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City Council Remote Meeting Agenda

Monday, November 09, 2020 at 7:00 PM

For individuals who may wish to give public comment, the method for providing public comment during this remote-participation meeting is to call the following toll-free numbers:

Meeting ID: 932 1011 2075 Zoom <https://zoom.us/j/99600739906> 1 646-876-9923 or 1 301-715-8592 (PIN: 99600739906) Callers wishing to give public comment may call in before the meeting starts and wait in a "virtual waiting room." Those calling in will be able to hear the audio of the meeting, yet their microphone will be muted, until Public Comment.

Callers who do not wish to give public comment are encouraged to view the meeting live-streamed on YouTube, search for Laingsburg City and go to videos or this link:

https://www.youtube.com/channel/UCzo_7JSRnvML18i8u1LKtGg

CALL TO ORDER

PUBLIC COMMENT

APPROVAL OF MINUTES

1. Approve Minutes of October 5, 2020

TREASURER'S REPORT

2. Treasurer's Report

ITEMS OF BUSINESS

3. Consideration of appointment of Brian Fredline to the City Council
4. Elect Mayor Pro Tem
5. Rules of Procedures for City Council Meetings
6. Establish Rules for Remote Meeting Attendance
7. Covid19 Policy & Procedures
8. Resolution to Adopt Annual Health Insurance Exemption
9. Consideration of Raffle Purchase for Police Department

BILLS

10. Approval of November Bills and Payroll

COMMITTEE REPORTS

11. Committee Reports

OTHER ITEMS

Paula Willoughby
Clerk/Treasurer



LAINGSBURG CITY COUNCIL PROCEEDINGS

October 5, 2020

Proposed

Mayor Culpepper called the meeting to order at 7:06 p.m. at 114 N. Woodhull, Laingsburg in City Hall Council Chambers where some members unattended remotely, due to the COVID19 pandemic.

Present in City Hall: Mayor Culpepper, Alan Ducastel, Gail Geasler and David Rhodabeck.

Present via Zoom: Marcie Nickols and Brian Fredline. Members Absent: Mary Hetherington.

Others present: Dave Casler, DPW, Dan DeKorte, Police Chief, Paula Willoughby, Clerk, Pete Preston, Preston Community Services

Public Comment – The floor was opened to public comment Lisa Jelenek expressed concerns regarding the parking situation in downtown, signage, the children and the image of Laingsburg with the proposed addition of a second Marihuana Shop.

Moved by Ducastel, seconded by Nickols to approve the minutes of September 14, 2020, as presented.

Roll call vote: Yeas: Culpepper, Nickols, Geasler, Ducastel, Rhodabeck and Fredline. Nays: None.

Absent: Hetherington. Motion carried.

Moved by Rhodabeck, seconded by Ducastel to approve the Treasurer's Report, subject to audit. Roll

call vote: Yeas: Culpepper, Nickols, Geasler, Ducastel, Rhodabeck and Fredline. Nays: None. Absent: Hetherington. Motion carried.

Moved by Fredline, seconded by Ducastel to open the floor for discussion regarding the petitions for Special Land Use and Final Site Plan Approval for 105 E. Grand River Road to convert office/retail space to a Marijuana Retailer and Processor. Roll call vote: Yeas: Culpepper, Nickols, Geasler, Ducastel, Rhodabeck and Fredline. Nays: None. Absent: Hetherington. Motion carried.

There was an open discussion with the Council and the applicant as well as further public comment. The Council reviewed information that was received by a concerned citizen. The applicant stated that there would be no "extraction", no butane, no propane and no explosives. The applicant stated that they want to assimilate with the City as far as signage and actions. There were concerns of possible parking issues and the ability to have a mixed-use building.

Moved by Fredline, seconded by Rhodabeck to accept the recommendations of the Planning Commission to approve the Petition for Special Land Use and Final Site Plan Approval for use of the property as a combined marihuana provisioning center, retailer, and processor as submitted by Marcus Braman for property located at 105 E. Grand River Road in Laingsburg and as legally described in the petition based on the following reasoning and conditions:

Reasoning:

1. Standards set forth under Section 704 (basis of determination), Section 833, Section 834, and Section 838 appear to be met subject to the conditions set forth below.

2. Standards set forth under Section 605 (final site plan requirements) and Section 606 (standards for review) have been or can be met subject to the conditions set forth below.
3. Any additional reasoning as set forth by the Planning Commission.

Conditions:

1. As it concerns the requirements for a final site plan and special land use, provide information as outlined in Items 3, 4, and 5 in the staff report.
2. The applicant shall participate in a City coordinated effort to pave the off-street parking area.
3. Extraction from raw marijuana using CO₂, alcohol, butane, and/or other potentially flammable, explosive, or combustible gases, liquids, or any another medium is prohibited.

Roll call vote: Yeas: Culpepper, Nickols, Ducastel, Rhodabeck and Fredline. Nays: Geasler. Absent: Hetherington. Motion carried.

Moved by Fredline, seconded by Rhodabeck to adopt Resolution 2010 to amend the City of Laingsburg Zoning Ordinance to provide outside seating and dining standards. Complete resolution attached to the minutes. Roll call vote: Yeas: Culpepper, Nickols, Geasler, Ducastel, Rhodabeck and Fredline. Nays: None. Absent: Hetherington. Motion carried.

Moved by Culpepper, seconded by Ducastel to confirm the longstanding tradition of Halloween, Trick or Treat Hours to be set from 6pm to 8pm on October 31st. Encouraging all participants to follow the CDC Guidelines. Roll call vote: Yeas: Culpepper, Nickols, Geasler, Ducastel, Rhodabeck and Fredline. Nays: None. Absent: Hetherington. Motion carried.

Moved by Fredline, seconded by Rhodabeck to accept the Planning Commission's recommendation, after a public hearing held at their September 21, 2020 meeting, and reaffirm the City of Laingsburg Master Plan, 2020. Roll call vote: Yeas: Culpepper, Nickols, Geasler, Ducastel, Rhodabeck and Fredline. Nays: None. Absent: Hetherington. Motion carried.

Moved by Fredline, supported by Nickols to table the update of the Downtown Development Authority Plan. Roll call vote: Yeas: Culpepper, Nickols, Geasler, Ducastel, Rhodabeck and Fredline. Nays: None. Absent: Hetherington. Motion carried.

Moved by Fredline, supported by Nickols to accept the resignation of Mary Hetherington from Laingsburg City Council effective immediately. Roll call vote: Yeas: Culpepper, Nickols, Geasler, Ducastel, Rhodabeck and Fredline. Nays: None. Absent: None. Motion carried.

Moved by Ducastel, supported by Fredline to fill the unexpired term of Mary Hetherington following the November 3rd, 2020 election. There are currently five candidates on the ballot, in a vote for three candidates for City Council. The Council will offer the unexpired term of Hetherington to the candidate on the ballot that receives the fourth highest number of votes on November 3rd, 2020. Roll call vote: Yeas: Culpepper, Nickols, Geasler, Ducastel, Rhodabeck and Fredline. Nays: None. Absent: None. Motion carried.

Moved by Fredline, seconded by Rhodabeck to pay the bills in the amount of \$105,715.73 from the General Fund using check #41290-41328; Electronic payments of \$355,364.08 from 9/1 through 10/5. Roll call vote: Yeas: Culpepper, Nickols, Geasler, Ducastel, Rhodabeck and Fredline. Nays: None. Absent: None. Motion carried.

There was a discussion regarding the request to paint and repair the Building that houses the Laingsburg Public Library. The Council would like more information regarding what the scope of that project.

Moved by Rhodabeck, supported by Ducastel to replace the furnace in the Police Department garage accepting the bid from Hi-Temp and Cooling in the amount of \$2,997.00. Roll call vote: Yeas: Culpepper, Nickols, Geasler, Ducastel, Rhodabeck and Fredline. Nays: None. Absent: None. Motion carried.

The meeting adjourned at 8:33 p.m.

