift shall be paid for two hours at time and one half their regular straight time rate or for the time actually worked at time and one half their regular straight time rate, whichever is greater. Employees are not required to remain at work for the entire two-hour overtime pay guarantee period if the project for which they are called in is completed sooner, but any additional call in that occurs during the guarantee period will be considered a continuation of the original call rather than a new call. This pay guarantee shall only apply to a physical requirement to appear at City premises. Employees who are called by phone at home and are not physically required to appear at work shall be paid in 15-minute increments dependent on the nature and longevity of the phone call but pay for this phone call that occurs during the guarantee period will not result in additional compensation. Call-in pay is not applicable in instances where the employee is called in to work prior to the start of the regularly scheduled shift and continues to work through the start of their regularly scheduled shift, continues to work past the end of the regularly scheduled shift or is called-in within 30 minutes of the end of their regularly scheduled shift.

SECTION 3.2

TARDINESS AND ABSENTEEISM

I. PURPOSE

To establish policies and procedures regarding tardiness and absenteeism.

II. POLICY

Employees shall report promptly for work and remain at work until the end of the work schedule. If an employee is unable to report for work, they must notify their supervisor as soon as possible prior to the beginning of the normal workday.

SECTION 3.3

TIME REPORTING

I. PURPOSE

To establish policies and procedures regarding time reporting.

II. POLICY

Hourly employees are required to record their hours of work through the utilization of the appropriate time sheet. Salaried employees are required to report any deviation from their regular hours and the type of leave to be utilized for the period of absence. Employees are required to sign the time sheet prior to its submission to the City. An employee's signature is a certification that the time sheet accurately and completely reflects all time worked during the period in question and that the employee did not work any hours that are not reflected on the time sheet.

SECTION 3.4

INCLEMENT WEATHER

I. PURPOSE

To establish policies and procedures regarding inclement weather.

II. POLICY

City services remain operational during severe weather periods, and employees are expected to report for and remain at work unless City operations are officially closed by the City Manager. In severe weather conditions when the City Manager declares all or part of the City operations closed, or when City operations remain open but the employees report for work late or leave work early, the employee may elect to use accrued paid personal leave to maintain their normal pay for that day, or may elect to take unpaid leave for the time missed. Employees prevented from reporting for work at their scheduled time due to severe weather conditions must notify their supervisor as soon as possible.

SECTION 4.0

EMPLOYEE COMPENSATION

I. PURPOSE

To establish policies and procedures regarding employee compensation.

II. POLICY

The City maintains a pay range for each non-exempt job classification. Employees normally begin at the "start" step, but the City Manager reserves the right to start a new employee at advanced steps on the pay range based upon prior employment experience. Employees are eligible to advance from step to step in the pay range upon demonstration of the skills required for the classification; provided that the City Manager may withhold a step increase from employees whose performance has not been satisfactory. An employee's regular straight time rate of pay is established by the employee's placement on the wage range.

III. PROCEDURES

The pay range for each classification will be related to the duties and responsibilities of the position, the educational requirement for that position, the prevailing rates of pay for comparable work, increases in the cost of living, the financial condition of the City and other relevant considerations. The City Manager will review these factors and make recommendations for changes to the pay ranges on an annual basis as part of the annual budgeting process.

Should an employee's pay rate reach the maximum of his/her assigned range, and a pay increase is offered to employees as part of the annual fiscal year budget (merit, market, or across-the-board), in lieu of a pay increase, affected employees will receive a one-time, lump-sum payment which will be in an amount equal to a percentage of each such employee's total annual income paid by the City for the preceding 12 months. The percentage to be paid as a lump sum will be equivalent to the percentage of increase the employee otherwise would have received as a pay increase.

SECTION 4.1

OVERTIME PAY

I. PURPOSE

To establish policies and procedures regarding overtime pay for employees who are not exempt from the overtime pay requirements of the Fair Labor Standards Act.

II. POLICY

Hourly employees shall be paid one and one half times their regular straight time rate of pay for all hours worked in excess of 40 in any workweek and for all hours worked outside of their regular hours. For purposes of overtime computation, hours worked includes paid personal leave and all hours actually worked, provided however, that hours compensated at time and one half for call-in work shall not again be counted as hours worked for overtime calculation purposes.

SECTION 4.2

COMPENSATORY PAY

I. PURPOSE

To establish policies and procedures regarding compensatory pay for employees who are not exempt from the overtime pay requirements of the Fair Labor Standards Act.

II. POLICY

Non-exempt employees may opt to take compensatory time off rather than overtime payment. Compensatory time off, like overtime pay, is earned at time and one half for all time worked over 40 hours in a week, with the same calculation used in paid overtime.

Employees may accrue up to 60 hours of compensatory time hours before cash payments are required.

All compensatory time must be used within the fiscal year (July 1 thru June 30) it is earned. All accrued but unused compensatory time as of each June 30th will be paid to the employee at the rate of pay in effect on that date. Employees who separate employment with the City will receive pay for any accrued but unused compensatory time at the average regular rate received.

Compensatory time must be used before using paid time off (PTO). Employees will be permitted to use accrued compensatory time within a reasonable period after making the request and should provide as much notice as possible for their request. As with all time off, compensatory time requests are subject to approval and in cases where its use would unduly disrupt operations, requests may be denied or postponed.

The Fair Labor Standards Act does not prohibit the employer from freely substituting cash in whole or in part for accrued compensatory time off. The City reserves the right to substitute cash payments for accumulated compensatory time at its discretion. Similarly, employees may request that accrued compensatory time off be converted to monetary payment, which will be made in the next applicable payroll.

SECTION 4.3

PAY PERIODS

I. PURPOSE

To establish policies and procedures for pay periods.

II. POLICY

Employees will be paid every other week by direct deposit, and deposits are normally available on Friday of the pay week. For hourly employees, their pay will cover a two-week period which starts at 12:00 a.m. on Saturday and ends at 11:59 a.m. the following Friday. The City reserves the right to change the pay periods when it determines appropriate.

SECTION 4.4

RETIREMENT

I. PURPOSE

To establish policies and procedures regarding retirement.

II. POLICY

The City of Saugatuck provides a Hybrid retirement plan through Michigan Municipal Employees' Retirement System (MERS), which combines the stability of a lifetime benefit with the flexibility of an investment account that is portable. The hybrid plan provides both a "defined benefit" for retirement based on years of service, final average compensation and a multiplier used to calculate the benefit amount, as well as provides a contribution to a "defined contribution" plan that is manageable by the participant and is portable should the participant separate employment.

All full time employees are enrolled in the Hybrid Plan with a 1.50% multiplier, six year vesting and FAC-3 of the Municipal Employees' Retirement System of Michigan (MERS). The City pays all required contributions to these Plans. The specific terms and conditions governing the retirement plan are controlled by the Plan Document establishing the Michigan Municipal Employees' Retirement System.

The City provides a defined contribution retirement savings plan through VALIC ("457 Plan") available to eligible employees. The City will contribute 4 percent of the employee's wage based on a 1:1 match to the employee's contributions up to four percent.

All eligible full-time employees who retire under the City's MERS plan with more than five years of continuous service will receive a retiree appreciation payment in the amount of \$50.00 for each completed year of service with the City. For the purposes of this policy, retirement occurs when an employee is eligible for an immediate retirement allowance from MERS and does not include the circumstances where an employee leaves City employment and will be eligible to receive a retirement allowance at some later date because they are vested in the retirement system

SECTION 4.5

WORK RELATED EXPENSES

I. PURPOSE

To establish policies and procedures regarding compensation of work-related expenses.

II. POLICY

Expenses related to professional conferences, seminars, technical meetings, trainings, or other professional development functions may be paid by the City or reimbursed to the employee if the expense has been adopted in the budget. Requests for reimbursements that are not included in the budget require approval from the City Manager.

Whenever possible, a City vehicle should be used to travel for City business and employees should carpool to limit travel expenses. Employees who are required to use their personal vehicle for work-related travel will be reimbursed at the rate established by the IRS for up to 250 miles. Employees are to record the exact number of miles traveled, by most direct route, from the first place of business to the next. No reimbursement will be made for travel between home and a normal place of business.

Employees will be reimbursed for reasonable, actual meal expenses incurred in conjunction with a program or meeting that provides a primary benefit for, or serves the best interests of, the City. Luxury meals, costs for alcohol, or excessive reimbursement claims will not be reimbursed.

Employees will be reimbursed for reasonable, actual lodging expenses when a full day's work must be performed a considerable distance from the City, or under other appropriate circumstances with prior City Manager approval. Luxury lodging or excessive claims will not be reimbursed.

Employees should avoid using unnecessary convenience services such as valet parking, in-room movies, laundry and room service. Only under specific circumstances where a reasonable need for such services is clearly demonstrated will such items be reimbursed.

Employees submitting reimbursement requests for travel expenses, or those requiring a travel advance, should use the appropriate form and must submit all receipts.

SECTION 4.6

PROFESSIONAL AND SERVICE AND MEMBERSHIPS

I. PURPOSE

To establish policies and procedures regarding professional and service memberships.

II. POLICY

The City encourages department heads to take part in the activities of professional and service organizations and may pay the cost of certain job-related memberships to professional organizations, job-related trainings, seminars, conferences and related events that enhance the employee's job knowledge and performance. As well, the City may pay the cost to become licensed or certified in a job-related field and may pay the cost to remain so qualified. Employer-paid memberships, training, licensing and certifications are subject to budgetary approval and require advance approval.

SECTION 4.7

RECOGNITION PROGRAMS AND SPECIAL EVENTS

I. PURPOSE

To establish policies and procedures regarding recognition programs and special events.

II. POLICY

The City seeks to encourage peak performance and recognize exemplary service through various recognition programs and special events. Full-time and regular part-time employees may be eligible to receive and/or take part in the following:

Gift Certificates/Card. Gift certificates/cards may be issued to eligible full-time employees to observe the Thanksgiving and Christmas holidays. No cash equivalent or other substituted payment is available. The amounts will be appropriated in the annual budget and may be changed from year-to-year or eliminated based on budgetary constraints.

Winter Holiday Special Event. All full-time employees are invited to participate in a winter holiday lunch event, which includes a meal provided by the City. Attendance is voluntary and requires prior notice. City Council, by resolution, may change the terms and conditions under which the winter holiday event is to occur.

SECTION 5.0

UNPAID PERSONAL LEAVE

I. PURPOSE

To establish policies and procedures regarding unpaid personal leave.

II. POLICY

The City may in its discretion grant an employee a personal leave of absence without pay for a period normally not to exceed 30 calendar days. Requests for an unpaid personal leave of absence shall be in writing, signed by the employee, and given to the City Manager. Such requests shall state the reason for the leave and normally are to be requested at least two weeks in advance. No request for an unpaid personal leave of absence shall be considered approved unless such approval is in writing signed by the City Manager. An extension of an unpaid personal leave of absence may be granted by the City in its discretion, provided the extension is requested in writing prior to the termination of the original leave period. No unpaid personal leave of absence may be granted for a period in excess of six months.

SECTION 5.1

NON-DUTY DISABILITY LEAVE

I. PURPOSE

To establish policies and procedures regarding non-duty disability leave.

II. POLICY

A disability leave of absence will be granted to employees who have been absent for more than ten consecutive working days because of a non-work related injury, illness, pregnancy or other disability, subject to the right of the City to require a physician's certificate establishing to the satisfaction of the City that the employee is incapacitated from the performance of work due to illness, injury, or other disability. A disability leave shall be with pay and benefits until such time as the employee has exhausted all accrued paid time off and paid compensatory time, and thereafter shall be without pay or benefits. This disability leave will continue for the period of the employee's disability; provided, however, that an employee may not be on a disability leave for a period of more than six consecutive months. Extension of the disability leave for a period of up to an additional six months may be granted by the City upon written application establishing to the City's satisfaction that there is a reasonable likelihood that the employee will be able to return to work during the period of the requested extension. The City may request at any time, as a condition of continuance of a disability leave of absence, proof of a continuing disability. In situations where the employee's physical or mental condition raises a question as to the employee's capacity to perform the job, the City may require a medical examination by a physician chosen by the City at the City's expense and, if appropriate, require the employee to take a disability leave of absence under this Section. Employees who are anticipating a disability leave of absence under this Section may be required to present a physician's certificate recommending that the employee continue at work and in all cases the employee's attendance and job responsibilities must be satisfactorily maintained. Employees are required to notify the City of any condition which will require a disability leave of absence under this Section together with the anticipated date for commencement of such leave. This notice shall be given to the City by the employee as far in advance as possible of the anticipated date to commence the disability leave. All employees returning to work from a disability leave of absence must present a physician's certificate satisfactory to the City indicating the employee is medically able to return to work.

SECTION 5.2

JURY DUTY LEAVE

I. PURPOSE

To establish policies and procedures regarding jury duty leave.

II. POLICY

Employees summoned by a court to serve as jurors shall be given a jury leave of absence for the period of their jury duty. For each day, up to a maximum of ten days per year, that an eligible employee serves as juror when the employee otherwise would have worked, the employee shall receive the difference between the employee's regular rate of pay for the employee's regularly scheduled hours and the amount the employee received from the court, exclusive of mileage and meal reimbursement. In order to be eligible to receive jury duty pay from the City, an employee must:

- A. Be a full-time employee;
- B. Provide the City reasonable advanced notice of the time that the employee is required to report for jury duty;
- C. Provide satisfactory evidence that the employee served as a juror at the summons of the court on the day that the employee claims to be entitled to jury duty pay; and
- D. Return to work promptly after being excused from jury duty service.

SECTION 5.3

FUNERAL LEAVE

I. PURPOSE

To establish policies and procedures regarding funeral leave.

II. POLICY

Employees shall be entitled to take up to three consecutive days of funeral leave in the event that a death occurs to a member of the employee's immediate family. "Immediate family" shall mean the employee's current spouse, child, father, mother, sister, brother, father-in-law, mother-in-law, grandparent or grandchild. This leave is intended to allow the employee to attend the funeral and attend to family matters. Employees who lose work from their regularly scheduled hours as a result of funeral leave shall receive their regular rate for such lost time. Employees are expected to report the need for funeral leave to the City Manager prior to their designated starting time. For purposes of this section, an employee's mother, father, sister, brother and child include natural, step and adopted. Employees needing additional time may request to utilize accrued paid time off.

SECTION 5.4

WORKERS COMPENSATION LEAVE

I. PURPOSE

To establish policies and procedures for workers compensation leave.

II. POLICY

Upon written application, a leave of absence for a period of not more than six months will be granted to employees who are unable to continue to work at the City because of a work related injury or disease for which the employee is entitled to receive benefits under the Worker's Compensation laws of the State of Michigan and is receiving payments from the City, subject to the City's right to require medical proof. Employees are eligible for worker's compensation benefits beginning on the eighth day after the injury, but worker's compensation benefits will be paid retroactively to the first day of injury if the period of incapacity last for 14 days or longer. Extension of the leave for a period of up to an additional six months may be granted by the City upon written application establishing to the City's satisfaction that there is a reasonable likelihood that the employee will be able to return to work during the period of the extension. The City may require at any time, as a condition of continuance of a worker's compensation leave of absence, proof of a continuing inability to perform work with the City. If the City, in conjunction with its medical advisors, determines that the employee is capable of returning to work, the employee's workers compensation leave of absence shall immediately end.

SECTION 5.5

RETURN TO WORK AFTER LEAVE OF ABSENCE

I. PURPOSE

To establish policies and procedures regarding return to work after leave of absence.

II. POLICY

Employees returning from approved leaves of absence will be reinstated to their former job classification. The provisions of the foregoing notwithstanding, the City reserves the right not to reinstate to their former job classification any employee who no longer has the necessary qualifications, skill and ability to perform the work.

SECTION 5.6

DISCRETIONARY TIME FOR EXEMPT EMPLOYEES

I. PURPOSE

To establish policies and procedures regarding discretionary time for exempt employees.

II. POLICY

Exempt employees may be required to work more than 40 hours in a workweek to satisfy work demands or to attend evening meetings. In these instances, exempt employees may take discretionary time off provided such time does not adversely impact operations.

