

CITY OF PERRY REGULAR COUNCIL MEETING
PERRY COMMUNITY BUILDING

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REGULAR CITY COUNCIL MEETING HELD VIRTUALLY THROUGH ZOOM AND IN PERSON
ON FEBRUARY 4, 2021

INVOCATION PRESENTED BY ADAM GRASS, PERRY BAPTIST CHURCH

PRESENT: COUNCILMEMBERS, MINDY GALBAVI, ADAM GRASS,
LARRY LAMBERT AND BOB PORTER;
MAYOR, SUSAN HAMMOND AND CITY CLERK DEVIN MILLER

ABSENT: COUNCILMEMBERS, KRAIG ELLIOTT AND TERRY WOOD

ALSO PRESENT: DEPUTY CLERK/TREASURER, LEANN CULLIMORE
SUPT. DPW, JOHN SOUDER
POLICE CHIEF, KYLE BAWKS
STUDIO 130, ALEX MALLOY

Mayor called the meeting to order at 7:00 p.m.
Mayor led the Pledge of Allegiance.

APPROVAL OF THE AGENDA:

02-04-21-01

Moved by Lambert, seconded by Grass that the agenda be adopted as printed.
Carried, all yes.

READING AND APPROVAL OF THE MINUTES:

02-04-21-02

Moved by Galbavi, seconded by Lambert that we suspend the rules, waive the
reading and approve the minutes from the January 21, 2021 regular meeting.
Carried, all yes.

**7:15PM Public Hearing Re: Special Assessment for
Ambulance Service:**

Public Hearing Comments:

Jeremiah Saier, 503 Perry Lake Dr., shared that he was opposed to the
special assessment and would like to see more transparency.

Steve Wallace, 431 N. East St., shared he was opposed to the special
assessment and would like to see more transparency.

Guy Hubbard, Emergency Services Chief informed the public of the services
provided and the upgrade of equipment needed.

Public Hearing Closed at 7:58 pm.

COMMENTS FROM THE PUBLIC:

None.

COMMUNICATIONS:

Council received correspondence from the City Attorney.

MAYOR & DEPARTMENT HEAD REPORTS:

MAYOR read a letter with no signature. She welcomes the community to share
concerns but there must be supporting evidence and identify self to allow

Mayor and Council to respond. She also reported that she is waiting for follow up from the City Attorney regarding the agenda item "Zoning Violation Recommendations". Last she asked if Council would like to have future town hall meetings.

POLICE CHIEF, KYLE BAWKS reported that police vests are in need of replacement and he will be seeking grants to help with the cost. He also shared that City and Village of Morrice are talking about the current Mutual agreement because of Village furloughing their police.

SUPT. OF DPW, JOHN SOUDER gave a report regarding the Fritsch's request and Amy's Diner and shared that the City has received a MDOT Grant for resurfacing and restoration on selected City streets.

COMMITTEE REPORTS:

Grass reported that the Finance and Ordinance Committee are continuing to work on recommendation for the A-Frame Sign.

Lambert reported that the Business Affairs and Technology committee have not met yet but he has an outline prepared to discuss ideas with committee.

Porter reported that Parks and Property Committee will be meeting each month on the last Tuesday of the month beginning February 23rd at 6:30pm on the 3rd floor of City Hall.

PRESENTATION AND APPROVAL OF THE BILLS:

02-04-21-03

Moved by Porter, seconded by Grass that we approve the bills as presented and that payment be authorized. Carried, all yes.

OLD BUSINESS:

Discussion- Create DDA

Boundary for DDA was asked to have changed to the City Attorney's recommendation.

No action taken.

Possible Workshop for DDA

No action taken.

Possible Approval for CIB to Show DDA Estimate of Tax Capture of DDA

No action taken.

NEW BUSINESS:

Possible Approval of BSA Training

02-04-21-04

Moved by Grass, seconded Porter that we approve BS&A General Ledger program training for new employee and also, authorize payment for an amount not to exceed \$2550.00 to BS&A. Discussion. Carried, all yes.

Possible Adoption of Poverty Exemption Guidelines Resolution

02-04-21-05

Moved by Lambert, seconded by Galbavi that we accept and adopt the following resolution:

WHEREAS the adoption of guidelines for poverty exemptions is required of the City Council; and

WHEREAS, the principal residence of persons, who the Assessor and Board of Review determines by reason of poverty to be unable to contribute to the

public charge, is eligible for exemption in whole or in part from taxation under Public Act 390 of 1994 (MCL211.7u); and

WHEREAS, pursuant to PA 390 of 1994, that City of Perry, Shiawassee County adopts the following guidelines for the Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year;

To be eligible, a person shall do all the following on an annual basis:

1. Be an owner of and occupy as a principal residence the property for which an exemption is requested.
2. File a claim with the Assessor or Board of Review, accompanied by federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns filed in the immediately preceding year or in the current year or a signed State Tax Commission Form 4988, *Poverty Exemption Affidavit*.
3. File a claim reporting that the combined assets of all persons do not exceed the current guidelines. Assets include but are not limited to, real estate other than the principal residence, personal property, motor vehicles, recreational vehicles and equipment, certificates of deposit, savings accounts, checking accounts, stocks, bonds, life insurance, retirement funds, etc.
4. Produce a valid driver's license or other form of identification if requested.
5. Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.
6. Meet the federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services or alternative guidelines adopted by the governing body providing the alternative guidelines do not provide eligibility requirements less than the federal guidelines.
7. The application for an exemption shall be filed after January 1, but one day prior to the last day of the December Board of Review. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.