Paula Willoughby
Clerk

Micheal Culpepper
Mayor

CASH SUMMARY BY FUND FOR CITY OF LAINGSBURG
FROM 10/01/2020 TO 10/31/2020
FUND: ALL FUNDS
CASH AND INVESTMENT ACCOUNTS

Fund	Description	Beginning Balance 10/01/2020	Total Debits	Total Credits	Ending Balance 10/31/2020
101	GENERAL OPERATING FUND	1,069,457.80	1,140,581.24	1,112,637.41	1,097,401.63
102	BASIC FLEX FUND	0.00	11,434.95	3,291.83	8,143.12
202	MAJOR STREET FUND	243,858.80	243,858.80	245,812.01	241,905.59
203	LOCAL STREET FUND	60,532.64	60,532.64	61,781.08	59,284.20
209	CEMETERY FUND	34,275.50	37,246.50	36,189.00	35,333.00
271	LIBRARY FUND	53,718.07	59,965.83	61,509.41	52,174.49
287	GRANTS	24,384.54	26,904.54	28,084.54	23,204.54
351	CITY - DEBT RETIREMENT FUND -	76,088.09	77,747.02	77,491.56	76,343.55
352	DDA - 2006 DEBT RETIREMENT FU	651.93	0.00	651.93	0.00
508	PARK/RECREATION FUND	23,102.19	28,015.27	31,865.27	19,252.19
590	SEWER FUND	449,144.50	486,069.94	461,129.65	474,084.79
701	TRUST & AGENCY FUNDS	49,176.64	82,750.26	82,710.44	49,216.46
703	CURRENT TAX COLLECTION FUND	16,926.98	9,124.04	15,036.25	11,014.77
	TOTAL - ALL FUNDS	2,101,317.68	2,264,231.03	2,218,190.38	2,147,358.33

Library Building Fund 10/31/2020

\$157,135.39

\$157,135.39

Appointment City Council

Motion to appoint Brian Fredline to the Laingsburg City Council to fill the unexpired term of Mary Hetherington, expiring in November of 2022.

Roll Call

At the last City Council meeting it was agreed upon that the candidate that received the 4th highest number of votes would be offered appointment to the vacant City Council seat. Brian Fredline was contacted by the Mayor and he has agreed to accept the appointment.

CHAPTER 4. - ORGANIZATION OF GOVERNMENT

Sec. 4.1. - The council.

There shall be a council of seven members, consisting of six elected councilmen and the mayor, who shall be deemed a member of the council for all purposes. The council shall constitute the legislative and governing body of the city and shall have power and authority, except as otherwise provided in this Charter or by law, to exercise all powers conferred upon or possessed by the city, and shall have the power and authority to adopt such laws, ordinances and resolutions as it shall deem proper in the exercise thereof. In all cases where the word "council" is used in this Charter, the same shall be synonymous with the word "commission" or any other term used in any state or federal law in referring to municipal legislative or governing bodies.

State Law reference—Mandatory that Charter provide for election of a body vested with legislative power, MCL 117.3(a), MSA 5.2073, (a).

Sec. 4.2. - Mayor pro tem.

The council shall, at its first meeting following each regular city election, elect one of its members to serve as mayor pro tem for a term expiring at the first council meeting following the next regular city election. In the event of absence or disability of both the mayor and mayor pro tem, the council may designate another of its members to serve as acting mayor during such absence or disability.

Sec. 4.3. - Compensation of mayor and councilmen.

The compensation of the mayor and councilmen shall be determined by ordinance; provided that no change in such compensation shall be effective during the term of office for which any member of the council making the change was elected. Until otherwise provided by ordinance, such compensation shall be as follows: Each councilman and the mayor shall receive \$2.00 for each regular and special council meeting which he attends, but the compensation so paid shall not exceed \$50.00 in any fiscal year; the mayor in addition shall receive the sum of \$25.00 per year.

State Law reference—Mandatory that Charter provide for compensation of its officers, MCL 117.3(d), MSA 5.2073, (d).

Sec. 4.4. - Administrative service.

The administrative officers of the city shall be a clerk, treasurer, assessor, health officer, chief of police, fire chief, superintendent of public works, and such additional administrative officers as may be created by ordinance or resolution. The council may combine any administrative offices in any manner it deems necessary or advisable for the proper and efficient operation of the city.

Except as hereinafter provided, all administrative officers of the city shall be appointed by the council for an indefinite period, shall serve at the pleasure of the council and shall have their compensation fixed by the council.

Except as may be otherwise provided by statute or this Charter, the council shall establish by ordinance or resolution such departments of the city as it deems necessary or advisable and shall prescribe therein the functions of each department and the duties, authorities and responsibilities of the officers of each department. The council may add to the duties of officers as prescribed in this Charter.

All personnel employed by the city who are not elected officers of the city or declared to be administrative officers by or under the authority of this Charter, or who are not otherwise declared by this Charter to be officers, shall be deemed to be employees of the city. The head of each department shall have the power to hire and discharge the employees of such department without confirmation by the

council. Any employee who has been discharged may within ten days thereafter petition the council to hear the facts regarding such discharge, and in any such case the council may, in its sole discretion, hold a hearing and inquire into such facts and may make such recommendation in the matter as it considers proper.

Sec. 4.5. - Constables.

The council shall appoint one or more police officers of the city as constables. Such constables shall have like powers and authorities in matters of civil and criminal nature, and in relation to the service of process, civil and criminal, as are conferred by law on constables in townships. They shall have power also to serve all processes issued for breaches of ordinances of the city. The bond of the constables shall be that required of constables in townships and shall be subject to the provisions of section 5.2. The statutory fees received by such constables shall be paid into the city treasury in accordance with section 5.4.

Sec. 4.6. - Duties of mayor.

- (a) Insofar as required by law, and for all ceremonial purposes, the mayor shall be the executive head of the city. He shall have a voice and vote in all proceedings of the council, equal with that of other members of the council, but shall have no veto power. He shall be the presiding officer of the council.
- (b) The mayor shall be a conservator of the peace, and may exercise within the city the powers conferred upon sheriffs to suppress riot and disorder, and shall have authority to command the assistance of all able-bodied citizens to aid in the enforcement of the ordinances of the city and to suppress riot and disorder.
- (c) The mayor shall execute or authenticate by his signature such instruments as the council, this Charter or laws of the State of Michigan or of the United States shall require.
- (d) Except as may be required by law, the mayor shall exercise only such powers as this Charter or the council shall specifically confer upon him.
- (e) In the absence or disability of the mayor, the mayor pro tem shall perform the duties of mayor. In the absence or disability of both, the designated acting mayor shall perform such duties.

Sec. 4.7. - Clerk: functions and duties.

The clerk shall be responsible to the council for the administration of his activities. The clerk shall be the chief accounting officer of the city, unless otherwise provided by ordinance, and he shall be in charge of all the clerical work of the city. The accounts which the clerk maintains shall conform to any uniform system required by law.

The clerk shall be the clerk of the council and shall attend all meetings of the council and shall keep a permanent journal of its proceedings in the English language. He shall certify by his signature all ordinances and resolutions enacted or passed by the council. He shall have power to administer oaths of office.

Sec. 4.8. - Treasurer: functions and duties.

- (a) The treasurer shall be responsible to the council for the administration of his activities.
- (b) The treasurer shall have the custody of all monies of the city and all evidences of indebtedness belonging to the city or held in trust by the city.
- (c) He shall collect all monies of the city the collection of which is not provided for elsewhere by charter or ordinance. He shall receive from other officers and employees of the city all money belonging to and receivable by the city that may be collected by such officers and employees, including fines, license fees, taxes, assessments and all other charges.

All money shall be turned over to the treasurer after collection or receipt, and he shall in all cases give a receipt therefor. He shall disburse all city funds in accordance with the provisions of state law, this Charter, and procedures to be established by the council.