Discretionary time off for exempt employees is provided as a professional courtesy and is not an entitlement, nor is it to be viewed as an hour-for-hour offset to hours worked in excess of 40 hours. Exempt employees should expect that, from time-to-time, more than forty hours is required of their position.

Exempt employees should coordinate their use of discretionary time with the City Manager to ensure proper coverage and recognize that, in some cases, operational needs may not allow the use of discretionary time off.

Discretionary time is not intended to be used to take a full day off; rather it provides flexibility from time to time. It is in no way to be construed as "overtime" compensation; it is not tracked, accrued, banked or in any way owed to the employee.

SECTION 5.7

FAMILY MEDICAL LEAVE ACT (FLMA)

I. PURPOSE

To establish policies and procedures regarding the Family Medical Leave Act (FMLA).

II. POLICY

The City of Saugatuck complies with all statutory requirements of the Family and Medical Leave Act ("FMLA"). The FMLA provides eligible employees up to 12 weeks of unpaid, job-protected leave in a 12 month period: (1) for the birth or care of a child; (2) to care for a child after placement through adoption or foster care; (3) to care for a close family member (spouse, parent, son or daughter) with a serious health condition; (4) for the employee's own serious health condition which makes the employee unable to perform his or her job; (5) for "qualifying exigencies" arising from military service of a covered service member.

FMLA also allows up to 26 weeks of leave within a 12-month period for an employee to care for a covered military service member with a serious illness or injury.

In some cases, FMLA allows an employee to take intermittent leave or to work a reduced schedule for a limited time period.

Spouses employed by the City are jointly entitled to a combined total of 12 weeks for the birth and care of a newborn, placement of a child by adoption or foster care or to care for a family member with a serious health condition.

Eligibility

To be eligible for leave under FMLA, an employee must have worked at least 1,250 hours over the previous 12 months and must have worked for the City for a total of at least 12 months (does not need to be consecutive months).

Only hours actually worked will count toward calculating 1,250 hours over previous 12 months for FMLA eligibility, NOT vacation, holidays, personal days, sick leave, etc.

For purposes of calculating FMLA eligibility, an employee on USERRA protected military leave will be given credit for time worked as if he/she had not taken the military leave and had worked continuously during that time.

Rolling Year

The City uses a rolling year for calculating leave under FMLA, meaning eligible employees may use up to a total of 12 weeks FMLA time in the 12 month period following the commencement of any FMLA qualified leave. FMLA leave may be taken in a single 12 week period, or, when certified as medically necessary, on an intermittent basis such as blocks of time or work week reduction.

Prior approval from the City Manager is required where intermittent leave is sought for the birth and care of a newborn or placement of a child through adoption or foster care.

Coordination with Other Leaves and/or Paid Time Off Plans

The City requires employees to draw down accrued paid leave while on FMLA leave. The City will designate any leave that qualifies as both FMLA and another type of leave as running concurrently (i.e. disability leave, worker's compensation.) Accrued paid leave must be used to make up the difference in pay if on FMLA and receiving partial pay through some other means.

When the City and employee agree, employees must use accrued compensatory time off concurrent with FMLA leave.

When a holiday falls within a designated FMLA leave, and the employee is actively drawing down accrual banks, the employee will be paid for the holiday. In the event the holiday falls within an unpaid portion of an FMLA leave because leave banks are exhausted, the holiday will not be paid.

Health and Other Benefits

The City will continue to provide health, dental and optical benefits as if the leave had not been taken. The employee must continue to pay their portion of the premium(s) if normally required, and the City will recoup the cost of premiums paid on the employee's behalf if the employee fails to return after FMLA leave.

The City will also continue other benefits, including unconditional pay increases, that otherwise would occur while the employee is on FMLA.

Employees will continue to accrue paid time off while on FMLA leave if they otherwise would earn it.

Military Personnel and Families

FMLA extends leave protection and other rights for military personnel and their families in need of leave for "qualifying exigencies" related to call-up or military service or to care for a family member recuperating from a serious illness or injury (a more expansive definition than the typical "serious medical condition applies").

Who Qualifies

The act defines “covered service members” as members of the armed forces, including the National Guard or Reserves, or who are undergoing medical treatment, recuperation, therapy, or who are otherwise on outpatient status or on temporary disability retired list for a serious injury or illness.

The definition of “family member” for military personnel is more expansive and includes not only “parent, spouse or child,” but also encompasses “next of kin,” as designated by the service member. When not specifically designated, “next of kin” may include multiple individuals.

Further, an employee can take FMLA leave to care for a son or daughter who is a service member even if the son or daughter is an adult and does not meet the self-care and disability tests typically prescribed for non-military FMLA leave related to care for an adult child.

FMLA Leave to Care for a Service Member

FMLA allows up to 26 weeks of service member caregiver leave within a 12 month period for an employee to care for a covered service member with a serious illness or injury. An employee may qualify for more than 26 weeks to care for additional service members or to provide care for a subsequent injury or illness. The 12 month period must be a rolling year beginning on the first day of leave.

A serious injury or illness is incurred in the line of duty on active duty that may render the service member medically unfit to perform the duties of his/her office, grade, rank or rating. This includes a covered service member who: (1) is on the temporary disability retired list, a covered service member; (2) is undergoing medical treatment, recuperation, or therapy for a serious illness or injury or; (3) is assigned to a military medical treatment facility as an outpatient or is otherwise receiving outpatient care at a unit established for the armed forces. FMLA leave does NOT apply to care for former members of the armed forces who are on the permanent disability retired list.

FMLA Leave for Qualifying Exigencies

FMLA allows up to 12 weeks of leave within the normal FMLA 12 month period to address qualifying exigencies that arise as the result of a covered service member’s military service including: (1) short-notice deployment (seven days or less); (2) rest and recuperation (limited to five days per military visit); (3) military events and activities (support groups, briefings, etc.); (4) childcare and school activities (make child care arrangements, attend school meetings, provide emergency childcare, etc.); (5) financial and legal arrangements; (6) counseling; (7) post-deployment activities (ceremonies, briefings, etc.); (8) additional activities (other purposes as agreed to by the employer and employee).

Notifications and Certifications

The City will provide sufficient information for an employee to determine that a leave is protected by FMLA, which may be as simple as verbal notice. If the City has reason to believe a leave qualifies as FMLA, it may designate it as such and provide notification to the employee to that effect. Employees should provide at least 30 days advance notice when the need for leave under FMLA is foreseeable, and as much notice as possible in other cases. Medical certification to support the request may be required, and the City may, at its own expense, require second or third opinions. Medical certification of fitness for duty is required prior to return to work.

Job Restoration and Protection

FMLA requires that, upon return from FMLA leave, an employee is returned to his/her same position or an equivalent position with equivalent benefits, pay and other terms and conditions of employment.

The FMLA prohibits discrimination or retaliation against employees who assert FMLA rights or who charge an employer with an FMLA violation.

Under specific and limited circumstances, certain “key employees” (those among the highest paid 10% of employees) may be denied job restoration. In this event, the “key employee” will be given a reasonable opportunity to return to work from FMLA leave.

SECTION 6.0

HOLIDAYS

I. PURPOSE

To establish policies and procedures regarding holidays.

II. POLICY

Recognized Holidays. The following holidays shall be recognized as holidays for employees of the City: New Year's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Day after Thanksgiving, Christmas Eve Day, Christmas Day, New Year's Eve. It is understood that employees may be required to work on holidays in accordance with normal scheduling procedures.

Holiday Observation. Employees working in seven day a week operations observe each holiday on its actual day. When New Year's Day, Independence Day, Christmas Eve, and Christmas Day on a Saturday or a Sunday, employees working a Monday through Friday schedule will celebrate those holidays on the dates determined by the employer.

Holiday Eligibility. Full-time employees are eligible for holiday pay if they satisfy all the following conditions and qualifications:

- A. The employee must have worked their scheduled hours of work on the their scheduled workday preceding the holiday and also on the their scheduled workday following the holiday; provided, however, that absence due to approved paid leaves of absence or paid time off will not disqualify an employee for holiday pay.
- B. The employee must be on the active payroll as of the date of the holiday. For purposes of this section, a person is not on the active payroll of the City during unpaid leaves of absence, layoffs, when receiving workers compensation or during a disciplinary suspension.

Employees scheduled to report for work on a holiday, but who fail to report for and perform such work, shall not be entitled to any holiday pay.

Holiday Pay for Hourly Employees. Eligible hourly employees required to work on a recognized City holiday shall be paid time and one-half times their regular straight time hourly rate for the hours actually worked on a holiday. For the purpose of this section, a holiday is defined as a 24-hour period beginning at 12:01 a.m. of the holiday. Eligible full-time hourly employees who are not required to work on a recognized City holiday shall be paid eight hours of holiday pay. Eligible regular part-time hourly employees who are not required to work on a recognized City holiday shall be paid eight hours of holiday pay.

Holiday Pay for Salaried Employees. Eligible salaried employees are not normally required to work on holidays but shall continue to receive their salaries. Eligible salaried employees on paid time off during a period which includes a day that a holiday is observed will not be charged for a day of paid time off on the holiday.

SECTION 7.0

PAID TIME OFF

I. PURPOSE

To establish policies and procedures regarding paid time off.

II. POLICY

Paid Time Off (PTO). The City encourages staff to take appropriate breaks from the workplace, which is vital to work/life balance, improving an employee's productivity, and overall health. The City provides a combined PTO bank for full-time employees to utilize for planned and unplanned time off. PTO may be used for vacations, sick leave, personal business (including to care for family members), or any other purposes the employee chooses, subject to the rules and procedures of scheduling time off. Though the intent of PTO is to maximize flexibility of paid time off for employees, it is not intended to create an atmosphere in which employees feel entitled to "come and go as they please." The City has limited staff and provides diverse services, often at very busy times of the year. All PTO requests are subject to approval of employee's supervisor and may be denied to accommodate operational demands.

Leave Request. PTO should be used only after it is earned, however, employees with less than one year of service may request an advance of PTO to the City Manager. Any PTO advances will be deducted from an employee's final pay. If employee separates from employment and his/her final pay is less than the amount advanced, the employee shall be responsible for reimbursing the City for any difference.

The City will attempt to honor reasonable PTO requests, but reserves the right to deny a request if it would interfere with the efficient operation of a department, if PTO abuse is suspected, or other valid reasons. Some PTO requests, such as vacations, can be planned in advance and employees are expected to provide advance notice of their request for leave to their supervisor. In certain situations, departments may not allow more than one employee to take PTO leave at the same time.

In the case of unplanned PTO, for illness, unanticipated personal business or other emergent reasons, employees should give as much advance notice as possible to their supervisor. Employees are expected to call in each day of unplanned absence to their immediate supervisor, unless specific arrangements are made with their supervisor for a return to work date.

Failure to call in three or more days will be considered abandonment of position and a voluntary resignation. A doctor's verification may be required where abuse of PTO is suspected. Extended absence of three days or more due to illness may

require verification of fitness for duty from a licensed physician prior to return to work, as determined by your supervisor.

Accrual. Annual PTO accruals are based on an employee having 2,080 paid hours per year (40 hours per week). PTO does not accrue on unpaid leaves of absence or PTO cash outs upon termination. Employees become eligible for the higher accrual rate on the first day of the pay period in which the employee's anniversary date falls. Full-time employees with an anniversary date before December 31, 2007 with accrued but unused PTO above the maximum amount permitted to be carried over each year shall be required to use such PTO or cash out at the employee's current base rate of pay over a period of time not to exceed five years starting December 31, 2019.

PTO is accrued each pay period immediately upon hire based on continuous service according to the schedule shown below.

Full-Time Employee Accrual Rates.

Years of Service	Accrual Rate per Bi-Weekly Pay Period	Annual PTO Accrual
Less than 1 year	6.15 hours	160 hours
At least 1 but less than 5 years	7.69 hours	200 hours
At least 5 but less than 11 years	9.23 hours	240 hours
At least 11 years	10.77 hours	280 hours

Employees may accrue no more than 50% of their annual number of allocated hours for any given year. At no time shall employee's accrued PTO exceed the following:

Full-Time Employee Maximum Accrual Rates.

Years of Service	Maximum PTO Accrual
Less than 1 year	160 hours
At least 1 but less than 5 years	300 hours
At least 5 but less than 11 years	360 hours
At least 11 years	420 hours

Cash Out. Any PTO that is not used above the maximum accrual amount shall be cashed out at the employee's current base rate of pay prior to the second pay period in December annually.

Payment upon Termination. Employees who leave the employ of the City may receive full pay for accrued but unused paid time off in any of the following circumstances:

- A. If an employee resigns from employment and a minimum of two weeks advance notice is given to the City.
- B. If an employee is terminated from employment without cause.
- C. In the event of the death of an employee, paid time off shall be paid to the employee's estate.

SECTION 8.0

MEDICAL INSURANCE

I. PURPOSE

To establish policies and procedures regarding group medical insurance coverage.

II. POLICY

The City provides a group health care plan covering certain hospitalization, surgical and medical expenses for participating full-time employees and their eligible dependents. The City pays 100% of the monthly premium costs for single subscriber, two person and family coverage for eligible full-time employees who elect to participate in the group medical insurance plan. The City's liability shall be limited to these payments. Summary descriptions of the plan are available in the City Treasurer's Office. The specific terms and conditions governing the group insurance plan are set forth in detail in the master policy or policies governing the plan as issued by the carrier or carriers. The City reserves the right to modify the coverage provided under the insurance plan, to select the insurance carrier or carriers, to become a self-insurer either wholly or partially, and to select the administrator of such self-insurance plans.

Full-time employees are eligible to participate in the group insurance plan no earlier than the first day of the premium month following the commencement of employment with the City in a full-time position or at a date thereafter that may be established by the insurance carrier. Employees electing to participate in the group insurance plan shall advise the City in writing of this intent and shall make arrangements satisfactory to the City for the payment of the required monthly premium, if any.

SECTION 8.1

PAYMENT IN LIEU OF HEALTH INSURANCE

I. PURPOSE

To establish policies and procedures regarding payment in lieu of coverage under the group medical insurance plan.

II. POLICY

Each full-time employee will be given the option of accepting a payment in lieu of participating in the City's health insurance plan. Payments will be 30% of the hard cap contribution limits under the Publicly Funded Health Insurance Contribution Act and the employee's eligible status (single/double/family).

In order to obtain this payment, the employee must make his/her election by June of each fiscal year. Should the employee elect to waive his/her insurance and obtain the payment, he/she shall not be eligible to participate in the City's health insurance program for that premium year unless a qualifying event per state law. This payment is not available to City employees who are married to another City employee. Employees electing to opt out of the group medical insurance plan must present proof of other insurance. The payment made to eligible employees who elect not to participate in the City's health insurance program will be distributed in equal monthly increments

SECTION 8.2

HEALTH REIMBURSEMENT ARRANGEMENT (HRA)

I. PURPOSE

To establish policies and procedures regarding employee dental and vision health reimbursement arrangements.

II. POLICY

The City offers an employer-funded health reimbursement arrangement (HRA) to reimburse employees for qualified dental and vision expenses.

The City offers a fixed amount per calendar year available to each full-time employee based on the employee's eligible status (single/double/family) for reimbursement of vision and dental related expenses. The amount of the annual reimbursement caps shall be determined through the annual budget process. Questions regarding this allotment and what is reimbursable under this HRA should be directed to the City Treasurer.

SECTION 8.3

DISABILITY INSURANCE

I. PURPOSE

To establish policies and procedures regarding disability insurance coverage plan.

II. POLICY

The City provides group short-term disability insurance to full-time employees. Benefits are payable from the first day of disability due to accidental bodily injury or from the 8th day of disability due to sickness, for a period not to exceed 26 weeks for any one period of disability. Check with the City Treasurer for plan documents and additional detail.

SECTION 8.4

TERM LIFE AND DEATH DISMEMBERMENT INSURANCE

I. PURPOSE

To establish policies and procedures regarding life insurance.