The following are the 2021 federal poverty income guidelines which are updated annually by the United States Department of Health and Human Services. The annual allowable income includes income for all persons residing in the principal residence.

Federal Poverty Guidelines Used in the Determination of Poverty Exemptions

Size of Family Unit	2021 Poverty Guidelines
1	\$12,760
2	\$17,240
3	\$21,720
4	\$26,200
5	\$30,680
6	\$35,160
7	\$39,640
8	\$44,120
For each additional person	\$4,480

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Assessor and Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption, unless the Board of Review determines there are substantial and compelling reasons why there should be a deviation from the policy and federal guidelines and these reasons are communicated in writing to the claimant.

BE IT FURTHER RESOLVED, if asset levels exceed the items/amounts below, the individual/property owner shall not be eligible for a Property Tax Poverty Exemption.

1. The homestead being claimed and personal property used in connection with the use and occupancy of the homestead.
2. All assets up to a cumulative dollar value of \$25,000.

Carried, all yes.

Possible Adoption of Resolution to Allow Taxpayer to Protest to Board of Review by Letter

02-04-21-05

Moved by Lambert, seconded by Grass that we accept and adopt the following resolution:

WHEREAS, MCL 211.30(8), permits a City to authorize a resident taxpayer to file his or her protest before the Board of Review by letter without a personal appearance by the taxpayer or his or her agent, and

WHEREAS, the City Assessor recommends that a resident taxpayer be allowed to file his or her protest before the Board of Review without making a personal appearance.

NOW, THEREFORE, BE IT RESOLVED that the City Council authorizes a resident taxpayer to file his or her protest before the Board of Review by letter without a personal appearance by the taxpayer or his or her agent, and City Staff shall prepare a statement notifying taxpayers of this option in each assessment notice and on each notice or publication of the meeting of the Board of Review. Carried, all yes.

Discussion-Zoning Violation Recommendations

No action taken.

Possible Resolution to Set Public Hearing to Create New Ambulance Special

Assessment

02-04-21-06

Moved by Grass, seconded by Porter that we accept and adopt the following resolution:

WHEREAS the Perry City Council has held a public hearing on the estimate of the cost to the City of ambulance service on the question of creating a Special Assessment District on the property to be especially benefitted by a special assessment to defray the cost to the City of ambulance service.

THEREFORE, the City of Perry does hereby determine to create a Special Assessment District consisting of the entire City of Perry to be known as the Ambulance Services Special Assessment District of 2021, the City does further determine the amount of the special assessment levy to be approximately \$66,950.00.

FURTHER, the City of Perry does hereby direct the City Assessor to spread the assessment levy on the lands and premises within the District as follows:

Each parcel of property within the District having at least one unit as defined below shall be assessed at a rate not to exceed sixty-five dollars (\$65.00) per unit.

A "unit" is defined as any of the following:

- a. A single-family residence;
- b. A mobile home being used as a dwelling;
- c. A residential apartment in a multiple-family structure or a multiple-use structure;
- d. A commercial or business property with zero (0) to five (5) full-time employees. An additional assessment shall be placed upon any such parcel for each multiple of five (5) full-time employees or part thereof. For purposes of computing the assessment under this definition, a full-time employee shall be counted for each 40 hours wages paid by the employer in the week proceeding this hearing.

IT IS FURTHER DETERMINED that the City of Perry shall hold a public hearing on objections to the distribution of the special assessment levy, to be held on the 4th day of March, 2021 at 7:15 p.m. at the Perry City Hall. The City Clerk is directed to mail notice of said hearing by first-class mail to each owner of or party in interest in property located within the proposed Special Assessment District whose name appears upon the last local tax assessment records of the City at least ten (10) days before the date of said hearing.

The City Clerk is further directed to publish in a newspaper of general circulation in the City a notice of said hearing. Said publication shall be published not less than five (5) days before the hearing.

The City Assessor is directed to provide the assessment roll to the City Clerk at least ten (10) days before the date of said hearing, said roll to be available for public inspection by any interested parties. Carried, all yes.

ANY OTHER BUSINESS THAT MAY COME BEFORE COUNCIL:

Porter shared answers he received from MDOT regarding changing school cross walk, intersection warning signs and a digital electronic speed limit sign.

Guy Hubbard shared his knowledge of a DDA.

ITEMS FOR NEXT AGENDA

1. Discussion- Create DDA
2. Possible Workshop for DDA
3. Possible Approval for CIB to Show DDA Estimate of Tax Capture of DDA
4. Discussion-Zoning Violation Recommendations

ADJOURNMENT: 8:51 P.M.

Susan J. Hammond, Mayor 2/8/21
Date

Devin Miller 2-8-21
Date