- (d) He shall keep and deposit all monies or funds in such manner and only in such places as the council may determine and shall report the same in detail to the clerk. He shall disburse all city funds in accordance with the provisory statute, this Charter and procedures to be established by the council.
- (e) He shall have such powers, duties and prerogatives in regard to the collection and custody of state, county, school district and city taxes and monies as are conferred by law upon townships treasurers in connection with state, county, township and school district taxes upon real and personal property.

Sec. 4.9. - Assessor: functions and duties.

The city assessor shall possess all the powers vested in, and shall be charged with all the duties imposed upon, assessing officers by statute. He shall prepare all regular and special assessment rolls in the manner prescribed by this Charter, by ordinance and by statute.

Sec. 4.10. - Deputy administrative officers.

The clerk, treasurer and assessor may appoint their own deputies subject to the written confirmation of the council, and may terminate the status of their deputies at their pleasure, upon notice to the mayor. Such deputies shall, in each case, possess all the powers and authorities of their superior officers except as the same may be from time to time limited by their superiors or by the council.

CHAPTER 7. - THE COUNCIL: PROCEDURE AND MISCELLANEOUS POWERS AND DUTIES

Sec. 7.1. - Regular meetings.

The council shall provide by resolution for the time and place of its regular meetings and shall hold at least one regular meeting each month. A regular meeting shall also be held on the Monday following each regular city election.

Sec. 7.2. - Special meetings.

Special meetings shall be called by the clerk on the request of the mayor, or any two members of the council on at least 24 hours' notice to each member of the council served personally or left at his usual place of residence, but a special meeting may be held on shorter notice if all members of the council are present or have waived notice thereof in writing.

Sec. 7.3. - Business of special meetings.

No business shall be transacted at any special meeting of the council unless the same has been stated in the notice of such meeting.

Sec. 7.4. - Meetings to be public.

All regular and special meetings of the council shall be open to the public and citizens shall have a reasonable opportunity to be heard.

Sec. 7.5. - Quorum; adjournment of meeting.

A majority of the members of the council in office shall be a quorum for the transaction of business at all meetings of the council, but in the absence of a quorum a lesser number may adjourn any meeting to a later time or date, and in the absence of all members the clerk may adjourn any meeting to a time or date not later than one week thence.

Sec. 7.6. - Compulsory attendance and conduct at meetings.

Any two or more members of the council may by vote either request or compel the attendance of its members and other officers of the city at any meeting. Any member of the council or other officer who, when notified of such request other than confining illness or absence from the County of Shiawassee shall be deemed guilty of misconduct in office unless excused by the council. The presiding officer shall enforce orderly conduct at meetings, and any councilman or other officer who shall fail to conduct himself in an orderly manner at any meeting shall be deemed guilty of misconduct in office.

Any police officer designated by the presiding officer of the meeting shall serve at [as] the sergeant-at-arms of the council in the enforcement of the provisions of this section.

Sec. 7.7. - Rules and organization of the council.

The council shall determine its own organization and rules and order of business subject to the following provisions:

- (a) A journal of the proceedings of each meeting in the English language shall be kept by the clerk and shall be signed by the presiding officer and clerk of the meeting.
- (b) A vote upon all ordinances and resolutions shall be taken by "Yes" and "No" vote and entered upon the records, except that where the vote is unanimous it shall only be necessary to so state.
- (c) No councilman shall vote on any question in which he has a financial interest, other than the common public interest, or on any question concerning his own conduct, but on all other questions each member who is present shall vote when his name is called unless excused by unanimous

consent of the remaining members present. Any member refusing to vote except when not so required by this paragraph shall be guilty of misconduct in office.

- (d) Any standing committee of the council shall be composed of at least three members. The council shall not assign the administration of any department or agency of the city to any member or committee of the council.

Sec. 7.8. - Providing for public health and safety.

The council shall see that provision is made for the public peace and health, and for the safety of persons and property. The council shall constitute the board of health on [of] the city, and it and its officers shall possess all powers, privileges and immunities granted to boards of health by statute.

Sec. 7.9. - Investigations.

The council or any person or committee authorized by it for the purpose, shall have power to inquire into the conduct of any department, office or officer and to make investigations as to matters in which the municipality has an interest. The council, for the purposes stated herein, may summon witnesses, administer oaths and compel the attendance of witnesses and the production of books, papers and other evidence.

Failure on the part of any officer to obey such summons or to produce books, papers and other evidence as ordered under the provisions of this section shall constitute misconduct in office. Failure on the part of any employee or other person to obey such summons or to produce books, papers or other evidence as ordered under the provisions of this section shall constitute a violation of this Charter and such employee when found guilty of such violation by a competent tribunal may be punished by a fine of not to exceed \$500.00 or imprisonment not to exceed 90 days or both in the discretion of the court.

It is provided further that, in case of failure on the part of any person to obey such summons or to produce such books, papers and other evidence as so ordered, the council may invoke the aid of the Circuit Court of Shiawassee County in requiring obedience of such summons or production of such books, papers and other evidence. The Circuit Court of Shiawassee County, in case of contumacy or refusal to obey such summons or to produce such books, papers and other evidence, may issue an order requiring such persons to obey such summons or to produce such books, papers and other evidence and to give evidence touching the matter in question, and any failure to obey such order of the court may be punished by such court as contempt thereof.

RESOLUTION NO. 2012
ESTABLISHING TEMPORARY RULES FOR REMOTE ATTENDANCE
BY MEMBERS OF LAINGSBURG CITY COUNCIL OTHER CITY PUBLIC BODIES
AND MEMBERS OF THE PUBLIC AT PUBLIC MEETINGS DUE TO CORONAVIRUS PANDEMIC

Minutes of a regular meeting of the City Council of the City of Laingsburg, County of Shiawassee, State of Michigan (the “City”), held on November 9, 2020, at 7:00 p.m.

PRESENT:

ABSENT: None

The following preamble and resolution were offered by Councilmember _____, and seconded by Councilmember _____:

WHEREAS, the Michigan Department of Health and Human Services (MDHHS) issued Emergency Rules and recommendations for COVID-19 Community Mitigation Strategies; and

WHEREAS, such strategies include encouraging staff to tele-work when feasible, implementing social distancing measures, including limiting in-person meetings, and limiting large work-related gatherings; and

WHEREAS, Senate Bill No. 1108 requires the public body to establish procedures relating to physical presence of members at meetings and hearings of public bodies so as to enable public bodies to continue to conduct public business and so as to enable the general public to continue to participate in government decision making without unduly compromising public health, safety, and welfare; and

WHEREAS, to allow the City Council and all other City boards, commissions, and committees (hereinafter referred to collectively as “Public Bodies”) to continue to conduct public business, and to allow the public to attend meetings of the Public Bodies remotely, consistent with and in compliance the amended Open Meetings Act, Section 3 MCL 15.263, the Laingsburg City Council desires to establish rules to authorize and allow its members and those of other Public Bodies, and members of the public to attend meetings of the Public Bodies by telephone or other electronic means as set forth in this Resolution;

NOW, THEREFORE, BE IT RESOLVED that the Laingsburg City Council immediately and retroactively to March 18, 2020 authorizes its members, members of other Public Bodies, and members of the public to attend all meetings of Public Bodies by telephone or other electronic means and establishes rules as follows:

A. NOTICE OF MEETINGS:

1. For every meeting to be held remotely pursuant to this Resolution, the City Clerk or the person responsible for noticing the meeting of the specific public body, shall post on the homepage of the City's website or the website of the public body mentioned in the notice, in a conspicuous location either the following information or a link to the following information and also on the door of the Laingsburg City Hall and Council Chambers, 114 N. Woodhull Street, the following:
 - a. An explanation of why the Public Body is meeting remotely, to include members that will be meeting remotely.
 - b. Information about how the public may contact the members to provide input on any business that will come before the Public Body.
 - c. The dial-in conference number and/or web address and all other information that will be necessary for members of the public to use to access the meeting remotely.
 - d. The agenda for the meeting at least 2 hours prior to the meeting of the public body that it relates to.
 - e. Procedures by which persons with disabilities may participate in the meeting.
2. If any meeting includes a public hearing, all material that will be considered by the Public Body at the public hearing shall be posted on or linked to on the homepage of the City's website in a conspicuous location or as otherwise required by law. This provision shall not apply to written public comments received by the Public Body for the public hearing.