II. POLICY

All full-time employees shall be eligible for group term life insurance policy coverage in the amount of \$25,000 and for group accidental death and dismemberment policy in the amount of \$25,000. The specific terms and conditions governing the term life insurance coverage are set forth in detail in the master policy or policies issued by the carrier or carriers. The City pays the required monthly premium for eligible employees. Coverage begins on the first day of the following month after employment.

SECTION 8.5

CONTINUATION OF INSURANCE PREMIUMS

I. PURPOSE

To establish policies and procedures regarding continuation of insurance premiums.

II. POLICY

In the event that an employee eligible for insurance coverage is discharged, retires, resigns, is laid off, or commences an unpaid leave of absence, the City shall have no obligation or liability whatsoever for making any insurance premium payment for any such employee or their lawful dependents beyond the month in which the discharge, retirement, resignation, layoff, or unpaid leave of absence commences. Employees on City approved unpaid leaves of absence may continue insurance benefits on a month-by-month basis by paying to the City, in advance, the amount of the next month's premium for that employee and/or their lawful dependents, subject to the approval of the insurance program. The City shall resume payment of insurance premiums for eligible employees who return to work from layoff or unpaid leaves of absence as of the first day of the premium month following the date of the employee's return to work. The provisions of this section notwithstanding, the City shall continue the payment of health insurance premiums for a period of up to six months for employees on workers compensation leave or who are receiving sickness and accident insurance payments.

SECTION 8.6

WORKERS COMPENSATION

I. PURPOSE

To establish policies and procedures regarding workers compensation.

II. POLICY

The City provides workers compensation coverage for all its employees. Employees are required to report any job-related injury or occupational disease to the City Manager as soon as possible, but no longer than 24 hours after the accident or injury occurs or the disease is diagnosed. Failure to report a job-related accident, injury or disease may result in a denial of compensation benefits.

III. PROCEDURE

The City Manager shall ensure that workers compensation coverage, either through insurance policies or participation in group liability pools is provided for all employees.

SECTION 8.7

UNEMPLOYMENT COMPENSATION

I. PURPOSE

To establish policies and procedures regarding unemployment compensation.

II. POLICY

All employees are covered under Michigan's unemployment compensation system.

III. PROCEDURE

The City Manager shall maintain the City as a reimbursing employer.

SECTION 9.0

GRIEVANCE PROCEDURES

I. PURPOSE

To establish policies and procedures regarding grievance resolution.

II. POLICY

Grievances. The City intends to provide a constructive, positive work environment in which employees are empowered to contribute to the continuous improvement in the operations and services provided by the City. To this end a formal grievance procedure is available to help resolve complaints of employees who believe they are not receiving fair treatment in the workplace.

STEP 1: Verbal Communication with Supervisor

Employees are encouraged to share their suggestions, as well as discuss any complaints or issues that may arise related to their employment and work environment with their immediate supervisor within five working days from the time of the occurrence. The supervisor will try to provide a verbal response to the complainant within five working days of the discussion with the employee.

STEP 2: Written Communication with Department Head

Should an employee not find adequate resolution through verbal discussion with their immediate supervisor, the complaint should be made in writing to the employee's department head within five working days from the oral response in Step 1.

The employee will submit his/her written grievance to their department head which must include:

- a. Date of incident
- b. Description of incident
- c. Summary of previous discussion(s) with supervisor regarding the incident
- d. Desired resolution
- e. Employee's printed name, signature and date of submission

The department head will provide a written response to the employee within five working days of the receipt of the grievance.

STEP 3: Written Communication with City Manager

If the grievance is not resolved in the first two steps, the employee may request a meeting with the City Manager. This request must be in writing, dated and submitted within five working days after receiving the response from Step 2. The department head shall be copied on the request.

The meeting with the City Manager and the employee will occur within ten working days of receipt of the request to meet, or on a date mutually convenient for all parties. At the Manager's discretion this meeting may include the department head and/or supervisor, and/or other City representatives as appropriate. At the employee's option, the meeting may include a fellow employee or other representative of the employee's choosing.

The City Manager, or designated representative, will provide a written response to the employee within ten working days of the meeting. The City Manager's response to the grievance is final.

SECTION 10.0

DISCIPLINARY ACTION

I. PURPOSE

To establish policies and procedures regarding Disciplinary Action.

II. POLICY

It is the intention of the City to utilize disciplinary action in a constructive manner to motivate the employee toward proper conduct in the future. Situations of a minor nature are expected to be handled informally by the employee's immediate supervisor and may result in a verbal warning which may be documented and retained in the employee's personnel file. Habitual minor offenses shall be considered serious and shall be entered into the personnel file.

Formal disciplinary action will be administered by the Department Head in coordination with the City Manager. Suspensions and discharges are officially administered by the City Manager.

III. PROCEDURES

Disciplinary actions may include any or all the following, which are not necessarily administered in order, nor are all types of disciplinary action required prior to discharge. The City may immediately discharge an employee.

Oral Reprimand. A verbal notice to an employee that his/her behavior or performance must be improved or corrected. A written record of the oral reprimand will be placed in the employee's personnel file and a copy provided to the employee.

Written Reprimand. A written notice to an employee that his/her behavior or performance must be improved or corrected. Written reprimands will be placed in the employee's personnel file and furnished to the employee.

Suspension. The temporary removal of an employee from duty, with or without pay. Suspensions will vary in length depending upon the seriousness of the offense or frequency of occurrence. Suspensions will be documented and placed in the employee's personnel file.

Discharge. The removal of an employee from the employ of the City (also may be referred to as Dismissal or Involuntary Termination).

Employees may submit written explanations or responses to disciplinary actions to their personnel file. In some cases, particularly discharge, an employee may have certain additional due process rights.

All employees are expected to conduct their private and professional lives in a manner which reflects positively upon the City. Employees shall be courteous in their dealings with the public and other employees. Employees shall avoid any action that gives the appearance of impropriety. Adherence to this policy is essential for the City to maintain the public support necessary to carry out its functions.

The City expects that the personal and professional conduct of its employees will conform to acceptable standards. In instances where an employee fails to comply with these standards, an attempt may be made to correct an employee's conduct through the use of progressive discipline, but commission of the following offenses or any other improper employee action may result in disciplinary action up to and including discharge, depending upon the seriousness of the offense in the judgment of the City Manager. This list of unacceptable employee conduct does not include all examples of improper conduct but is provided for the guidance of employees. Employees with questions concerning the propriety of any contemplated action should consult with the City Manager before engaging in the activity.

General Work Rules. The following rules are provided for the guidance of all employees.

- A. Employees should be at their work stations prior to the commencement of the workday.
- B. Employees must secure permission from their supervisor to leave work prior to the scheduled end of their workday.
- C. All known needed repairs and/or safety hazards on equipment and property must be reported to your supervisor as soon as possible.
- D. Any accident involving personal injury must be reported to your supervisor.
- E. All damage to City equipment, vehicles, tools, or property must be reported to your supervisor.
- F. All safety rules and regulations must be followed. Employees are required to report any and all potentially dangerous work practices, unsafe work conditions, horseplay, negligence and carelessness to their supervisor.
- G. Any employee involved in an accident with a City-owned vehicle shall promptly notify the nearest law enforcement agency regardless of how minor the accident.

Unacceptable Employee Conduct.

- A. Dishonesty or breach of trust.
- B. Disseminating sensitive personnel information to other employees or the public without approval.
- C. Using, selling or possession of intoxicating beverages, marijuana, narcotics or any controlled substance while at work or on City property.
- D. Using intoxicating beverages, marijuana, narcotics or any controlled substance at such time before work that will interfere with one's mental or physical ability to satisfactorily perform assigned duties.
- E. Stealing, abusing, misusing, removing or deliberately destroying City property or the property of its employees.
- F. Violation of safety regulations.
- G. Disobeying authority (failure to carry out instructions, orders, or work assignments).
- H. Refusal to answer questions of the City Manager/designee or submit reports pertaining to the performance of official duties.
- I. Any communication or action intended to threaten, intimidate or coerce another employee or a member of the general public.
- J. Engaging in sexual harassment.
- K. Marring, marking or defacing any surface of any City building.
- L. Failing to notify your supervisor that you are using prescribed medication or a non-prescription drug that could interfere with your ability to perform your assigned duties in a safe and efficient manner.
- M. Using abusive language, threatening, intimidating, coercing and/or fighting with employees, supervisors or the general public.
- N. Engaging in obscene or indecent conduct.
- O. Sleeping, loafing, idling or loitering during working hours.
- P. Horseplay, creating a distraction, interfering with an employee or causing unsafe or unsanitary working conditions.

- Q. Falsifying records, reports, documents, or knowingly misrepresenting any information requested by supervision.
- R. Failing to properly advise the City when not reporting to work.
- S. Failing to provide a reason acceptable to the City for absence from work or tardiness for work.
- T. Excessive tardiness or absences.
- U. Using your position of employment with the City to directly or indirectly gain benefits, favors, money, advantages, privileges or anything of value other than regular compensation.
- V. Disregarding or refusing to obey an order, either written or verbal, from a supervisor or the City Manager.
- W. Destroying, altering or removing any materials or information posted by the City.
- X. Supporting a restriction of output, slowdown or any unauthorized interruption of assigned duties.
- Y. Submission of false time reports and/or sick leave requests or removing time reports from City offices.
- Z. Failure to advise the City of the names, addresses and telephone numbers of the dependents of the employee, or a change in the employee's name, address or telephone number of a dependent of the employee.
- AA. Soliciting gifts, service, gratuity, loan, fee, or anything else of value which is offered or may be offered because of City employment.
- BB. Failing to comply with any provision in this Personnel Policies and Procedures Manual, with any provision of the City Safety Policy, or with any other rule and regulation applicable to the employee.
- CC. Conviction of any felony or conviction of any misdemeanor involving moral turpitude or casting doubt upon the employee's ability to perform assigned work.
- DD. Taking any other action which interferes with the proper performance of the employee's assigned work or which would reflect discredit upon the City.

SECTION 10.1

INVOLUNTARY TERMINATION AND PROCEDURAL RIGHTS

III. PURPOSE

To establish policies and procedures regarding involuntary termination and procedural rights.

IV. POLICY

Employees who are involuntarily separated (dismissed or discharged) from employment will be paid for actual time worked, compensatory time earned in lieu of paid overtime for non-exempt employees and earned, unused paid time off.

The City Manager serves at the pleasure of Council. Terminations of all other employees are made by the City Manager. Terminated employees have certain due process rights prior to discharge or other adverse employment decisions if they have a liberty or property interest that is affected by the adverse employment action.

Where an employment decision could be stigmatizing to the employee, and the City intends to place a record of the action in the employee's personnel file (which makes it potentially subject to public disclosure) or if the action would foreclose a definite range of future employment opportunities, an employee will be provided notice of the action and an opportunity to respond prior to the employment action.

Stigmatizing reasons for discipline or discharge may include dishonesty, immorality, moral turpitude, criminality, racism, harassment, falsifying forms, drug use, engaging in prostitution, use of position to obtain kickbacks or other privileges, or other charges impugning the employee's moral character.

Charges of incompetence, negligence, poor attendance, insubordination, failure to meet performance standards, failure to submit required forms or documentation and related performance-based criteria have typically been held to be insufficiently stigmatizing to trigger a liberty interest.

In cases where public disclosure of stigmatizing information is possible, the employee will receive oral or written notice of the charges, an explanation of the evidence and an opportunity to respond and clear his/her name prior to the decision being finalized and documented in the personnel file. Typically the employee would direct their response to the City Manager who will consult with Council or its designated committee as needed.

This process is a procedural protection and in no way limits the City's at-will employment status. The findings of the City Manager are final, will be stated in writing and provided to the employee as well as documented within the personnel file.

SECTION 11.0

USE OF CITY PROPERTY

I. PURPOSE

To establish policies and procedures regarding personal use of City property.

II. POLICY

No property belonging to the City may be borrowed for personal use by employees. Any City property provided to an employee for use while a City employee must be returned upon termination of employment. Employees are expected to exercise sound judgment and proper care in the use of City property, provided in support of their job function. Waste and damage caused by neglect or inappropriate use may lead to disciplinary action up to and including discharge.

SECTION 11.1

USE OF CITY VEHICLES

I. PURPOSE

To establish policies and procedures regarding use of City vehicles.

II. POLICY

The use of City-owned vehicles is confined to that necessary to conduct official City business. Vehicles shall be driven in a manner to conform to all posted speed limits, state traffic rules and regulations, City ordinances and maintain the security of the vehicle and its contents. The City does not permit employees to text while driving City vehicles, using a hand-held cell phone or other electronic device. Drivers are responsible for any driving infractions or fines that result from their driving and must report them to their supervisor.

Employees shall be responsible for the proper care and use of City vehicles and shall report promptly and malfunction so that repairs may be made.

Employees are required to lock City vehicles when absent from the vehicle and not within sight of the vehicle. When appropriate, vehicles should not be left running when not in use.

Persons other than City employees shall not be authorized to drive or ride in City vehicles unless authorized by the City Manager, and then only for official City business.

All employees using City vehicles must have a valid Michigan driver's license and a satisfactory driving record. Any restrictions on, or revocation of, an employee's legal right to drive must be immediately reported to the appropriate department head.

SECTION 11.2

CELL PHONE REIMBURSEMENT

I. PURPOSE

To establish policies and procedures regarding cell phone reimbursement to department public works employees.

II. POLICY

Department of Public Works employees who have their own personal cell phones that desire to use for contact purposes on and off duty, will be reimbursed per month to defray the cost of those cell phones. Employees must provide the City with the number and agree to be subject to contact and response as if it were a City provided cell phone. The City is not responsible for the cost of the cellular phone or applications. All employees must be approved by the City Manager to be eligible for cellular phone reimbursement.

The monthly reimbursement level is based on two tier structure:

- a. \$40 (for standard employee cell phones with voice plan)
- b. \$65 (for employees who have been approved for and require data phones)

These rates are based on what the City would pay if the phones were issued through the City's provider. They are not intended to pay the full cost of the employee's phone.

SECTION 11.3

SMOKING

I. PURPOSE

The City is a tobacco-free and smoke-free work place for the health, safety and wellbeing of all of its employees, residents and visitors.

II. POLICY

No tobacco, smoking or use of e-cigarettes (vaping) or other electronic nicotine delivery systems will be allowed anywhere in buildings and vehicles controlled by the City or anywhere an employee is actively working for the City. Electronic cigarettes or e-cigarettes are defined as any device that is designed to mimic cigarettes by vaporizing a liquid that is inhaled by the user.

SECTION 11.4

HARASSMENT POLICY

I. PURPOSE

To establish a policy prohibiting harassment and to establish procedures to investigate harassment complaints.

II. POLICY

The City prohibits employees from engaging in the sexual, racial, ethnic, age or other harassment of a member of the public or of another employee. Such harassment is a serious violation of City rules.

Sexual harassment involving individuals within the employment setting is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature when:

- A. Submission to such conduct or communication is made a term or condition either explicitly or implicitly to obtain employment;
- B. Submission to or rejection of such conduct or communication by an individual is used as a factor in decisions affecting such individual's employment;
- C. Such conduct or communication has the purpose or effect of unreasonably interfering with an individual's employment or creating an intimidating, hostile or offensive employment environment.

Examples of sexual harassment, may include, but are not limited to, the following:

- a. Pressure for sexual activity;
- b. Repeated remarks with sexual or demeaning implications;
- c. Unwelcome touching;
- d. Sexual jokes, posters, and cartoons.

Similar actions taken by employees towards members of the general public are considered to be acts of sexual harassment and are prohibited by this policy.

The City also discourages romantic relationships between supervisors and subordinates and prohibits any such conduct that is unwelcome. Anyone who is an unwilling participant in such a relationship must notify the City Manager or the City Council Chairperson immediately.

Violation of this rule prohibiting sexual harassment will subject the violator to discipline, including the possibility of immediate discharge.

Supervisors are required to be alert to stop any sexual harassment from occurring in our workplace. Employees who believe that they have been harassed, sexually or otherwise, or who have observed an employee harassing another employee or a member of the public should immediately report the incident to their immediate supervisor, department head, or to the City Manager. In the event of an incident of alleged harassment by the City Manager, the report should be made to the City Attorney or to a member of the City Council. When making this report, the employee should clearly state that they believe that they are the victim of harassment and that the employee is reporting the incident pursuant to this policy. The City will investigate all reports of harassment.