B. CONDUCT OF THE MEETING:

1. The telephone or other electronic technology utilized for the remote meeting shall permit the members of the Public Body in attendance to hear and be heard by the other members of the Public Body in attendance, and shall permit the participants from the general public to hear the members of the Public Body and be heard by the members of the Public Body and the other participants during a public comment period.

2. A member's remote attendance shall be considered attendance for the purpose of establishing a quorum. During roll call each member not physically present will announce their physical location, City and State, and (after January 1 2021) their reason for physical absence.
3. Any vote by a member participating remotely pursuant to this resolution shall be counted in the total number of votes for any matter and shall not be held invalid for the reason that it was cast by a member remotely.
4. If any member is participating remotely, all votes on any matter shall be taken by roll call vote.
5. For closed sessions conducted under this policy, each member and authorized attendee of the closed session shall not allow anyone else to hear or view the closed session. All members and authorized attendees of the closed session shall affirm, before the closed session begins, that they are in compliance with this subsection.
6. Emails, texting, or other forms of electronic communication by or between members during the meeting shall not be allowed.
7. If an email, text or other form of electronic communication is received by a member of the Public Body or the City Clerk two or more hours prior to beginning of the meeting related to any item on the agenda for the meeting, and the sender requests such, the email, text, or other electronic communication shall be read by the member of the Public Body receiving the communication during the first public comment period and it shall be addressed by the Public Body as appropriate during the meeting.

C. ATTENDANCE BY MEMBERS OF THE PUBLIC:

1. Immediately after calling the meeting to order, the City Clerk or other designated facilitator shall ensure that the dial-in number or other means of conducting the meeting remotely is working. If the dial-in number or other means of conducting the meeting remotely is not working, the meeting shall be immediately adjourned by the chair of the meeting without any decision or deliberation on any matter.
2. If any member of the public is attending remotely, each member of the public shall be provided an opportunity to provide public comment during a public comment portion of the agenda pursuant to the rules of the Public Body on public comment. Such opportunity shall be given by the City Clerk

or designated facilitator asking each individual who is attending the meeting by telephone other remote means if they have any public comment. If the member of the public is attending by a remote means that provides a “raise your hand” or other similar tool, then the City Clerk or designated facilitator shall only call on those members of the public who have access to and have used the tool.

3. If any member of the public is attending, and a closed session is called by the Public Body as permitted by the Open Meetings Act, a separate call-in number or other electronic means of remotely participating shall be available for the Public Body to utilize for the closed session that is not available to the public. The City Clerk shall clearly state at what point in the agenda the closed session will occur, the projected length of the closed session, and that the public will not be able to hear the Public Body or provide comment during the closed session. The Public Body shall return to the public meeting following closed session to adjourn the meeting or take other action as necessary.

This Resolution is intended to establish rules for and authorize participation by remote access by members of City of Laingsburg Public Bodies and attendance by remote access by members of the public in the interest of the public health, safety, and welfare while preserving meaningful access to meetings and communication for Public Body members and members of the public, including members of the press and other news media. In the event of a conflict between this Resolution and the Rules of the City Council, or other Public Body the terms of this Resolution shall control.

This Resolution shall be effective immediately and shall be retroactive to March 18, 2020 following the requirements of the amended Open Meetings Act, Section 3 (MCL 15.263)

AYES: Culpepper, Fredline, Ducastel, Nickols, Rhodabeck, Judd, Geasler

NAYS: None

RESOLUTION DECLARED ADOPTED.

Paula Willoughby, Clerk
City of Laingsburg

I, Paula Willoughby, the City Clerk of the City of Laingsburg, hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Laingsburg, County of Shiawassee, State of Michigan, at a regular meeting held on November 9, 2020, and that 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, as amended and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Paula Willoughby, City Clerk
City of Laingsburg

CITY OF LAINGSBURG

COVID-19 Preparedness and Response Plan

*Updated: November 1, 2020**

* This Plan may be updated as this situation evolves or as state or local orders related to COVID-19 are issued or amended.

COVID-19 Preparedness and Response Plan and Work Rule

In order to comply with all state and local orders and legislation, including but not limited to MIOSHA Emergency Rules and MDHHS Epidemic Orders, related to the novel coronavirus (“COVID-19”), City of Laingsburg (“City”) has updated its COVID-19 Preparedness and Response Plan (“Plan”). This Plan may be further updated as this situation evolves or as state or local orders related to COVID-19 are issued or amended.

The City of Laingsburg designates the City Clerk/Treasurer, Police Chief and DPW Supervisor as COVID-19 safety coordinators. As such, these officials will implement the Plan work rule and ensure all employees are in compliance with the Plan at all times. One safety coordinator must be present on-site during work hours at all times. In the event that all of the designated safety coordinators are away from the workplace, then an on-site employee as designated by the safety coordinators will perform the role.

PROTECTIVE SAFETY MEASURES

Employees shall report any unsafe condition to the Clerk/ Treasurer, Police Chief, DPW Supervisor, or their designee in their absence.

Training

Employees will be trained on workforce infection-control practices, the proper use of PPE, notification of supervisors of a suspected or confirmed diagnosis, and reporting of unsafe working conditions.

Sick Leave

- Employees are permitted to take paid leave consistent with the Families First Coronavirus Response Act, the Family Medical Leave Act, as applicable, and the City’s applicable vacation, sick and personal time-off policies.
- During the COVID-19 pandemic, the City requires that employees complete a health screening questionnaire for COVID-19 symptoms prior to reporting to, or immediately upon arriving at the workplace. (The Michigan Department of Health and Human Services defined “symptoms of COVID-19, issued on October 29, 2020, as defined below, and under PA 238 of 2020.) The Centers for Disease Control and Prevention (“CDC”) has published the following wide range of symptoms: fever, cough, shortness of breath or difficulty breathing, chills, fatigue, muscle or body aches, headache, sore throat, congestion or runny nose, nausea or vomiting, diarrhea, or new loss of taste or smell.
- Employees who have signs and symptoms of COVID-19 must notify their supervisor and stay home and not report to work.
- Employees who experience COVID-19 symptoms after reporting for work must notify a supervisor, leave the office and seek necessary medical attention.
- Employees who experience any of the following “Symptoms of COVID-19” and CDC “early warning signs” (i.e., trouble breathing, persistent pain or pressure in the chest, new confusion, inability to wake or stay awake, bluish lips or face) may not report to work and should get immediate medical attention as appropriate

Remote Work

All employees will be expected to remote work as directed by their supervisor if they are self-isolating at home and are not feeling ill. If work can be completed from the City is encouraging working from home.

Definitions

“Close Contact” means someone who was within approximately 6 feet of a confirmed infected person for at least 15 minutes starting from 2 days before illness onset (or, for asymptomatic patients, 2 days prior to testing) until the time the person is isolated.

“Known cases of COVID-19” or “confirmed case” means persons who have been confirmed through diagnostic testing to have COVID-19.

“Suspected cases of COVID-19” means persons who have symptoms of COVID-19 but have not been confirmed through diagnostic testing or persons to who have had close contact with a person who has a confirmed case.

“Symptoms of COVID-19” means fever, uncontrolled cough, or atypical new onset of shortness of breath or at least 2 of the following not explained by a known physical condition: loss of taste or smell, muscle aches, sore throat, severe headache, diarrhea, vomiting, or abdominal pain. Per section 1(h) of PA 238 of 2020, this definition represents the latest medical guidance, and serves as the controlling definition. (Emergency Order Under MCL 333.2253 – Gatherings and Face Mask Order, issued October 29, 2020, by Robert Gordon, Director, MDHHS, as permitted under PA 238 of 2020.)

Employee Screening Upon Entering the Workplace

The Workplace Screening form shall be completed by all City officials and employees prior to reporting to, or immediately upon arriving at the workplace and shall comply with any required screening process required by the state or local jurisdiction in which the City is located. Any individual taking employee temperatures will be required to wear appropriate personal protective equipment. If an employee fails the screening process, he or she should be sent home until allowed to return to work as permitted by this Plan.

Screening shall include the following:

1. Symptoms not explained by a diagnosed medical or physical condition:
 - New or worsening cough, shortness of breath or difficulty breathing, new loss of taste or smell, fever over 100 degrees F, or
 - One or more of the following symptoms: chills, muscle aches, headache, sore throat, diarrhea, nausea or vomiting, congestion or runny nose.
2. Any close contact within the last 14 days with someone testing positive for COVID-19.
3. Any conditions listed in the Workplace Screening Form.

If you have symptoms, or have been told you have had a close contact, do not report to work and contact your supervisor right away.

Personal Protective Equipment

The City shall provide and make available to all employees “personal protective equipment” (PPE) such as gloves, goggles, face shields, and face masks as appropriate for the activity being performed by the employee. Any employee able to medically tolerate a face covering, must wear a covering over his or her nose and mouth when in any enclosed public space. Face coverings are required to be worn when employees cannot consistently maintain 6 feet of separation from other individuals in the workplace. Face shields should be used when employees cannot consistently maintain 3 feet of separation from other individuals in the workplace. Face coverings are required in shared spaces, including in-person meetings and in restroom and hallways.

Social Distancing

- Supervisors will direct employees to perform their work in such a way to reasonably avoid coming within six (6) feet of other individuals.
- Where possible, employees will be relocated or provided additional resources in order to avoid shared use of offices, desks, telephones, and tools/equipment.
- The number of employees permitted in the break room shall be limited to no more than two and separated by six feet.
- Employees should remain in their assigned work areas as much as possible. Employees will not travel to other employee's desks or work areas if possible.
- Use of the phone or e-mail to communicate with other staff is preferred.
- Employees whose job duties regularly require them to be within six (6) feet of members of the public will be provided with appropriate personal protective equipment or physical barriers.
- Municipal vehicles, if any, are limited to single employee occupancy and restricted to official use only. When safety protocol requires that more than one employee be inside the same vehicle, masks will be worn at all times.
- Employees should not be in groups larger than four (4) individuals in buildings and must maintain social distancing. Exceptions during elections and meetings where larger groups are permitted under applicable rules and regulations.
- Meetings will be conducted using remote means whenever possible. In-person meetings, when required, will be limited and only when social distancing can be maintained.
- It is critical and expected that employees will always follow CDC social distancing recommendations and wear PPE when near others, away from their immediate work area, or when moving around within the City offices.

Hygiene

Employees are instructed to wash their hands frequently, to cover their coughs and sneezes with disposable paper products, and to avoid touching their faces. Employees will be provided with access to places to frequently wash hands or to access hand sanitizer. Signs regarding proper hand washing methods will be posted in all restrooms. Hand shaking is also prohibited to ensure good hand hygiene. Changing rooms/bathrooms are available for all personnel in each building. Employees have been provided PPE and facemasks. Any individual able to medically tolerate a face covering must wear a covering over his or her nose and mouth as required under this Plan.

Cleaning and Disinfecting

Increased cleaning and disinfecting of surfaces, equipment, and other elements of the work environment will be performed at a minimum of once a day using products containing EPA-approved disinfectants. Employees will be provided with access to disposable disinfectant wipes so that any commonly used surfaces, including inside vehicles, will be wiped down before each use. If an employee is determined to be COVID-19 positive, the affected employee's area will be cleaned and disinfected.

Tools and Equipment

The City of Laingsburg limits the sharing of tools and equipment among employees. Employees are prohibited from using other worker's phones, desks, offices or other work tools and equipment, when possible. Should any sharing of tools, pens and other equipment be required, employees must disinfect and clean each tool or piece of equipment following their use of same and before any other employee uses the tool or piece of equipment. The City of Laingsburg will provide employees with disinfectant wipes and other disinfecting products for this purpose.

Visitors

No visitors are allowed in the workplace unless they are present to conduct official City business. The front door is will be locked, visitors that have official business that requires in person contact will make an appointment unless it is an emergency. Visitors are encouraged to call, text, email, use the drop box or mail service. All visitors entering the building will be given the workplace screening tool upon entering the building. The Workplace Screening tool should be utilized to decide if the visitor can enter the building. If a visitor presents with symptoms of COVID-19 or answers yes to any of the screening questions do not allow them into the building.

Until further notice, the City of Laingsburg strongly encourages that any member of the public able to medically tolerate a face covering must wear a covering over his or her nose and mouth, such as a homemade mask, scarf, bandana or handkerchief, while in any enclosed public space, at any City building or facility, or while interacting with any City of Laingsburg employee.

EMPLOYEES WITH SUSPECTED, CONFIRMED COVID-19 CASES, OR CLOSE CONTACT

An employee who tests positive for COVID-19 or displays the principal symptoms of COVID-19, as listed under “Definitions” above, shall not report to work until all of the following conditions are met:

- If the employee has a fever, 24 hours have passed since the fever has stopped without the use of fever-reducing medications.
- Ten days have passed since either of the following, whichever is later:
 - The date the employee’s symptoms first appeared.
 - The date the employee received the test that yielded a positive result for COVID-19.
 - The employee’s principal symptoms of COVID-19 have improved.
- COVID-19 can be ruled out by proof of a negative COVID-19 test or that a doctor has determined the symptoms are not the result of a COVID-19 infection.
 - Employees with symptoms shall make a reasonable attempt to schedule a COVID-19 test within 3 days.
 - Test results and/or doctor’s notes explaining diagnosis will be required to be submitted to the Human Resources Director to provide evidence of COVID-19 infection or not.
- An employee who has close contact with an individual who tests positive for COVID-19 or with an individual who displays the principal symptoms of COVID-19 shall not report to work until 1 of the following conditions is met:
 - Fourteen days have passed since the employee last had close contact with the individual.
 - The individual with whom the employee had close contact receives a medical determination that they did not have COVID-19 at the time of the close contact with the employee.

If the employer learns of an employee, visitor, or customer with a known case of COVID-19, the City Clerk or designee, shall:

1. Notify the local public health department.
2. Within 24 hours of learning of the known case, notify any co-workers, contractors, or others who may have come into close contact with the person with the known case of COVID-19.
3. If necessary, close the work area or workplace to clean, or to limit additional exposures.

If an employee believes that he or she qualifies as known case or has been in close contact with a known case, he/she must immediately notify supervisor and/or designated personnel of his or her diagnosis.

BUSINESS CONTINUITY PLANS

As the COVID-19 Workplace Coordinators, the City of Laingsburg officials, or designees, will: (1) work with City of Laingsburg employees to cross-train employees to perform essential functions so the workplace can operate even if key employees are absent; (2) identify alternate supply chains for critical goods and services in the event of disruption; and (3) develop an emergency communication plan to communicate important messages to employees and constituents.

CLASSIFICATION OF WORKERS EXPOSURE

Following OSHA Standards for classifying workers' exposures City of Laingsburg employees have been categorized as low risk to medium risk.

COVID-19 COMMUNICATION PLAN

The City Clerk, or the person so designated by the Board, will serve as the Public Information and Communication Officer and all COVID-19 communications will be approved through the Clerk's Office.

APPENDIX A
City of Laingsburg
COVID-19 PREPAREDNESS AND
RESPONSE PLAN

Certification by Responsible Public Official

This is to certify that I have reviewed the City of Laingsburg's COVID-19 Preparedness and Response Plan attached hereto and to the best of my knowledge and belief:

1. The Plan complies with all currently effective national, state and local orders and legislation.
2. The Plan is available at all worksites.