Making a complaint of harassment is a serious matter, but no employee will be subject to any form of retaliation or disciplinary action for making or pursuing a complaint of harassment which is made in good faith. An employee who knowingly submits false, inaccurate or otherwise misleading information to the City in connection with a report of alleged harassment or the investigation of an alleged incident of harassment shall be subject to discipline, up to and including discharge. The City will keep complaints of harassment confidential to the extent that it is possible while conducting the investigation.

III. INVESTIGATION PROCEDURE

A. Investigation of Harassment

Upon the receipt of a complaint of harassment, the City shall conduct a prompt and complete investigation and shall attempt to resolve the problem in an informal manner through the following steps:

1. Interview the complainant and document the interview.
 - a. Request that the complaint be put in writing, if possible.
 - b. Obtain the names of witnesses who can be contacted to substantiate the charges being made and secure permission of the complainant to interview them.
2. Interview the accused and document the interview.
 - a. Re-emphasize the City's policy regarding harassment without making judgments at this stage.
 - b. Keep the identity of the complainant confidential, if possible.
3. Interview all witnesses identified by the parties and document each interview.

4. Review the personnel files of the complainant and the accused for any history of problems.
5. Make a determination on the merits of the complaint.

B. Complaint Resolution

1. If the investigation shows that the complaint is without merit, the following action will be taken:
 - a. The investigation will be closed.
 - b. The investigating officer's findings and reasons for them will be discussed with the complainant.
 - c. Consideration will be given to disseminating the results of the investigation to employees who have knowledge of it.
 - d. The City's policy regarding harassment and the mechanism for complaint resolution will be reiterated to all employees involved in the investigation.
 - e. All documentation regarding the complaint and the investigation will be maintained in a separate confidential file in the event that subsequent litigation arises out of the incident.
2. If the investigation shows that the complaint has merit, the following action will be taken:
 - a. The investigation will be closed.
 - b. The investigating officer will confer with the City Manager to determine what action is necessary to resolve the complaint and prevent recurrence, including consideration of possible remedial action.
 - c. The parties will be advised of the results of the investigation and the actions to be taken.
 - d. Appropriate disciplinary action will be imposed.
 - e. All actions will be documented and a record placed in the offender's permanent file.

- f. The City's policy regarding harassment and the mechanism for complaint resolution will be reiterated to all individuals involved in the investigation.
- g. All documentation regarding the complaint and the investigation will be maintained in a separate file if subsequent litigation arises out of the incident.

SECTION 11.5

PERSONAL APPEARANCE AND HYGIENE

I. PURPOSE

To establish policies and procedures regarding personal appearance and hygiene.

II. POLICY

Personal Appearance and Hygiene. Your appearance is important to demonstrating the professionalism of our organization. For this reason, each employee is expected to report for work each day with appropriate hygiene, appearance and attire for his or her position.

Personal cleanliness is a must for all employees. Body odors, strong perfumes or smoke may all be particularly offensive to the public or coworkers. Employees should take pride in their personal hygiene and appearance and report to work clean and groomed appropriately.

Attire should be consistent with job responsibilities and should not jeopardize the safety of the employee or distract others. Anyone reporting to work in inappropriate clothing will be sent home to change.

It is impossible to describe or define every possible acceptable or unacceptable example of attire. Clothing should be professional. The following is prohibited:

- a. Excessively worn, torn or dirty clothing.
- b. Clothing with suggestive or offensive logos, pictures, insignia, etc.
- c. Very tight, revealing or otherwise sexually suggestive clothing.
- d. Exercise attire including "sweats" or "yoga wear."

If in doubt, ask prior to wearing the item. Your supervisor will determine whether attire is acceptable.

SECTION 11.6

CODE OF CONDUCT

I. PURPOSE

To establish policies and procedures regarding code of conduct.

II. POLICY

The work place brings together many different types of people whose unique perspectives and individual skills and talents add tremendous value to the City of Saugatuck. All employees at every level within the organization, are expected to treat each other as respected and valuable colleagues.

With regard to general rules of conduct, it is impossible to create an exhaustive list of behaviors or potential infractions. The City expects that common sense, professionalism and general decency will govern personal conduct. Employees, officers, and volunteers should act as good stewards of the City and should always follow the guidelines below. However, these guidelines are in no way to be construed in a manner which conflicts with personnel policy, administrative rules, or State or Federal law, or other regulations particularly as related to such matters as harassment, discrimination, or other personnel related issues.

A. **Be Polite, Courteous, and Professional.**

1. Personal friendship is discretionary. Civility, professionalism and courtesy at the workplace and when representing the City is required.
2. Respect deadlines, both yours and others. Manage your own department; let others manage theirs.
3. Critique and improve your own performance and that of your department. Limit interdepartmental scrutiny to the problems created for your department.

B. **Consciously Manage Interpersonal Communication.**

1. Speak directly to the listener. Do not make comments in passing or under your breath.
2. Try to be civil and polite. You do not need to be jovial, but you are required to be civil and professional.
3. Exercise extreme caution in the use of humor. It is too often being intentionally or unintentionally misunderstood, misused or taken out of context.
4. Discuss all issues directly to avoid confusion, particularly issues that deal with personnel matters.
5. Avoid interpersonal gamesmanship and detrimental office politics.

6. Take personal responsibility to stop the flow of gossip, insinuations, opinions, etc. Respect the confidentiality associated with departmental, organizational, personnel or personal matters.
7. Actively encourage a sense of trust, unity of common interests and responsibilities, as developed among a group of persons closely associated in a common goal.

C. Respect the Organizational Hierarchy.

1. Address interpersonal matters directly whenever possible.
2. Address matters progressively up the chain-of-command.
3. Address internal matters internally.
4. Address administrative matters administratively, not politically.

D. Work Hard.

1. Hard work will consume your day.

SECTION 11.7

UNIFORMS

I. PURPOSE

To establish policies and procedures regarding uniforms.

II. POLICY

The City reserves the right to require employees to wear uniforms. For employees required to wear uniforms, the City shall provide said uniforms. The type of uniform to be worn shall be determined by the Department Head with approval of the City Manager. All uniforms or work equipment purchased by the City shall remain the property of the City.

The City will share in the purchase of one pair of safety boots for all full-time public works employees each fiscal year. Employees must submit proof of purchase receipt to the City Treasurer prior to receiving payment. The amount of the annual subsidy for this program shall be determined through the annual budget process.

Uniforms must be kept clean, neat, and in good condition, and must only be worn while performing duties for the City. At the time of separation from employment with the City, employees must return uniforms in good condition. A charge will be made for returnable uniforms which are lost, damaged, returned in an unacceptably soiled condition, or otherwise unreturned. Employees who separate from employment with the City within their probationary period may be required to reimburse the City for the actual cost of supplied uniforms and/or the safety boot subsidy.

SECTION 11.8

PAYROLL DEDUCTIONS

I. PURPOSE

To establish policies and procedures regarding payroll deduction.

II. POLICY

The City withholds Federal Income Tax, State Income Tax, Federal Social Security Tax, Medicare Tax, employee contributions to the City Retirement Plan if applicable, court-ordered garnishments and child support payments from employee paychecks in the amount and manner prescribed by state and federal law. In addition, the City will withhold voluntarily authorized deductions from an employee's paycheck for other programs approved by the City. The starting and changing of voluntary deductions must be requested on a form provided by the office of the City Manager.

SECTION 11.9

COMPUTER AND E-MAIL USAGE

I. PURPOSE

To establish policies and procedures regarding computer and E-mail usage.

II. POLICY

Computers, computer files, and E-mail system, and software furnished to employees are City property intended for official, City purposes. Employees should not use a password, access a file, or retrieve any stored communication without authorization. To ensure compliance with this policy, computer and E-mail usage may be monitored, and employees should be aware that such uses may be subject to disclosure under state law. The City strives to maintain a workplace free of harassment and sensitive to the diversity of its employees, prohibits the use of computers and any E-mail system in ways that are disruptive, offensive to others, or harmful to morale. For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for others. E-mail may not be used to solicit others for commercial ventures or religious causes, outside organizations, or other non-business matters. The City purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized the software developer, the City does not have the right to reproduce such software for use on more than one computer. Employees may only use software on local area networks or on multiple machines according to the software license agreement. The City prohibits the illegal duplication of software and its related documentation. Personal use of computers is authorized within reasonable limits as long as it does not interfere with or conflict with City business. Employees are responsible for exercising good judgment regarding the reasonableness of personal use. In case of doubt, employees should consult their Department Head or the City Manager.

SECTION 11.10

WORKPLACE VIOLENCE

I. PURPOSE

To establish policies and procedures regarding workplace violence.

II. POLICY

The City of Saugatuck is committed to reducing the potential for workplace violence. In this regard, it is the policy of the City to prohibit acts or threats of violence by any party, directed toward employees, citizens, elected officials, and visitors to the City's facilities or others.

The City is committed to providing a safe and healthful work environment, consistent with health and safety rules and will take prompt remedial action, up to and including discharge or criminal prosecution, against any employee who engages in threatening behavior or acts of violence.

The City will take appropriate action against any non-employee who engages in threatening behavior including former employees and visitors to City facilities, up to and including criminal prosecution.

Employees who display a tendency to engage in violent, abusive or threatening behavior will be referred to the City's health plan for counseling or other appropriate treatment. Such employees will also be subject to disciplinary action, up to and including immediate discharge.

Additionally, it is the responsibility of City employees to assist in identifying problem employees. The City Manager should be immediately notified of situations or incidents involving threats, acts of violence, aggressive behavior, threatening or offensive comments and similar acts. Employee reports made pursuant to this policy will be held in confidence to the maximum possible extent. The City will not tolerate retaliation against any employee reporting a violation of this policy.

SECTION 11.11

DRUG AND ALCOHOL-FREE WORKPLACE

I. PURPOSE

The City of Saugatuck is committed to creating a drug- and alcohol-free working environment for its work force. The use of alcohol and/or drugs in the workplace jeopardizes safety, lowers productivity and undermines public confidence.

II. POLICY

All the City of Saugatuck premises, including work sites and all City of Saugatuck vehicles, are declared to be drug/alcohol-free work places. City of Saugatuck employees are prohibited from unlawfully manufacturing, distributing, dispensing, possessing or using controlled substances and/or alcohol in the workplace.

Employees who are taking prescription medication that may impair their ability to drive and/or operate equipment/machinery shall notify their supervisor prior to engaging in that activity for an alternative assignment.

Employees found to be in violation of this policy will be subject to appropriate personnel/disciplinary action up to and including termination for the first offense, and/or other remedial measures as the individual circumstances warrant.

Employees required to maintain a Commercial Driver's License as a condition of their employment are subject to state and federal provisions regarding Department of Transportation ("DOT") drug testing.

SECTION 11.12

PERSONAL WORKSPACE AND ARTICLES

I. PURPOSE

To establish policies and procedures regarding personal workspace and articles.

II. POLICY

The City is not responsible for lost or damaged personal articles brought into the workplace. All property belonging to the City, including City vehicles, computers, phones, desks, file cabinets, lockers and other storage areas, is subject to inspection or search at any time without notice to retrieve work-related materials or to investigate a violation of workplace rules. Employees should not have any expectation to privacy with regard to City premises.

Personal workspace is also considered property of the City and is oftentimes accessible and viewable by co-workers and the public. Minimal tasteful displays of a nonpolitical nature such as personal pictures and related items are acceptable. However, any personal displays that violate harassment, code of conduct, or other policies will be addressed as a violation according to those procedures. Your department head and/or the City Manager have the final authority to determine what is acceptable.

SECTION 11.13

SENSITIVE RECORDS

I. PURPOSE

To establish policies and procedures regarding sensitive records.

II. POLICY

Employees may have access to sensitive or confidential information or records not intended for or required to be publicly released or shared with other employees in the organization. Though much of the information handled by the City is public information, in some instances a Freedom of Information Request ("FOIA") is required.

City employees are not to share or disclose any sensitive or confidential information with other employees or the public without approval of the City Manager and should only discuss sensitive or confidential information when necessary to carry out job duties. In addition, employees should not attempt to acquire sensitive or confidential information that is not germane to their employment.

Under no circumstance may an employee remove documents, photos, reports, personal or personnel information or any sensitive material that is the property of the City.

Employees found to be in violation of this policy may be disciplined, up to and including discharge.

SECTION 11.14

FREEDOM OF INFORMATION ACT (FOIA)

I. PURPOSE

To establish policies and procedures regarding Freedom of Information Act.

II. POLICY

It is the policy of the City of Saugatuck to fully comply with the Freedom of Information Act ("FOIA"). All individuals are entitled to certain and specific information regarding the affairs of government and the actions of public officials and public employees. All FOIA requests are to be immediately directed to and processed by the City Clerk or his/her designee.

SECTION 11.15

PUBLIC STATEMENTS/PRESS CALLS

I. PURPOSE

To establish policies and procedures regarding public statements/press calls.

II. POLICY

Unless otherwise delegated, the City Manager is the official designated spokesperson for City staff. Employees should refer all requests for formal statements, interviews, and related activities to the City Manager. Employees may not make formal statements on behalf of the City, except in cases of sharing routine, factual information, without prior authorization.

SECTION 11.16

CREDIT CARDS

I. PURPOSE

To establish policies and procedures regarding use of City issued credit cards.

II. POLICY

The City recognizes that in certain instances, it is in its best interest to issue a City credit card to certain employees. City credit cards are limited to employees in positions that demonstrate that having a credit card will assist them in performing their assigned responsibilities. Any issuance of a City credit card must first be authorized by the City Manager.

The credit card may only be used for the purchase of goods or services related to the official business of the City. It is not to be used for any personal business.

Any employee that is issued a City credit card is responsible for the card's protection and custody and shall immediately notify the City Treasurer if the card is lost or stolen.

The issuance of a City credit card is a privilege that may be revoked at any time. Any card holder found in violation of this policy may be forced to surrender the card and may be subject to discipline. Employees shall surrender their City credit card upon request, including at the time of termination.

SECTION 11.17

PERSONAL ELECTRONIC DEVICES

I. PURPOSE

To establish policies and procedures regarding the use of personal electronic devices (cell phones, I-pads, etc.) in the workplace.

II. POLICY

During work time, employees should limit the use of their personal electronic devices as to not interfere with their assigned duties. Employees in an office setting should set personal cell phones to vibrate or a low volume ring mode during work hours to avoid disrupting official business or disturbing those working around them.

SECTION 11.18

CUSTOMER SERVICE

I. PURPOSE

To establish policies and procedures regarding to customer service.

II. POLICY

The City of Saugatuck requires employees to represent the City in a positive manner and treat members of the public (customers) with courtesy and respect. Employees should be prepared to listen patiently to inquires or complaints and deal with them in a helpful, professional manner. All employees should engage in behavior to deescalate matters of potential conflict when dealing with the public rather than escalating matters. Members of the public who become unreasonable, abusive or harassing should be referred to the employee's supervisor.

SECTION 11.19

GIFTS AND GRATUITIES

I. PURPOSE

To establish policies and procedures regarding gifts and gratuities.

II. POLICY

As public servants, services must be rendered, and business contracts awarded without favoritism or the suggestion that gifts and/or gratuities are expected in return. The City Manager may approve the acceptance of gifts presented for the benefit of the City as a whole, its employees and the public (such as a food basket that can be set out for general consumption). If a situation should arise that an employee considers inappropriate, they should promptly report it to the City Manager.

SECTION 11.20

KEY DISPERSAL

I. PURPOSE

To establish policies and procedures regarding key dispersal.

II. POLICY

Keys to City buildings, facilities, vehicles or equipment may be issued to employees. Keys are never to be duplicated, given or lent to anyone else, including a fellow employee. Lost or stolen items must be immediately reported to the City Manager.

SECTION 11.21

MEDICAL EXAMINATIONS

I. PURPOSE

To establish policies and procedures regarding medical examination.