I declare that the foregoing is true and correct.

Paula Willoughby
City Clerk

This is to certify that I have reviewed the City of Laingsburg's COVID-19 Preparedness and Response Plan and personnel handbook and that both are available to review at my worksite.

Employee
City of Laingsburg

MDHHS EPIDEMIC ORDER OCT. 29

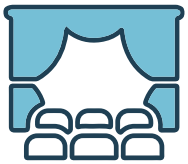


Limits on attendance at residential gatherings.

INDOORS: UP TO 10 PERSONS

OUTDOORS: UP TO 100 PERSONS

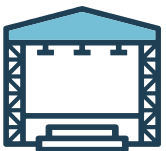
- Indoor gatherings of up to 10 persons and outdoor gatherings of up to 100 persons at a residence are permitted (face masks are strongly recommended).



Limits on attendance at non-residential venues.

INDOORS

- Indoor gatherings occurring at a non-residential venue are permitted only if:
 - FOR FIXED SEATING: No more than 500 persons are gathered, and attendance is limited to 20% of the seating capacity of the venue.
 - WITHOUT FIXED SEATING: No more than **50 persons** are gathered, and attendance is limited to 20 persons per 1,000 square feet in each occupied room.
 - All persons at the gathering wear a face mask.
 - Only six people are permitted at each table.**



OUTDOORS

- Outdoor gatherings up to 1,000 persons occurring at a non-residential venue are permitted only to the extent that the organizers and venue:
 - FOR FIXED SEATING: limit attendance to 30% of seating capacity.
 - WITHOUT FIXED SEATING: limit attendance to 30 persons per 1,000 square feet, including within any distinct area within the event space.
 - Require that each person at the gathering wear a face mask.

“Gathering” means any occurrence where two or more persons from more than one household are present in a shared space. Incidental, temporary gatherings (such as at a store, airport, or food service establishment) are excepted. All gatherings must include 6 feet of social distance between households.



Face masks are still required.

Businesses, government offices, schools, child care organizations, operators of public transit, and all other gathering organizers must not allow indoor or outdoor gatherings of any kind unless they require individuals to wear a face mask. These entities may not assume that someone who enters the business without a face mask falls in one of the exceptions; but may accept an individual's verbal representation that they are not wearing a face mask because they fall within a specified exception.



Capacity Limitations

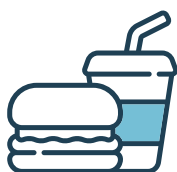
- Gatherings at public facilities, such as a retail store, library or museum, may not exceed 50% total occupancy limits.
- Gatherings at recreational sports and exercise facilities, such as gyms, fitness centers, recreation centers, bowling centers, roller and ice rinks, and trampoline parks, may not exceed 25% of total occupancy limits and are not allowed unless there is at least six feet between workout stations.
- Gatherings at professional sports and entertainment facilities, including arenas, cinemas, concert halls, performance and sporting venues, stadiums and theaters, are allowed only if the venue can ensure there is six feet of distance between patrons not of the same household.
- Gatherings at outdoor pools must not exceed 50% of capacity limits, and at indoor pools must not exceed 25% of capacity limits.
- Gatherings at non-tribal casinos may not exceed 15% of total occupancy limits.
- In-person work is prohibited if work activities can feasibly be completed remotely.



Food Service Establishments

INDOOR COMMON AREAS AND SEATING

- Must not exceed 50% of normal seating capacity.
- Must maintain six feet of distance between each party. **No more than six people per table are allowed.**
- **Must collect names and phone numbers to assist with contact tracing.**
- Close indoor common areas in which people can congregate, dance, or otherwise mingle.
- Prohibit indoor gatherings anywhere alcoholic beverages are sold for consumption onsite, except for where parties are seated and separated from one another by at least six feet, and do not intermingle.



Organized Sports

FACE MASKS AND DISTANCE

- Athletes must wear face masks (except when swimming) or consistently maintain six feet of distance from others.
- Follow live audience limits (two per player or as described in attendance limits).
- Athletes can also fulfill their face mask requirement by complying with more detailed MDHHS guidance (bit.ly/Contact_Sports).



To read the complete MDHHS **Oct. 29, 2020, Epidemic Order**, visit Michigan.gov/Coronavirus. Questions or concerns can be emailed to COVID19@michigan.gov.

Michigan Department of Health and Human Services (MDHHS) has issued this order under a law first enacted by the Michigan Legislature after the Spanish Flu of 1918, specifically to deal with epidemics. This gives the MDHHS director broad authority to take actions by emergency order to protect the public health during an epidemic. To reduce confusion following the recent Michigan Supreme Court decision, MDHHS issued orders following existing executive orders as much as possible under the different law to prevent and control the spread of COVID-19.



STATE OF MICHIGAN

DEPARTMENT OF HEALTH AND HUMAN SERVICES
LANSINGGRETCHEN WHITMER
GOVERNORROBERT GORDON
DIRECTOR

October 29, 2020

Emergency Order Under MCL 333.2253 – Gatherings and Face Mask Order

Michigan law imposes on the Michigan Department of Health and Human Services (MDHHS) a duty to continually and diligently endeavor to “prevent disease, prolong life, and promote public health,” and gives the Department “general supervision of the interests of health and life of people of this state.” MCL 333.2221. MDHHS may “[e]xercise authority and promulgate rules to safeguard properly the public health; to prevent the spread of diseases and the existence of sources of contamination; and to implement and carry out the powers and duties vested by law in the department.” MCL 333.2226(d).

The novel coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death. It is caused by a new strain of coronavirus not previously identified in humans and easily spread from person to person. There is currently no approved vaccine for this disease. COVID-19 spreads through close human contact, even from individuals who may be asymptomatic.

In recognition of the severe, widespread harm caused by epidemics, the Legislature has granted MDHHS specific authority, dating back a century, to address threats to the public health like that posed by COVID-19. MCL 333.2253(1) provides that “[i]f the director determines that control of an epidemic is necessary to protect the public health, the director by emergency order may prohibit the gathering of people for any purpose and may establish procedures to be followed during the epidemic to insure continuation of essential public health services and enforcement of health laws. Emergency procedures shall not be limited to this code.” See also *In re Certified Questions*, Docket No. 161492 (Viviano, J., concurring in part and dissenting in part, at 20) (“[T]he 1919 law passed in the wake of the influenza epidemic and Governor Sleeper’s actions is still the law, albeit in slightly modified form.”); see also *id.* (McCormack, C.J., dissenting, at 12). Enforcing Michigan’s health laws, including preventing disease, prolonging life, and promoting public health, requires limitations on gatherings and the establishment of procedures to control the spread of COVID-19. This includes limiting the number, location, size, and type of gatherings, and instituting mitigating measures like face masks to prevent ill or infected persons from infecting others.

On March 10, 2020, MDHHS identified the first two presumptive-positive cases of COVID-19 in Michigan. As of October 27, 2020, Michigan has seen 161,907 confirmed cases and 7,211 confirmed deaths attributable to COVID-19. Michigan was one of the states most heavily impacted by COVID-19 early in the pandemic, with new cases peaking at nearly 2,000 per day in late March. Strict preventative measures and the cooperation of Michiganders drove those numbers down dramatically, greatly reducing the loss of life. Although fewer than 200 new cases per day were reported in mid-June, cases have increased since that time, with over 3,000 cases per day being reported on some recent days.

The State of Michigan presently has 172 cases per million people and positivity of tests has increased from about 2% to 5.5%. Both indicators have been increasing for over four weeks. Three of five regions are now at the highest risk level, risk level E (Grand Rapids, Kalamazoo, and Upper Peninsula). Rising cases creates significant pressures on our emergency and hospital system. Complaints of coronavirus like illness (CLI) in the emergency department increased for the sixth week in a row for the state and there are now four regions where greater than 1% of all persons at the emergency department present with CLI (Grand Rapids, Kalamazoo, Traverse City, and Upper Peninsula). Hospitalizations for COVID-19 have

doubled over the last three weeks. There are more than 5% COVID hospitalizations in all regions except Traverse City. The state death rate has increased for five consecutive weeks to 2.1 deaths per million people. More than 20 weekly deaths are seen in four regions (Detroit, Grand Rapids, Kalamazoo, and Upper Peninsula). Due to delays between exposure, onset of symptoms, and hospitalization, the sharp rise in new infections heralds challenging weeks to come, with growing strain on our healthcare infrastructure.