II. POLICY

The City may require an employee to submit to a medical or psychological exam to determine fitness for duty provided the examinations are job related and consistent with business necessity. Tests for alcohol or illegal drug use are not considered medical examinations, nor are physical agility tests. Fitness for duty exams will be conducted by a licensed professional designated by the City and will be paid for by the City.

The City will comply with all requirements of the Americans with Disabilities Act (“ADA”), Family Medical Leave Act (“FMLA”), Michigan Persons with Disabilities Civil Rights Act, Worker’s Compensation and related laws and guidelines in addressing circumstances where an employee is found to be unfit to perform some or all of their essential job functions. This policy in no way shall be construed to limit employees’ rights under any federal or state law.

Employees determined to be unfit for duty and requiring associated leave, may access accrued leave banks and other paid or unpaid leave time consistent with the policies contained within this manual and state and federal laws.

Light duty or modified return-to-work arrangements are not guaranteed and would not indicate continued employment if provided.

SECTION 11.22

COMMERCIAL DRIVERS LICENSE REIMBURSEMENT

I. PURPOSE

To establish policies and procedures regarding commercial driver's license reimbursement to department public works employees.

II. POLICY

All full-time department of public works employees are required to have a valid State of Michigan commercial driver's license with the proper endorsement(s) to perform their duties. Employees are eligible to receive a reimbursement above the cost of the standard Michigan driver's license upon renewal. Employees must submit proof of payment for their license renewal from the Michigan Secretary of State to the City Treasurer in order to be eligible for the reimbursement.

ACKNOWLEDGMENT AND RECEIPT

I have received my copy of the Personnel Policies and Procedures Manual.

The Personnel Policies and Procedures Manual describes important information about the City of Saugatuck, and I understand that I should consult the City Manager regarding any questions not answered in the manual. I have entered into an employment relationship with the City of Saugatuck (“the City”) voluntarily and acknowledge that there is no specified length of employment. **Accordingly, either I or the City can terminate the relationship at will, with or without cause, at any time, so long as there is not violation of applicable federal or state law.**

This manual and the policies and procedures contained herein supersede any and all prior practices, oral or written representations, or statements regarding the terms and conditions of your employment with the City. By distributing this manual, the City expressly revokes any and all previous policies and procedures which are inconsistent with those contained herein.

I understand that, except for employment at-will status, any and all policies and practices may be changed at any time by the City. Any such changes shall be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies.

I understand and agree that nothing in the Personnel Policies and Procedures Manual creates, or is intended to create, a promise or representation of continued employment and that employment with the City is employment at-will, which may be terminated at the will of either the City or myself. Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I understand and agree that employment and compensation may be terminated with or without cause and with or without notice at any time by the City or myself.

I have received the manual, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

Employee's Signature

Employee's Name (Print)

Date



City Council Agenda Item Report

City of Saugatuck

FROM: Kirk Harrier, City Manager

MEETING DATE: October 14, 2019

SUBJECT: Joint Resolution No. 191014-B Request to Construct a Non-Motorized Trail Segment within Three Governmental Entities

DESCRIPTION

At the direction of the Saugatuck City Council, Mayor Ken Trester and City Manager Kirk Harrier organized and attended a Blue Star Trail regional stakeholders meeting on September 19, 2019 at the Allegan County facilities in Allegan, MI. All the attendees agreed it was a very productive and informative meeting and much was learned. The detailed meeting notes are attached to this report.

During the meeting, the Friends of the Blue Star Trail (FOTBST) confirmed their desire to advocate for the three governments (Douglas/Saugatuck/Saugatuck Twp.) to connect to the portion of non-motorized trail between North Street and Old Allegan Road; which was constructed prematurely in 2017 and has no connectivity to the north or south. In 2010 the Saugatuck City Council officially adopted the Route 35 bicycle route which connects Saugatuck Township and the City of Douglas and directs people to the downtown business district in Saugatuck (see attached community connection map). The FOTBST is requesting the three units of government undertake this project as one unit and one project. The MDOT TAP and MNRTF grant applications would therefore need to have one of the governmental entities function as the lead agency. Because multiple governmental jurisdictions are involved in a single project, the city attorney, as well as the MDOT grant coordinator, recommends an intergovernmental agreement be drafted to identify and agree on roles and responsibilities. The intent of the attached joint resolution is to confirm consensus of the three units of government regarding this approach. The resolution identifies certain conditions and contingencies in order to move forward in a manner that will avoid confusion.

The participants in attendance at the September 19 regional stakeholders meeting agreed that the managers of the three jurisdictions being asked to construct the “northern section” of proposed trail as one project would work on a possible resolution to present to each entity’s governing board. The three managers have collaborated on drafting the attached resolution and have agreed to present to each entity’s governing board for consideration. It was also agreed the proposed resolution should be similar to what the Allegan County Board of Commissioners approved in 2018. The Allegan County Board of Commissioners accepted ownership of the future portion of the non-motorized trail to be constructed within Casco and Ganges Townships. However Allegan County was very specific that any expenses relative to the construction, maintenance and operation of the trail shall be funded by the FOTBST. Allegan County was clear it would not expend funds. In order to be consistent and fair to all taxpayers in Allegan County, the resolution attached to this report reflects the same approach the Allegan County Board of Commissioners adopted regarding the project.

BUDGET ACTION REQUIRED

Currently this project is not identified in the City's capital improvement plan nor have any funds been appropriated in the FY 19/20 budget. Council will need to appropriate funds for necessary legal review, engineering review, and re-allocate significant staff time away from other projects if the desire is to refocus resources towards this project.

COMMITTEE/COMMISSION REVIEW

N/A

LEGAL REVIEW

Municipal Attorney Jeff Sluggett has reviewed the proposed resolution and has approved as to form and content.

SAMPLE MOTION:

Motion to **approve/deny** Resolution No. 191014-B as presented.

CITY OF SAUGATUCK RESOLUTION 191014-B
CITY OF THE VILLAGE OF DOUGLAS RESOLUTION _____
SAUGATUCK TOWNSHIP RESOLUTION _____

A JOINT RESOLUTION ON BEHALF OF THE CITY OF SAUGATUCK, CITY OF THE VILLAGE OF DOUGLAS, AND SAUGATUCK TOWNSHIP REGARDING A REQUEST TO CONSTRUCT A NON-MOTORIZED TRAIL SEGMENT WITHIN EACH JURISDICTION

WHEREAS, the Friends of the Blue Star Trail (FOTBST) is a 501(c)(3) non-profit advocacy group incorporated in the State of Michigan for the charitable purpose of promoting the development and continuance of the Blue Star Trail from South Haven to Saugatuck; and

WHEREAS, the FOTBST identify the Blue Star Trail as a 20 mile regional non-motorized trail that traverses multiple governmental jurisdictions; and

WHEREAS, in 2017 the FOTBST estimated completion of the Blue Star Trail at a project cost of \$11 million; and

WHEREAS, the FOTBST has proposed that 75% (\$8.25 million) of the estimated required funds for the trail will need to be obtained from state grants and 25% (\$2.75 million) of the required funds would be raised from a local match; and

WHEREAS, State grant applications would need to be applied for by a governmental entity as the FOTBST is an advocacy organization and cannot legally apply for grant funds; and

WHEREAS, the FOTBST is requesting the City of the Village of Douglas, the City of Saugatuck and Saugatuck Township ("Communities" or "Community" as appropriate) jointly accept responsibility to construct a section of the Blue Star Trail, along Blue Star Highway, from Center Street in the City of the Village of Douglas, through the City of Saugatuck, and into Saugatuck Township terminating at Washington Street; and

WHEREAS, while unknown at this time, the FOTBST estimate the cost of the portion of the Blue Star Trail to be constructed within the Communities would be \$1.3 million, requiring state grants in the amount of \$975,000 (75%) and a local match of \$325,000 (25%); and

WHEREAS, the Communities have undertaken to identify staff resources, design engineering, construction engineering, actual construction, and on-going maintenance costs necessary for the proposed trail and recognize that these activities would involve considerable expenditures for the Communities, which funds are not currently available.

NOW, THEREFORE, IT IS RESOLVED that the Communities agree to explore construction of a section of the Blue Star Trail along Blue Star Highway from Center Street in the City of the Village of Douglas, through the City of Saugatuck, and into Saugatuck Township terminating at Washington Street and to seek grant funding for the same subject to the following conditions and contingencies:

1. Any expenses for the engineering, construction and/or on-going maintenance of the portion of Blue Star Trail within the Communities, comprising a local grant match or otherwise, shall be funded by the FOTBST in the form of fully funded deposits for engineering and

construction and a fully funded endowment or similar arrangement for maintenance; it being the intent of the Communities that their funds will not be used for these purposes.

2. Determinations as to the level and manner of future maintenance expenditures to be supported by the endowment or a similar arrangement shall be as agreed to between the Communities based upon general maintenance and repair standards utilized for other properties of the Communities.
3. Prior to the engineering and construction of any portion of the Blue Star Trail within a Community's jurisdiction, the availability of the required funds consistent with the terms of this Resolution shall be verified and approved along with submission of a design that is esthetically acceptable to that Community which, without limitation, does not reduce the number of existing traffic lanes.
4. No application for grant funding, contracting of any nature or other actions reasonably necessary to the design, construction or maintenance of any portion of the Blue Star Trail within any of the Communities may occur until a written agreement, in such form satisfactory to each of the Communities, has been reviewed and approved by each Community's governing body, which agreement must set forth matters including conditions and provisions identified or alluded to in this Resolution such as the scope and nature of the project, the designated lead agency for funding and oversight of the project, responsibility for bidding and awarding contracts, indemnification of the parties, insurance requirements, mechanisms for maintenance and such other matters deemed necessary by the parties.
5. This Resolution shall become effective only in the event that the governing body for each of the Communities adopts it in the form and substance as set forth herein. Thereafter, the last date of approval shall be considered its effective date.

BE IT FURTHER RESOLVED any prior resolutions, memorandums of understanding, letters of support or similar actions, to the extent of a conflict with the provisions of this Resolution, are hereby rescinded and revoked.

The foregoing resolution was proposed by _____, and seconded by _____.

AYES: _____

NAYS: _____

ABSENT: _____

RESOLUTION NO. _____ DECLARED ADOPTED

Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the _____ of the _____, Allegan County, Michigan at a _____ meeting held on _____, 2019, and that the public notices of said meeting were given pursuant to Act No. 267 of the Michigan Public Acts of 1976, including in the case of a special or rescheduled meeting notice of publication or posting at least eighteen (18) hours prior to the time set for the meeting.

_____ Clerk

Saugatuck City, Douglas City, Saugatuck Township Community Connection Map

Saugatuck Township Trail Built 2007 (\$334,451)

Saugatuck North City Limit
(Holland St. & North St.)

North Street

Blue Star Hwy

196

Route 35 Bike Route through City
of Saugatuck using existing
infrastructure Adopted by City
Council 2010

Butler Street

Friends of the Blue Star Trail /Saugatuck
Township Trail Built 2017 (\$602,240)

Blue Star Hwy

Saugatuck

Allegan Street

Saugatuck South City Limit
(Center of Blue Star Bridge)

Lake Street

Blue Star Bridge

196

Douglas City Trail Built 2018
(\$373,244)

A-2

Douglas



Memo

To: Saugatuck City Council
From: Ken Trester—Mayor, Kirk Harrier—City Manager
Date: September 20, 2019
Re: Blue Star Trail Regional Stakeholders Meeting Notes

At the direction of the Saugatuck City Council, Mayor Ken Trester and City Manager Kirk Harrier organized and attended a Blue Star Trail regional stakeholders meeting on September 19, 2019 at the Allegan County facilities in Allegan, MI. The other attendees were as follows:

City of Douglas: Mayor: Linda Anderson, City Manager: Rich LaBombard. Saugatuck Township: Supervisor: Cindy Osman, Township Manager: Griffin Graham. Allegan County Board of Commissioners: District 1 Commissioner: Dean Kapenga, County Administrator: Rob Sarro, Director of Service/Transportation: Dan Wedge. Allegan County Road Commission: Managing Director: Craig Atwood. Ganges Township: Township Trustee: Dick Hutchins. Friends of the Blue Star Trail: Board Member: Richard Donovan, Board Member: Clark Carmichael.

The purposes of the meeting was to have an thorough and candid dialogue with the other units of government along the proposed trail route regarding the status of each jurisdiction relevant to development, commitment, coordination and planning activities for the trail. Below are relevant meeting notes:

- Total project estimated in 2017 was \$11 million. Updated estimates have not been provided by the Friends of the Blue Star Trail. The Friends of the Blue Star Trail are proposing that 75% of the needed funds will need to be obtained from state grants. Therefore, \$2.75 million would need to be raised for the local match. None of the local governments present at the meeting stated they had these funds. Any grant applications would need to be applied for by a governmental entity as the Friends of the Blue Star Trail is an advocacy organization and cannot legally apply for grant funds.
- Friends of the Blue Star Trail currently have \$170,000 on deposit.
- The Allegan County Board of Commissioners approved a resolution in 2018 (EXHIBIT A ATTACHED) accepting ownership of the future portion of the Non-Motorized Blue Star Trail to be constructed within Casco and Ganges Townships but were very specific that any expenses relative to the construction, maintenance and operation of the trail shall be funded by the Friends of the Blue Star Trail and Allegan County would not expend funds. The County Board of Commissioners would still need to

take action to approve a design and identify the level of maintenance expenditures to be supported by the FOTBST so final approve has not yet been obtained or granted.

- The Allegan County Road Commission identified they do not have funds committed for the proposed project at any location and their role is, and has been, to simply act as a pass through agency, if needed, for the purpose of applying for state grants.
- The City of Douglas still has sections of trail in their jurisdiction that would need to be completed to make the project a regional trail. Douglas representatives stated they have not identified the construction as a priority in their capital improvement plan nor appropriated any funds for construction at this time.
- Saugatuck Township stated they have new board members and new administrative employees and the Township governing body has not accepted ownership, appropriated funds for construction or authorized the submittal of any grant application on the Township's behalf to the Friends of the Blue Star Trail or any other governmental agency for any further trail construction. Saugatuck Township representatives stated they do not have the funds available within their budget to maintain the trail infrastructure they have in place now.
- It was clearly identified and agreed upon by all attendees that the City of Saugatuck alone is not holding up or preventing the project from moving forward. The project is much more complex. The Friends of the Blue Star Trail are now proposing that the City of Douglas, City of Saugatuck and Saugatuck Township complete the "northern" section of the route as one project. Therefore all three jurisdictions would need to pass a resolution making the project a priority, dedicating sufficient staff and monetary resources and approve applying for grant funds and ultimately construct the project. Based upon their comments at the meeting, it is highly unlikely that Saugatuck Township will have the fiscal and human resource capacity to do so. City of Saugatuck representatives identified between \$5 and \$10 million in existing capital improvement needs that do not have substantial funding in place.
- The area of proposed trail in Ganges Township has significant issues as the public right-of-way is limited and a considerable amount of private easements need to be obtained by some governmental entity in order to construct the trail. The Ganges Township representative stated the property owners in that jurisdiction did not want to grant the easements because trees on their property would need to be removed.
- The representatives from the Friends of the Blue Star Trail stated members of their board have solicited donations for this project from their own personal friends and therefore they have a strong obligation and commitment to them to make this project a reality and would encourage the local governments to assist as they feel it would benefit the area if the trail were built.
- The meeting adjourned with participants agreeing that the managers of the three jurisdictions involved in the "northern section" would work on a possible resolution, similar to what the Allegan County Board of Commissioners approved in 2018 that each entity might present to its governing board.

EXHIBIT A

S T A T E O F M I C H I G A N

BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEGAN

WHEREAS, the Friends of the Blue Star Trail (FOTBST) are engaged in the construction of a Non-Motorized trail connecting existing trails from South Haven to Holland; and

WHEREAS, FOTBST is requesting the Board of Commissioners' acceptance of ownership of the future portion of the Non-Motorized Blue Star Trail to be constructed within Casco and Ganges Townships, as attached.

THEREFORE BE IT RESOLVED the Board accepts ownership under the following conditions:

1. Any expenses relative to the construction, maintenance and operation of the trail shall be funded by FOTBST which may include other funding sources facilitated by the FOTBST i.e. grants, endowment, etc.,

2. The level of expenditures to be supported by the FOTBST shall be determined by the County consistent with the standards by which other County park related properties are maintained,

3. Prior to the construction of any portion of the trail within Casco and Ganges Townships the FOTBST shall secure the approval of the Board to proceed with construction by demonstrating the availability of funds and the existence of a design that is acceptable to the County,

4. (An) Agreement(s) subsequent to this resolution between the parties shall be drafted, which shall include, but not be limited to, specific language relative to the conditions listed within this resolution, said agreement(s) may alter such conditions and therefore supersede the stipulations considered herein and shall only be considered executed upon approval of the Board of Commissioners; and

BE IT FINALLY RESOLVED notwithstanding any specific resolutions already rescinded by the Board of Commissioners, this resolution supersedes any prior resolutions to the extent that they may conflict with the provisions of this resolution.

Moved by Commissioner DeYoung, seconded by Commissioner Jessup to approve the resolution as amended. Motion carried by roll call vote. Yeas: 7 votes. Nays: 0 votes.

ATTEST, A TRUE COPY

Clerk-Register

APPROVED: January 11, 2018

cc: Admin. - Finance - Human Resources

(City of Saugatuck) Blue Star Trail Regional Stakeholders Meeting

AGENDA

Thursday, September 19, 2019 – 8:30 am

Nederveld Room, Allegan County Services Bldg., 3283 122nd Ave., Allegan MI, 49010

1. Welcome, Introductions: Saugatuck City Mayor, Ken Trester
2. Discussion Item: Blue Star Trail Development, Commitment, Coordination and Planning
3. Estimated Adjournment: 9:30 am



Memo

City of Saugatuck

FROM: City of Saugatuck
TO: Regional Stakeholders
SUBJECT: (09-19-2019) Blue Star Trail Regional Stakeholders Meeting

The Friends of the Blue Star Trail (FOTBST) is a 501(c)(3) non-profit advocacy group incorporated in the State of Michigan in 2010. The organization is structured for the charitable purpose of promoting the development and continuance of the Blue Star Trail from South Haven to Saugatuck according to their state filing documentation. The organization has promoted the proposed Blue Star Trail project as a 20 mile regional trail as it would traverse multiple governmental jurisdictions.

The last construction estimate reported two years ago to complete the project was \$11 million. The organization is recommending the majority of funding needed for the project be obtained through various state matching grants. The specific granting agencies identified are the Michigan Department of Transportation (MDOT) and the Michigan Natural Resources Trust Fund (MNRTF). The FOTBST is not a governmental organization therefore they are not eligible to apply for or receive these state grants so the applicant(s) will need to be a governmental agency. The FOTBST has suggested the following funding model for the proposed project:

\$11 MILLION TOTAL ESTIMATED PROJECT COST

- 50% MDOT GRANT (\$5.5 million)
- 25% MNRTF GRANT (\$2.75 million)
- 25% LOCAL DOLLAR MATCH = (\$2.75 million)

The FOTBST have stated they will participate by assisting with the required 25% local dollar match to aid in the construction efforts as well as pledging to contribute to maintenance expenditures of certain sections of the trail. Since 2012 the organization has reportedly raised a total of \$673,655 through donations and fundraising activities. Currently the organization has reported a balance of \$170,000 on deposit.

The project the FOTBST is advocating encompasses 20 miles of proposed public infrastructure through multiple governmental jurisdictions which does present some unique challenges. At a minimum, the various governmental jurisdictions will need to prioritize this project in their existing capital improvement plans as well as dedicate sufficient staff time and budget the necessary monetary resources to the project for it to be successful in the short-term as well as the long-term.

The FOTBST is currently focusing their efforts to encourage Saugatuck City Council to approve and construct a portion of trail within the City of Saugatuck's jurisdiction on the Blue Star Bridge to Maple Street along the Blue Star Highway. Given the complex nature of this project overall, the Saugatuck City Council has taken a proactive approach and organized this regional stakeholders meeting in order to bring the collective governmental units (owners of the proposed trail) together in one room to discuss the development, commitment, coordination and planning of the proposed multifaceted project. The last stakeholders' meeting was organized by the FOTBST and was held two years ago at the Saugatuck Township offices on August 15, 2017. Since that time, there has been significant turnover of administrative staff and elected officials in most of the governmental units along the 20 mile proposed route.

Representatives from the following governmental entities have been invited: Allegan County Board of Commissioners; Allegan County Road Commission; City of Douglas; City of Saugatuck; Saugatuck Township; Casco Township; and Ganges Township. Representatives from the FOTBST have also been invited to attend as they are the organization advocating the overall regional project.



City Council Agenda Item Report

City of Saugatuck

FROM: Kirk Harrier, City Manager
MEETING DATE: October 14, 2019
SUBJECT: Lead & Copper Preliminary DSMI Proposal

DESCRIPTION

Attached is a proposal to assist the City with meeting the EGLE/MDEQ 1/1/2020 deadline for service line inventory. Essentially, this first step is to gather as much available data as possible on service line materials. No matter how much research is done, there will probably be a significant number that are unknown. The 2025 deadline is then to figure out all of the unknowns, in many cases by simply digging them up. The goal is then to have all of the lead service lines replaced by 2041. So the more effort we do now, the less effort later – hence the range in the proposals budget.

BUDGET ACTION REQUIRED

The Council appropriated funds for this expenditure in the FY 19/20 budget.

COMMITTEE/COMMISSION REVIEW

N/A

LEGAL REVIEW

N/A

SAMPLE MOTION:

Motion to **approve/deny** the proposal dated September 20, 2019 from Fleis & Vandenbrink to conduct a preliminary distribution system materials inventory (DSMI) in an amount not to exceed \$6,000.

September 20, 2019

Kirk Harrier, City Manager
City of Saugatuck
102 Butler Street
Saugatuck, MI 49453

RE: Lead & Copper Rule 2018 Amendments – Preliminary DSMI

Dear Kirk:

The 2018 updates to the Safe Drinking Act, 1976 P.A. 399 require a Preliminary Distribution System Materials Inventory (DSMI) to be filed by the water utility (KLSWA has delegated this task to its three respective communities). This inventory is to be certified by the City to the Department of Environment, Great Lakes and Energy (EGLE, formerly MDEQ). The inventory requires communities to identify water service line materials.

The primary focus of the Preliminary DSMI is to identify lead service lines, galvanized steel previously connected to lead, or service lines of unknown material. These types of service lines are considered by EGLE to be high-risk lines. A secondary focus is to characterize all materials regardless of their risk.

The Preliminary DSMI is due **January 1, 2020**. A comprehensive report today will help municipalities prepare for the Complete DSMI due **January 1, 2025**. The preliminary inventory is to be used as a starting point to ensure all high-risk service lines will be replaced by the State's **January 1, 2041** deadline.

Sources to be utilized for this inventory include the following:

- Inspection & maintenance records
- Building permits
- Construction record drawings
- City ordinances
- Water quality data (i.e. test results)
- Community survey
- Other

The following timeline from October to December of 2019 outlines the steps necessary to prepare a Preliminary DSMI for submittal by the City.

Early October 2019

- Schedule and attend a kickoff meeting with City and KLSWA staff to review project scope and identify priority of available records. Staff involved may include DPW, assessing, zoning, building or any department that has relevant historical information.
- Explore the possibility of a community survey requesting customers identify their service line material.
- Locate records that are believed to have information on customers' service line materials with assistance from City and KLSWA staff.

Late October 2019

- Evaluate the compiled records and begin documentation of service line materials.
- If appropriate, send out postcard and/or digital surveys to customers asking them to choose a photo that best represents their service line material.
- For homes with no information regarding material, rank likelihood of property to have a high-risk service line (likelihood factors to be determined).

November 2019

- Hold progress meeting with City and KLSWA. Continue gathering information; document and scan the resources used.
- Begin Preliminary DSMI and refine dataset of all service connections (material known or unknown).

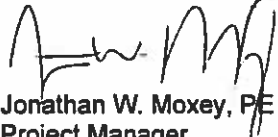
December 2019

- Meet with the City to review level of confidence in dataset and present draft Preliminary DSMI.
- Finalize Preliminary DSMI and submit to EGLE for approval.
- Discuss the timeline for the Complete DSMI due January 1, 2025 with the City. This inventory will build on the preliminary findings. The Complete DSMI will require individual records of each service connection. We will prepare a scope of work and budget for assisting the City in meeting the 2025 deadline after the Preliminary DSMI is complete. It is worth noting that the work to prepare the Preliminary DSMI will be used as the basis for the Complete DSMI.

We propose to complete the scope of work outlined above at our standard hourly rates plus reimbursable expenses with a budget of \$4,000-6,000 (depending on availability of data). Authorization to proceed with the work under our existing Professional Services Agreement for General Consultation Services dated November 13, 2018 can be given by returning a copy of this proposal signed where indicated. We look forward to assisting you with this project. Please feel free to contact us with any questions.

Sincerely,

FLEIS & VANDENBRINK


Jonathan W. Moxey, PE
Project Manager


Don DeVries, PE
Group Manager

Cc: Daryl VanDyke, KLSWA

**AUTHORIZATION TO PROCEED WITH
PRELIMINARY DSMI SERVICES**

By: _____

Title: _____

Date: _____



City Council Agenda Item Report

City of Saugatuck

FROM: Kirk Harrier, City Manager
MEETING DATE: October 14, 2019
SUBJECT: Special Event Application—Glow in the Park

DESCRIPTION

Glow in the Park event proposed to be held in Coghlin Park on October 25th from 6pm to 10pm

BUDGET ACTION REQUIRED

N/A

COMMITTEE/COMMISSION REVIEW

N/A

LEGAL REVIEW

N/A

SAMPLE MOTION:

Motion to **approve/deny** the SDABA's special event application to hold a Glow in the Park event in Coghlin Park on October 25th contingent on applicant signing the letter of understanding dated October 14, 2019.



2019 Glow in the Park
Letter of Understanding

October 14, 2019

SDABA
PO Box 221
Saugatuck, MI 49453

Re: Letter of Understanding

Dear Ms. Wilkinson:

This Letter of Understanding (“Letter”) is intended to memorialize the City of Saugatuck’s understanding with respect to SDABA’s (“Applicant”) proposal to hold, operate and conduct a **Glow in the Park** event on **October 25, 2019** (“Event”).

The Special Event Application and associated materials dated September 23, 2019 (collectively, the “Application”) to the City which has been reviewed by the City Council. After due consideration, the City Council has approved that Application subject to Applicant’s willingness to sign this Letter. This Letter shall be construed to incorporate and include the Application as well as the materials attached thereto. In the event of a conflict between the terms of this Letter and the Application, the terms of this Letter shall control.

In granting approval for the event, the City is consenting to the use of **Coghlin Park**. In addition, the City agrees that, subject to compliance with this Letter, the City shall provide the following at its cost for the Event:

- Provision of available traffic control devices (cones and barricades). **It is the responsibility of the applicant to sign for and return all traffic cones and traffic control devices. Applicant will be charged for any damaged or lost traffic control devices.*
- Provision of available security fencing. **It is the responsibility of the applicant to install and remove security fencing.*
- Installing no parking signage along Griffith Street. **It is the responsibility of the applicant to remove no parking signs after the event.*

- Use of City owned electrical outlets/services in event location. City does not supply electrical extension cords. **It is the responsibility of the applicant to ensure that there is adequate electrical capacity to hold the event and to obtain additional electrical supply if needed.*

In exchange for the City's approval and commitments as set forth above, Applicant agrees to the following:

- Attend a pre-event planning meeting if requested by City.
- Compliance with all adopted local, county and state codes, regulations, and laws including applying for and obtaining any required state or county alcohol/food service permits.
- Provide adequate event personnel for the safety and well-being of attendees. **The City will make available the City's dedicated Sheriff Deputy on the day of the Event to assist personnel supplied by the Applicant. If additional law enforcement personnel are required for the Event, the City may charge the Applicant for the actual costs. The City does not supply other personnel for the Event.*
- No later than five (5) business days prior to the Event, Applicant shall provide to the City Clerk a valid certificate of insurance for the Event with a minimum of \$1,000,000 per occurrence. Without limiting the foregoing, the certificate must identify the City as additional insured. All special events that involve the approved sale and consumption of alcoholic beverage must provide a liquor liability endorsement coverage limit of no less than \$1,000,000 for each occurrence. Failure to produce a valid Certificate of Insurance will result in cancellation of the Event.
- Return the area(s) to a condition similar to that prior to use immediately after Event. Applicant may be charged a cleanup fee if property is left in an unreasonable disorderly condition. Any damage to underground utilities or irrigation system will be the responsibility of Applicant.
- The City of Saugatuck may cancel or postpone Event for any condition affecting the public health or safety of the city or any condition that would place parks, facilities or other property at risk of damage or destruction if the Event were permitted to take place.
- It is the responsibility of the Applicant to furnish and ensure there are a sufficient number of waste containers located throughout the event grounds and they are emptied during the Event in order to prevent overflow. If the waste generated by the event exceeds the capacity of Applicants on-site containers/dumpster(s), it is the Applicants responsibility to remove the excess waste from the site. **The City maintains a list of local waste hauler vendors. It is the responsibility of Applicant to arrange for all waste removal activities.*

- It is the responsibility of the Applicant to furnish and ensure there are a sufficient number of portable toilets for the Event and they are serviced during the event. **The City maintains a list of local portable toilet vendors. It is the responsibility of Applicant to arrange for all portable toilet facilities.*

Assuming the above accurately reflects the Applicant's understanding and agreement please have an authorized official(s) sign and date where indicated below and return one original copy of this Letter to the City.

Sincerely,

CITY OF SAUGATUCK

Date: _____, 2019

By: _____
Ken Trester, Mayor

CITY OF SAUGATUCK

Date: _____, 2019

By: _____
Monica Nagel, City Clerk

The foregoing accurately reflects the understanding and our agreement with respect to our proposal to hold, operate and conduct the Event in the City of Saugatuck.

SDABA

Date: _____, 2019

By: _____
Its: _____

By: _____
Its: _____



_____ Approved
 _____ Denied
 _____ Date

102 Butler Street • P.O. Box 86 • Saugatuck, MI 49453
 Phone: 269-857-2603 • Website: www.saugatuckcity.com

SPECIAL EVENT APPLICATION

Must be filled out in its entirety & returned to the City Clerk's Office 30 days prior to scheduled event

SPONSORING ORGANIZATION INFORMATION

LEGAL BUSINESS NAME: SDABA TELEPHONE: 616-990-1817
 MAILING ADDRESS: PO Box 221
 CONTACT NAME: Erin Wilkinson / Gregory Muncey TELEPHONE: 616-990-1817
 E-MAIL ADDRESS: erinwilkinson@mac.com CELL PHONE: 616-990-1817

CONTACT PERSON ON DAY OF EVENT

CONTACT NAME: Erin Wilkinson / Gregory Muncey TELEPHONE: 616-990-1817
 E-MAIL ADDRESS: gmuncey@gmail.com CELL PHONE: 269-355-9917

EVENT INFORMATION

NAME OF EVENT: Glow in the Park DATE(S) OF EVENT: 10/25/2019
 PURPOSE OF EVENT: Community Party to pull people to town RAIN DATE: rain or shine

- Non-Profit
 For-Profit
 City Operated/Sponsored
 Co-Sponsored
 Marathon/Race
 Festival/Fair
 Video/Film Production
 Other _____

EVENT LOCATION: Coghlin Park EVENT HOURS: 6-10 pm

ESTIMATED NUMBER OF ATTENDEES: 3-5000

ESTIMATED NUMBER OF VOLUNTEERS: 30-60

ESTIMATE DATE / TIME FOR SET-UP: 10/24/2019 TBD noon? A.M. P.M.

ESTIMATE DATE / TIME FOR CLEAN-UP: 10/26-27/2019 2:00 A.M. P.M.