To protect vulnerable individuals, ensure the health care system can provide care for all health issues, and prevent spread in schools as we head into the influenza season, we must not permit the spread of COVID-19 to further increase. This necessitates continued use of mitigation techniques to restrict gatherings and require procedures in order to reduce the spread of the virus. As such, it is necessary to issue orders under the Public Health Code addressing these topics.

Considering the above, and upon the advice of scientific and medical experts employed by MDHHS, I have concluded pursuant to MCL 333.2253 that the COVID-19 pandemic continues to constitute an epidemic in Michigan. I have also, subject to the grant of authority in PA 238 (signed into law on October, 22, 2020), herein defined the symptoms of COVID-19 based on the latest epidemiological evidence. I further conclude that control of the epidemic is necessary to protect the public health and that it is necessary to establish procedures to be followed during the epidemic to ensure the continuation of essential public health services and enforcement of health laws. As provided in MCL 333.2253, these emergency procedures are not limited to the Public Health Code.

I therefore order that:

1. **Definitions.**

- (a) “Child care organizations” means that term as defined by section 1(b) of the Child Care Organizations Act, 1973 PA 116, as amended, MCL 722.111(b)) and day, residential, travel, and troop camps for children (as defined by Rule 400.11101 of the Michigan Administrative Code).
- (b) “Face mask” means a tightly woven cloth or other multi-layer absorbent material that closely covers an individual’s mouth and nose.
- (c) “Food service establishment” means that term as defined in section 1107(t) of the Food Law, 2000 PA 92, as amended, MCL 289.1107(t).
- (d) “Employee” means that term as defined in section 2 of the Improved Workforce Opportunity Wage Act, 2018 PA 337, as amended, MCL 408.932, and also includes independent contractors.
- (e) “Gathering” means any occurrence, either indoor or outdoor, where two or more persons from more than one household are present in a shared space.
- (f) “Organized sports” means competitive athletic activity requiring skill or physical prowess and organized by a sports organizer.
- (g) “Sports Organizer” means an institution, association, or other organization that sets and enforces rules to ensure the physical health and safety of all participants for an organized sport.
- (h) “Recreational sports and exercise facilities” means a location in which individuals participate in individual or group physical activity, including, gymnasiums, fitness centers, recreation centers, exercise studios, bowling centers, roller rinks, ice rinks, and trampoline parks.

- (i) “Symptoms of COVID-19” means fever, uncontrolled cough, or atypical new onset of shortness of breath or at least 2 of the following not explained by a known physical condition: loss of taste or smell, muscle aches, sore throat, severe headache, diarrhea, vomiting, or abdominal pain. Per section 1(h) of PA 238 of 2020, this definition represents the latest medical guidance, and serves as the controlling definition.

2. General capacity limitations at gatherings.

- (a) Indoor gatherings are permitted only as follows:

- (1) 10 or fewer persons are gathered at a residence;
- (2) 50 or fewer persons are gathered in a non-residential venue without fixed seating, and attendance is limited to 20 persons per 1,000 square feet in each occupied room;
- (3) 500 or fewer persons are gathered in a non-residential venue with fixed seating, and attendance is limited to 20% of seating capacity of the venue; and
- (4) At non-residential gatherings, all persons wear a face mask;

- (b) Outdoor gatherings are permitted only as follows:

- (1) 100 or fewer persons are gathered at a residence;
- (2) At non-residential venues:
 - (A) 1,000 or fewer persons are gathered at a venue without fixed seating, and attendance is limited to 30 persons per 1,000 square feet, including within any distinct area within the event space;
 - (B) 1,000 or fewer persons are gathered at a venue with fixed seating, and attendance is limited to 30% of seating capacity of the venue; and
 - (C) All persons wear a face mask.

- (c) The limitations to the size of gatherings in sections 2(a) and 2(b) do not apply to:

- (1) Incidental, temporary gatherings of persons in a shared space, such as frequently occur in an airport, bus station, factory floor, food service establishment, shopping mall, public pool, or workplace.
- (2) Voting or election-related activities at polling places;
- (3) Training of law enforcement, correctional, medical, or first responder personnel, insofar as those activities cannot be conducted remotely;
- (4) Organized sports gatherings held in accordance with section 5 of this order;
- (5) Students in a classroom setting;
- (6) Children in a daycare setting; or
- (7) Persons traveling on a school bus or other public transit.

- (d) As a condition of hosting a gathering, organizers and venues hosting gatherings described in sections 2(a) and 2(b) must design the gathering to encourage and maintain physical

distancing, and must ensure that persons not part of the same household maintain six feet of distance from one another to the extent possible. For all non-residential gatherings, if attendees are seated at tables, no more than six persons may share a table and tables must be spaced a minimum of 6 feet apart.

3. Gathering restrictions for particular types of facilities. In addition to the gathering limitations set forth in section 2, and as a condition of permitting gatherings within the facilities described in this section, the following capacity limitations apply:

- (a) A gathering at a retail store, library, or museum must not exceed 50% of total occupancy limits established by the State Fire Marshal or a local fire marshal.
- (b) A gathering at recreational sports and exercise facilities:
 - (1) Must not exceed 25% of the total occupancy limits established by the State Fire Marshal or a local fire marshal, and;
 - (2) Must have at least six feet of distance between each workout station.
- (c) Gatherings in waiting rooms at outpatient health-care facilities, veterinary clinics, personal care services, and other businesses are prohibited unless the facility implements a system to ensure that persons not of the same household maintain six feet of distance. To the extent possible, this system must include a policy that patients wait in their cars for their appointments to be called.
- (d) A gathering at an outdoor pool must not exceed 50% of bather capacity limits described in Rule 325.2193 of the Michigan Administrative Code.
- (e) A gathering at an indoor pool must not exceed 25% of bather capacity limits described in Rule 325.2193 of the Michigan Administrative Code.
- (f) A gathering at non-tribal casinos must not exceed 15% of total occupancy limits established by the State Fire Marshal or a local fire marshal.

4. Food service establishment gathering restrictions.

- (a) In addition to the gathering limits set forth in section 2, gatherings in food service establishments are prohibited as follows:
 - (1) In indoor common areas in which people can congregate, dance, or otherwise mingle;
 - (2) If there is less than six feet of distance between each party;
 - (3) If the number of persons at a table exceeds 6;
 - (4) If the number of patrons in the restaurant exceeds 50% of normal seating capacity;
 - (5) Anywhere alcoholic beverages are sold for consumption onsite, unless parties are seated and separated from one another by at least six feet, and do not intermingle; and
 - (6) If they involve any persons not seated at a table or at the bar top (customers must wait outside the food service establishment if table or bar top seating is unavailable).

- (b) In the event that an employee of a food service establishment is confirmed positive for COVID-19 or shows symptoms of COVID-19 while at work, a gathering at that food service establishment is prohibited until the food service establishment has been deep cleaned consistent with Food and Drug Administration and CDC guidance.

5. Organized sports gathering restrictions. Gatherings for the purpose of organized sports are prohibited unless the gathering meets all the following conditions:

- (a) Athletes wear a face mask (except when swimming), or consistently maintain six feet of physical distance (except for occasional and fleeting moments) when training for, practicing for, or competing in an organized sport. Any sport in which the participants are not able to consistently maintain six feet of distance, (including, for example, football, soccer, basketball, or volleyball) must wear a face mask. Athletes may also fulfill the face mask requirement through compliance with the [MDHHS guidance on Additional Measures for Safer Athletic Practice and Play](#).
- (b) Sports organizers ensure that athletes comply with this section for each organized sporting event; and
- (c) Sports organizers and venues ensure either that the live audience for organized sport competitions is limited to the guests of the athletes (requiring face masks as specified in this order), with each athlete designating up to two guests, or that the event complies with gathering requirements in section 2 of this order.