EVENT DETAILS

WILL MUSIC BE PROVIDED DURING THIS EVENT: Yes No

TYPE OF MUSIC PROPOSED: Live Amplification Recorded Loudspeakers

PROPOSED TIME MUSIC WILL BEGIN: 6:00 pm END: 10:00 pm

FOOD VENDORS/CONCESSIONS: (Contact Allegan County Health Department) Yes No
 Provide Copy of Health Department Food Service License

WILL ALCOHOL BE SERVED AT THIS EVENT: Yes No

Provide Copy of Liquor Liability Insurance (listing the City as additionally insured)

Provide Copy of Michigan Liquor Control License

If yes, describe measures to be taken to prohibit the sale of alcohol to minors: We will run orange fence all around the park and have security and people checking ID's (license and insurance pending)

WILL FIREWORKS BE A PART OF EVENT: Yes No

Provide Copy of Liability Insurance (listing the City as additionally insured)

Provide Copy of Fireworks Permit

EVENT SIGNAGE: City Council approval is required for any temporary signing in the public right-of-way, across a street or on City property. Which of the following signs are requested for this event:

"YARD" SIGNS - Number requested: 20 (Maximum size is 2' x 2'. Cannot be displayed no more than 15 days prior to first day of event and must be removed 24 hours after end of event.)

BANNER UNDER SAUGATUCK PALETTE SIGN - (Size cannot be greater than 14' x 4'). Cannot be displayed more than 15 days prior to first day of event and must be removed 24 hours after end of event.)

SIGNAGE AT EVENT SITE - Location(s): Sponsor banners and welcome signs/activity signs

Description of signs: I may have some small yard signs around town and a step and repeat.

(Signs at event site cannot be displayed prior to day of the event and must be removed at the end of the event.)

TENTS/CANOPIES/MISC: The City of Saugatuck does not have tents, stage, tables or chairs available for rental. There are a number of businesses listed in the yellow pages under "Rental Service Stores" that specialize in the rental of event supplies. Will the following be constructed or located in the event area:

BOOTHS - QUANTITY _____ TENTS - QUANTITY 2 (3 if rain)

AWNINGS - QUANTITY _____ TABLES - QUANTITY 10-20

PORTABLE TOILETS - QUANTITY 14 + sink

VENDOR PARKING: Have you made arrangement for vendor parking? Yes No

If yes, where do you propose your vendors park? I would like to block parking along Griffith

Will the Interurban be utilized? Yes No Time(s) _____

DEPARTMENT OF PUBLIC WORKS

APPROVED DENIED

Authorized Personnel Signature

Will this event require the use of any of the following municipal equipment: Yes No

TRASH RECEPTACLES – QUANTITY 10

BARRICADES – QUANTITY 4

TRAFFIC CONES – QUANTITY 25

PARKING SIGNS – QUANTITY 15

FENCING WATER ELECTRIC

RESTROOM CLEANING

OTHER _____

POLICE DEPARTMENT

APPROVED DENIED

Authorized Personnel Signature

ADDITIONAL OFFICERS REQUIRED? Yes No

If yes please describe & include times 6-10 pm / 4-6 police officers and 1 to escort cash to be counted

Other (describe): _____

SAUGATUCK TOWNSHIP FIRE DISTRICT

APPROVED DENIED

Authorized Personnel Signature

STREET CLOSURES: Yes No (use attached map to outline proposed closures)

Street closure date/time: 10/24 tbd _____ A.M. P.M.

Street re-open date/time: 10/26 12 am _____ A.M. P.M.

SIDEWALK CLOSURES: Yes No (use attached map to outline proposed closures)

Describe Sidewalk Use: We will enclose all of Coghlin park, taking Griffith sidewalk to gazebo

Sidewalk closure date/time: 10/25 11 am _____ A.M. P.M.

Sidewalk re-open date/time: 10/26 12 am _____ A.M. P.M.

PARKING LOT CLOSURES: Yes No (use attached map to outline proposed closures)

Parking Lot Location: _____

Sidewalk closure date/time: _____ A.M. P.M.

Sidewalk re-open date/time: _____ A.M. P.M.

What parking arrangements are proposed to accommodate potential attendance: street parking

APPLICATION CHECK LIST

- Completed Application
- Event Map (includes detailed event layout for vendors, booths, porta potties, etc.)
- Road/Sidewalk/Parking Lot Closure Map
- Certificate of Insurance (listing the City of Saugatuck as additionally insured) *PENDING*
- Fireworks Permit (if applicable)
- Michigan Liquor Control Commission Special Event License (if applicable) *PENDING*
- Health Department Food Service License (if applicable)

If document is missing, please explain: _____

The applicant and sponsoring organization understand and agrees to:

Provide a certificate of insurance with all coverages deemed necessary for the event, name the City of Saugatuck as an additional insured on all applicable policies and submit the certificate to the City Clerk's Office no later than one (1) week following notice of the event approval.

Comply with all City and County Ordinances and applicable State laws, City policies and acknowledges that the special events permit does not relieve the applicant or organization from meeting any application requirements of law or other public bodies or agencies.

Applicant and sponsoring organization further understands the approval of this special event may include additional requirements and/or limitations based on the City's review of this application. The applicant and sponsoring organization understands that it may be necessary to meet with City staff during the review of this application and that City Council approval is necessary.

Applicant understands that he/she is responsible for contacting the Michigan Liquor Control Commission and/or Allegan County Health Department to secure all permits required for this event.

Applicant agrees to defend, indemnify and hold harmless the City of Saugatuck, Michigan from any claim, demand, suit, loss, cost of expense or any damage which may be asserted, claimed or recovered against or from this Special Event by reason of any damage to property, personal injury or bodily injury, including death, sustained by any person whomsoever and which damage, injury or death arises out of or is incident to or in any way connected with the performance of this contract, and regardless of which claim, demand, damage, loss cost of expense is caused in whole or in part by the negligence of the City of Saugatuck or by third parties, or by the agents, servants, employees or factors of any of them.

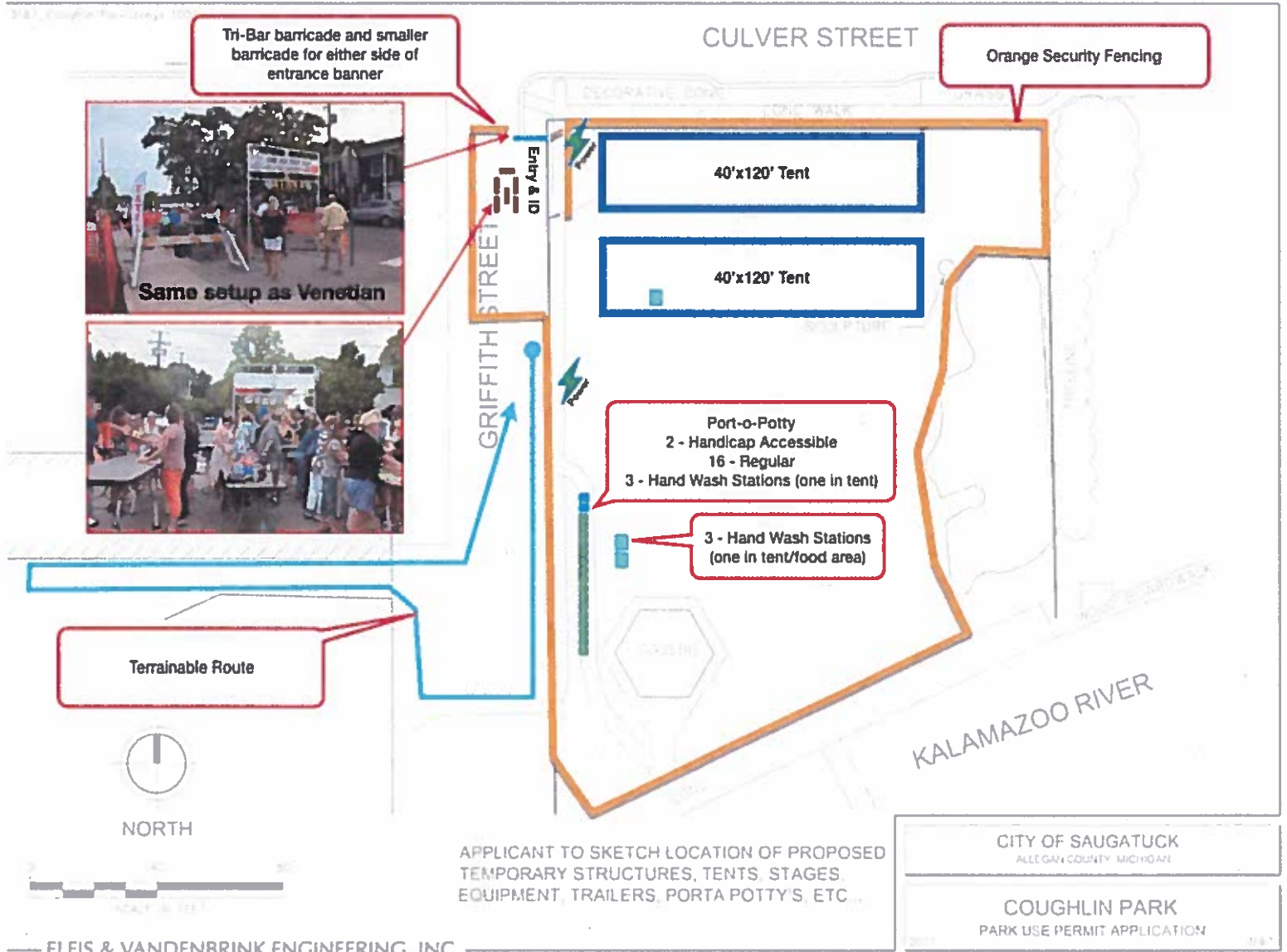
As the duly authorized agent of the sponsoring organization, I hereby apply for approval of this Special Event and affirm the above understandings. The information provided on this application is true and complete to the best of my knowledge.

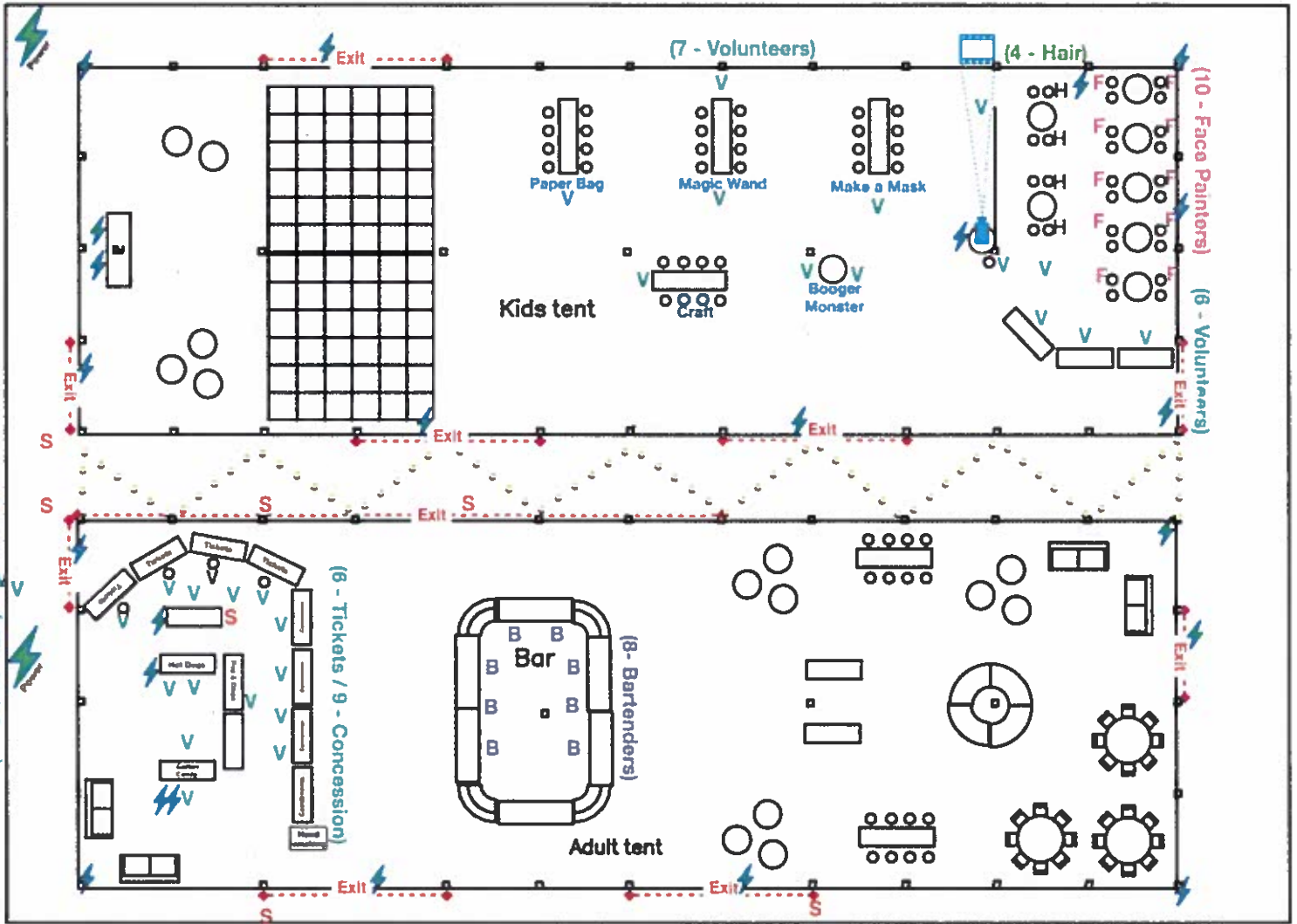


Applicant Signature

9-23-2019

Date





(7 - Security)

(8 - Exit Signs)



(2 - Terrainable)

Terrainable



City Council Agenda Item Report

City of Saugatuck

FROM: Kirk Harrier, City Manager
MEETING DATE: October 14, 2019
SUBJECT: Special Event Application—Halloween Parade/Costume Contest

DESCRIPTION

SDABA Halloween parade and costume contest proposed to be held on October 26th, 2019. The event is proposed to start at Wicks Park and parade through town via route identified on the included map in the application. It's worth noting that the proposed parade route is not the standard parade route typically used for parades in the past, which has been only the use of Butler Street. The proposed route of the Halloween parade in the application is to start at Wicks Park head south on Water Street until reaching Butler and Culver and then head North on Butler Street. This route does interject some safety difficulties trying to keep vehicles and people separated as it is challenging to block off all access points. Council may want to discuss the proposed route prior to approval with the applicant.

BUDGET ACTION REQUIRED

N/A

COMMITTEE/COMMISSION REVIEW

N/A

LEGAL REVIEW

N/A

SAMPLE MOTION:

Motion to **approve/deny** the SDABA's special event application to hold a Halloween Parade and Costume Contest event in the City of Saugatuck on October 26th contingent on applicant signing the letter of understanding dated October 14, 2019.



2019 Halloween Parade Costume Contest
Letter of Understanding

October 14, 2019

SDABA
PO Box 221
Saugatuck, MI 49453

Re: Letter of Understanding

Dear Mr. Muncey and Ms. Lewis:

This Letter of Understanding (“Letter”) is intended to memorialize the City of Saugatuck’s understanding with respect to SDABA’s (“Applicant”) proposal to hold, operate and conduct a **Halloween Parade & Costume Contest** event on **October 26, 2019** (“Event”).

The Special Event Application and associated materials dated October 3, 2019 (collectively, the “Application”) to the City which has been reviewed by the City Council. After due consideration, the City Council has approved that Application subject to Applicant’s willingness to sign this Letter. This Letter shall be construed to incorporate and include the Application as well as the materials attached thereto. In the event of a conflict between the terms of this Letter and the Application, the terms of this Letter shall control.

In granting approval for the event, the City is consenting to the use of **Wicks Park and certain City Streets**. In addition, the City agrees that, subject to compliance with this Letter, the City shall provide the following at its cost for the Event:

- Provision of available traffic control devices (cones and barricades). **It is the responsibility of the applicant to sign for and return all traffic cones and traffic control devices. Applicant will be charged for any damaged or lost traffic control devices.*

In exchange for the City’s approval and commitments as set forth above, Applicant agrees to the following:

- Attend a pre-event planning meeting if requested by City. **Actual times for street closures require final approval by the City Manager with consultation of the Sheriff’s Department.*

- Compliance with all adopted local, county and state codes, regulations, and laws including applying for and obtaining any required state or county alcohol/food service permits.
- Provide adequate event personnel for the safety and well-being of attendees. **The City will make available the City's dedicated Sheriff Deputy on the day of the Event to assist personnel supplied by the Applicant. If additional law enforcement personnel are required for the Event, the City may charge the Applicant for the actual costs. The City does not supply other personnel for the Event.*
- No later than five (5) business days prior to the Event, Applicant shall provide to the City Clerk a valid certificate of insurance for the Event with a minimum of \$1,000,000 per occurrence. Without limiting the foregoing, the certificate must identify the City as additional insured. All special events that involve the approved sale and consumption of alcoholic beverage must provide a liquor liability endorsement coverage limit of no less than \$1,000,000 for each occurrence. Failure to produce a valid Certificate of Insurance will result in cancellation of the Event.
- Return the area(s) to a condition similar to that prior to use immediately after Event. Applicant may be charged a cleanup fee if property is left in an unreasonable disorderly condition. Any damage to underground utilities or irrigation system will be the responsibility of Applicant.
- The City of Saugatuck may cancel or postpone Event for any condition affecting the public health or safety of the city or any condition that would place parks, facilities or other property at risk of damage or destruction if the Event were permitted to take place.

Assuming the above accurately reflects the Applicant's understanding and agreement please have an authorized official(s) sign and date where indicated below and return one original copy of this Letter to the City.

Sincerely,

CITY OF SAUGATUCK

Date: _____, 2019

By: _____
Ken Trester, Mayor

CITY OF SAUGATUCK

Date: _____, 2019

By: _____
Monica Nagel, City Clerk

The foregoing accurately reflects the understanding and our agreement with respect to our proposal to hold, operate and conduct the Event in the City of Saugatuck.

SDABA

Date: _____, 2019

By: _____
Its: _____

By: _____
Its: _____



Council Action
_____ Approved
_____ Denied
_____ Date

102 Butler Street • P.O. Box 86 • Saugatuck, MI 49453
 Phone: 269-857-2603 • Website: www.saugatuckcity.com

SPECIAL EVENT APPLICATION

Must be filled out in its entirety & returned to the City Clerk's Office 30 days prior to scheduled event

SPONSORING ORGANIZATION INFORMATION

LEGAL BUSINESS NAME: SAUGATUCK DOUGLAS AREA BUSINESS ASSOC. TELEPHONE: (269) 857-1626

MAILING ADDRESS: P.O. Box 221

CONTACT NAME: GREGORY MUNCEY TELEPHONE: (269) 857-1626

E-MAIL ADDRESS: gregory@saugatuckdouglas.com CELL PHONE: (269) 355-9917

CONTACT PERSON ON DAY OF EVENT

CONTACT NAME: GREGORY MUNCEY / GARNET LEWIS TELEPHONE: (269) 857-1626

E-MAIL ADDRESS: gregory@saugatuckdouglas.com CELL PHONE: (269) 355-9917

EVENT INFORMATION

NAME OF EVENT: HALLOWEEN PARADE + COSTUME CONTESTS DATE(S) OF EVENT: 10.26.19

PURPOSE OF EVENT: HALLOWEEN! RAIN DATE: n/a

- Non-Profit For-Profit City Operated/Sponsored Co-Sponsored
- Marathon/Race Festival/Fair Video/Film Production Other PARADE

EVENT LOCATION: START AT WICKES PARK EVENT HOURS: 12-4 pm

ESTIMATED NUMBER OF ATTENDEES: 100+

ESTIMATED NUMBER OF VOLUNTEERS: 20+

ESTIMATE DATE / TIME FOR SET-UP: 11:00 a.m. 12:00 pm A.M. P.M.

ESTIMATE DATE / TIME FOR CLEAN-UP: 12:00 4:00 A.M. P.M.

EVENT DETAILS

WILL MUSIC BE PROVIDED DURING THIS EVENT: Yes No

TYPE OF MUSIC PROPOSED: Live Amplification Recorded Loudspeakers

PROPOSED TIME MUSIC WILL BEGIN: 11:00 a.m. END: 4:00 pm

FOOD VENDORS/CONCESSIONS: (Contact Allegan County Health Department) Yes No
 Provide Copy of Health Department Food Service License

WILL ALCOHOL BE SERVED AT THIS EVENT: Yes No
 Provide Copy of Liquor Liability Insurance (listing the City as additionally insured)
 Provide Copy of Michigan Liquor Control License

If yes, describe measures to be taken to prohibit the sale of alcohol to minors: _____

WILL FIREWORKS BE A PART OF EVENT: Yes No
 Provide Copy of Liability Insurance (listing the City as additionally insured)
 Provide Copy of Fireworks Permit

EVENT SIGNAGE: City Council approval is required for any temporary signing in the public right-of-way, across a street or on City property. Which of the following signs are requested for this event:

"YARD" SIGNS - Number requested: ____ (Maximum size is 2' x 2'. Cannot be displayed no more than 15 days prior to first day of event and must be removed 24 hours after end of event.)

BANNER UNDER SAUGATUCK PALETTE SIGN - (Size cannot be greater than 14' x 4'). Cannot be displayed more than 15 days prior to first day of event and must be removed 24 hours after end of event.)

SIGNAGE AT EVENT SITE - Location(s): _____
Description of signs: _____
(Signs at event site cannot be displayed prior to day of the event and must be removed at the end of the event.)

TENTS/CANOPIES/MISC: The City of Saugatuck does not have tents, stage, tables or chairs available for rental. There are a number of businesses listed in the yellow pages under "Rental Service Stores" that specialize in the rental of event supplies. Will the following be constructed or located in the event area:

BOOTHS - QUANTITY _____ TENTS - QUANTITY _____

AWNINGS - QUANTITY _____ TABLES - QUANTITY _____

PORTABLE TOILETS - QUANTITY _____

VENDOR PARKING: Have you made arrangement for vendor parking? Yes No

If yes, where do you propose your vendors park? n/a

Will the Interurban be utilized? Yes No Time(s) 11:00 a.m. - 4:00 p.m.

DEPARTMENT OF PUBLIC WORKS

APPROVED

DENIED

Authorized Personnel Signature

Will this event require the use of any of the following municipal equipment: Yes No

TRASH RECEPTACLES – QUANTITY 2-3

BARRICADES – QUANTITY 3-8

TRAFFIC CONES – QUANTITY _____

PARKING SIGNS – QUANTITY _____

FENCING WATER

ELECTRIC

RESTROOM CLEANING

OTHER _____

POLICE DEPARTMENT

APPROVED

DENIED

Authorized Personnel Signature

ADDITIONAL OFFICERS REQUIRED? Yes No

If yes please describe & include times _____

Other (describe): _____

SAUGATUCK TOWNSHIP FIRE DISTRICT

APPROVED

DENIED

Authorized Personnel Signature

STREET CLOSURES: Yes No (use attached map to outline proposed closures)

Street closure date/time: 10.26.19

11.00 am - 4.00 pm A.M. P.M.

Street re-open date/time: 10.26.19

4.00 pm A.M. P.M.

SIDEWALK CLOSURES: Yes No (use attached map to outline proposed closures)

Describe Sidewalk Use: CHALKING CONTEST - FOR KIDS

Sidewalk closure date/time: 10.26.19

11.00 A.M. P.M.

Sidewalk re-open date/time: 10.26.19

4.00 A.M. P.M.

PARKING LOT CLOSURES: Yes No (use attached map to outline proposed closures)

Parking Lot Location: _____

Sidewalk closure date/time: _____

_____ A.M. P.M.

Sidewalk re-open date/time: _____

_____ A.M. P.M.

What parking arrangements are proposed to accommodate potential attendance: _____

APPLICATION CHECK LIST

- Completed Application
- Event Map (includes detailed event layout for vendors, booths, porta potties, etc.)
- Road/Sidewalk/Parking Lot Closure Map
- Certificate of Insurance (listing the City of Saugatuck as additionally insured)
- Fireworks Permit (if applicable)
- Michigan Liquor Control Commission Special Event License (if applicable)
- Health Department Food Service License (if applicable)

If document is missing, please explain: _____

The applicant and sponsoring organization understand and agrees to:

Provide a certificate of insurance with all coverages deemed necessary for the event, name the City of Saugatuck as an additional insured on all applicable policies and submit the certificate to the City Clerk's Office no later than one (1) week following notice of the event approval.

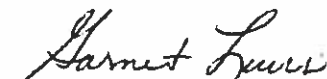
Comply with all City and County Ordinances and applicable State laws, City policies and acknowledges that the special events permit does not relieve the applicant or organization from meeting any application requirements of law or other public bodies or agencies.

Applicant and sponsoring organization further understands the approval of this special event may include additional requirements and/or limitations based on the City's review of this application. The applicant and sponsoring organization understands that it may be necessary to meet with City staff during the review of this application and that City Council approval is necessary.

Applicant understands that he/she is responsible for contacting the Michigan Liquor Control Commission and/or Allegan County Health Department to secure all permits required for this event.

Applicant agrees to defend, indemnify and hold harmless the City of Saugatuck, Michigan from any claim, demand, suit, loss, cost of expense or any damage which may be asserted, claimed or recovered against or from this Special Event by reason of any damage to property, personal injury or bodily injury, including death, sustained by any person whomsoever and which damage, injury or death arises out of or is incident to or in any way connected with the performance of this contract, and regardless of which claim, demand, damage, loss cost of expense is caused in whole or in part by the negligence of the City of Saugatuck or by third parties, or by the agents, servants, employees or factors of any of them.

As the duly authorized agent of the sponsoring organization, I hereby apply for approval of this Special Event and affirm the above understandings. The information provided on this application is true and complete to the best of my knowledge.



Applicant Signature

10.03.19

Date





Saugatuck City Council, City of Saugatuck
 Kirk Harrier - City Manager
 Saugatuck City Hall
 102 Butler Street, PO Box 86
 Saugatuck, MI 49453

September 24, 2019

Members of the Michiana Dunes Car Club, Lambda Car Club International, Inc. - Michiana Dunes Region, would like to express our appreciation to you for all you did to make our September 14, 2019, Parade Cruise through the cities of Douglas and Saugatuck to Oval Beach such a great experience and huge success.

It was such a delight to see so many people from the communities along the route enjoying our classic cars and welcoming us into their town. As our annual Invitational Meet draws fellow Club members from around the country, the cruise surely provided them with a great exposure to our wonderful West Michigan hospitality. Thank you for that. So many Club members have commented on how pleased they were with the welcome they received. It was a very heartwarming experience to traverse the Parade Cruise route.

So it is with great appreciation that we wish to thank you for your kind hospitality and for all the work that went into creating a great route, recruiting and training traffic volunteers, and utilizing expert police assistance at the main intersections along the Blue Star Highway.

Thank you for everything you did to make our September 14th Parade Cruise a success.

The Board of Michiana Dunes Car Club

Tony Holewinski, President

Eric Soya, Vice President

Jerry Mast, Treasurer

Roger Samonek, Secretary

The Invitational Meet Co-Chairs

John Dustin

John Northrup

Michiana Dunes Region
 Lambda Car Club International
www.michianadunes.com

17B



MEMO

To: Kirk Harrier, City Manager
City of Saugatuck

From: Jon Moxey, PE
Paul Galdes, PE
Fleis & VandenBrink

CC:

Date: October 3, 2019

Re: Roadway Flooding

In recent months, we have reviewed several options to alleviate flooding at the corner of Lucy & Water Street and at the south end of Butler Street due to the elevated water levels on the Kalamazoo River (controlled largely by Lake Michigan). A summary of the options follows:

Option 1 – Raise the Roadways:

1. To maintain road drainage on Water Street, approximately 150-175 feet would need to be reconstructed (replacement of curb & gutter, asphalt pavement and gravel base) from Lucy Street to midway between Lucy and Spears Street. The Lucy Street intersection would need to be raised approximately 18 inches to adequately redirect surface water to the south. Similarly, raising the intersection would require reconstruction of Lucy Street from Water Street to Butler Street, approximately 200 feet. We estimate the cost to reconstruct approximately 350 feet of roadway itself (curb to curb) to be on the order of \$100,000.
2. Raising the roadway will obviously impact other features in and adjacent to the right of way – drainage, sidewalks, parking, etc. Typically, roads are designed so property on either side drains to the road. The storm sewer system would need to be expanded fairly substantially to provide drainage for areas that currently drain toward the road. By raising the road, many sidewalks and driveways would be reversed to slope away from the road, thereby trapping water behind the curbs. We would recommend budgeting an additional \$100,000 for grading, storm sewer improvements, sidewalk and driveway replacement, etc. The expanded storm sewer system will have increased maintenance implications, even after the water level returns to more historically normal conditions. It is likely easements and/or grading permits would be required to accomplish the drainage work outside the road, and associated costs are not included here.
3. Grading associated with raising the road will most likely require removal of mature trees and landscaping in the area.
4. Raising the south end of Butler Street would involve less road reconstruction work, but would still require a substantial amount of work outside the roadway to address parking,

2960 Lucerne Drive SE
Grand Rapids, MI 49546
P: 616.977.1000
F: 616.977.1005
www.fveng.com

sidewalks, access to adjacent properties, etc. We estimate the cost for Butler Street to be on the order of \$100,000 (total).

Option 2 – Pump System:

Another option to mitigate flooding on the roadways would be to install a pumping system to convey the water to the river. There is a range of potential systems/setups to consider:

1. Pumps would be sized larger than what has been used to this point at Lucy & Water Street. For the pumping to be effective, the storm sewer outlets would need to be plugged to avoid simply drawing in water from the river (creating a “short circuit”). **Keep in mind that plugging the outlets could cause flooding in areas that are not currently experiencing problems.** The outlet at Lucy & Water Street drains Lucy Street almost to Holland Street. The Butler Street outlet drains the area up to Mason Street. Given the unpredictable nature of weather, a rain event that causes flooding could occur regardless of the pump size selected. The risk is reduced as pump capacity is increased, however, the capital and operational costs increase.
2. Pumps could be operated manually, requiring the DPW (or other personnel) to closely monitor the forecast and be on site during rain events, or with an automated system. An automated system could include a rain sensor, water level monitoring, alarms, remote control capabilities and other enhancements.

We’d recommend budgeting \$15,000-20,000 for a manually-operated pump setup or \$75,000-100,000 or more for an automated system (depending on the specific equipment included) per location. The City should also budget for operational costs (labor, power, maintenance, etc.) during the anticipated use of either system.

The City should anticipate operational challenges during the winter months. Steps will need to be taken to prevent various aspects of the system from freezing. It may be possible to suspend operations once the ground freezes and the likelihood of rain events diminishes, but the system will need to be ready for “rain on snow” events in late winter, as those events can be especially problematic from a drainage standpoint.

Other Thoughts:

1. Saugatuck is obviously not the only lakeshore community dealing with this issue. There are a number of roads, boat launches and other public spaces temporarily closed until the lake level returns to a more normal elevation. Some communities are contemplating making the substantial investment to raise vital roads with high traffic counts. Pumps are being deployed in a number of locations around the state. But we haven’t come across any “outside-the-box” solutions that would apply here.
2. The water level of Lake Michigan peaked in July and has since been subsiding (a typical occurrence in the fall season. Attached is the projection from the US Army Corps of Engineers, to help visualize the recent and potential future trends.
3. Even in their submerged condition, the storm sewers are functioning. When it rains, the water level in the upstream reaches of the system raises and gravity “pushes” water through the system. Their capacity has been greatly reduced, but the sewers are still functioning. Plugging the outlets eliminates the contribution of the gravity system and relies entirely on pumping to prevent upstream flooding.
4. If the current trend continues, the water level may be lower than the road surface prior to temperatures dropping low enough for long enough to freeze water on the road. If that is not the case (and ice does form), it may be possible to use salt/sand and traditional winter maintenance activities to clear the roadway.

Lake Michigan-Niagara Monthly Mean Water Levels