6. Face mask requirement at gatherings.

- (a) Except as permitted in section 7, all persons participating in non-residential gatherings are required to wear a face mask. Persons participating in residential gatherings are strongly encouraged to wear a face mask.
- (b) Public transit systems, including buses and cars for hire, must require use of face masks, and must enforce physical distancing among all patrons to the extent feasible.
- (c) Except as provided elsewhere in this order, a person responsible for a business, store, office, government office, school, organized event, or other operation, or an agent of such person, must prohibit gatherings of any kind unless the person requires individuals in such gatherings (including employees) to wear a face mask, and denies entry or service to all persons refusing to wear face masks while gathered.
- (d) A person responsible for a business, store, office, government office, school, organized event, or other operation, or an agent of such person, may not assume that someone who enters the facility without a face mask falls within one of the exceptions specified in section 7 of this order, including the exception for individuals who cannot medically tolerate a face mask. An individual's verbal representation that they are not wearing a face mask because they fall within a specified exception, however, may be accepted.
- (e) A person responsible for a child-care organization or camp, or an agent of such person, must not allow gatherings unless face masks are worn by all staff. Children must wear face masks as indicated below:
 - (1) All children 2 years and older when on a school bus or other transportation provided by the child-care organization or camp;
 - (2) All children 4 years and older when in indoor hallways and common areas;

- (3) All children 5 years and older when in classrooms, homes, cabins, or similar indoor settings.

7. Exceptions to face mask requirements. Although a face mask is strongly encouraged even for individuals not required to wear one (except for children under the age of 2), the requirement to wear a face mask in this order does not apply to individuals who:

- (a) Are younger than 5 years old, outside of child-care organization setting (which are subject to requirements set out in section 6(e);
- (b) Cannot medically tolerate a face mask;
- (c) Are eating or drinking while seated at a food service establishment;
- (d) Are exercising outdoors and able to consistently maintain six feet of distance from others;
- (e) Are swimming;
- (f) Are receiving a service for which removal of the face mask is necessary;
- (g) Are asked to temporarily remove a face mask for identification purposes;
- (h) Are communicating with someone who is deaf, deafblind, or hard of hearing and whose ability to see the mouth is essential to communication;
- (i) Are actively engaged in a public safety role, including but not limited to law enforcement, firefighters, or emergency medical personnel, and where wearing a face mask would seriously interfere in the performance of their public safety responsibilities;
- (j) Are at a polling place for purposes of voting in an election;
- (k) Are engaging in a religious service; or
- (l) Are giving a speech for broadcast or to an audience, provided that the audience is at least six feet away from the speaker.

8. Contact tracing requirements for particular gatherings.

- (a) Gatherings are prohibited at the following facilities unless the facility maintains accurate records, including date and time of entry, names of patrons, and contact information, to aid with contact tracing, and denies entry for a gathering to any visitor who does not provide, at a minimum, their name and phone number:
 - (1) All businesses or operations that provide barbering, cosmetology services, body art services (including tattooing and body piercing), tanning services, massage services, or similar personal care services;
 - (2) Recreational sports and exercise facilities, and entertainment facilities (except for outdoor, non-ticketed events), including arenas, cinemas, concert halls, performance venues, sporting venues, stadiums and theaters, as well as places of public amusement, such as amusement parks, arcades, and bingo halls;
- (b) All businesses or operations that provide in-home services, including cleaners, repair persons, painters, and the like must not permit their employees to gather with clients unless the business maintains accurate appointment records, including date and time of service, name of client, and contact information, to aid with contact tracing.

- (c) All dine-in food service establishments must maintain accurate records of the names and phone numbers of patrons who purchase food for consumption on the premises, and the date and time of entry.
- (d) Upon request, businesses, schools, and other facilities must provide names and phone numbers of individuals with possible COVID-19 exposure to MDHHS and local health departments to aid in contact tracing and case investigation efforts.

9. Implementation.

- (a) Nothing in this order modifies, limits, or abridges protections provided by state or federal law for a person with a disability.
- (b) Under MCL 333.2235(1), local health departments are authorized to carry out and enforce the terms of this order.
- (c) Law enforcement officers, as defined in the Michigan Commission on Law Enforcement Standards Act, 1965 Public Act 203, MCL 28.602(f), are deemed to be “department representatives” for purposes of enforcing this order, and are specifically authorized to investigate potential violations of this order. They may coordinate as necessary with the appropriate regulatory entity and enforce this order within their jurisdiction.
- (d) Neither a place of religious worship nor its owner is subject to penalty under this order for allowing religious worship at such place. No individual is subject to penalty under this order for engaging in religious worship at a place of religious worship.
- (e) Consistent with MCL 333.2261, violation of this order is a misdemeanor punishable by imprisonment for not more than 6 months, or a fine of not more than \$200.00, or both.
- (f) The October 9, 2020 order entitled Gathering Prohibition and Mask Order is rescinded. Nothing in this order affects any prosecution or civil citation based on conduct that occurred before the effective date of this order.
- (g) Consistent with any rule or emergency rule promulgated and adopted in a schedule of monetary civil penalties under MCL 333.2262(1) and applicable to this order, violations of this order are also punishable by a civil fine of up to \$1,000 for each violation or day that a violation continues.
- (h) If any provision of this order is found invalid by a court of competent jurisdiction, whether in whole or in part, such decision will not affect the validity of the remaining part of this order.

This order is effective immediately, except for section 8(c), which takes effect on November 2, 2020. This order remains in effect until rescinded. Persons with suggestions and concerns are invited to submit their comments via email to COVID19@michigan.gov.

Date: October 29, 2020



Robert Gordon, Director

Michigan Department of Health and Human Services

Act No. 238
 Public Acts of 2020
 Approved by the Governor
 October 22, 2020
 Filed with the Secretary of State
 October 22, 2020
 EFFECTIVE DATE: October 22, 2020

STATE OF MICHIGAN
 100TH LEGISLATURE
 REGULAR SESSION OF 2020

Introduced by Reps. Filler, Albert, Brann, Allor, Webber, Bellino, Steven Johnson, Paquette, Alexander, Meerman, Slagh, Calley, Lower, Marino, LaFave, Wozniak, Rendon, Markkanen, Maddock, VanSingel, Bollin, Miller, Vaupel, Farrington and Frederick

ENROLLED HOUSE BILL No. 6032

AN ACT to prohibit an employer from taking certain actions against an employee who does not report to work under certain circumstances related to COVID-19; to prohibit an employee from reporting to work under certain circumstances related to COVID-19; to prohibit discrimination and retaliation for engaging in certain activities; and to provide remedies.

The People of the State of Michigan enact:

Sec. 1. As used in this act:

- (a) "Close contact" means being within approximately 6 feet of an individual for 15 minutes or longer.
- (b) "COVID-19" means the novel coronavirus identified as SARS-CoV-2 or a virus mutating from SARS-CoV-2.
- (c) "Employee" means an individual employed by an employer and whose primary workplace is not the individual's residence.
- (d) "Employer" means a person or a state or local governmental entity that employs 1 or more individuals.
- (e) "First responder" means any of the following:
 - (i) A law enforcement officer.
 - (ii) A firefighter.
 - (iii) A paramedic.
- (f) "Health care facility" means any of the following facilities, including those that may operate under shared or joint ownership, and a facility used as surge capacity by any of the following facilities:
 - (i) An entity listed in section 20106(1) of the public health code, 1978 PA 368, MCL 333.20106.
 - (ii) A state-owned hospital or surgical center.
 - (iii) A state-operated outpatient facility.
 - (iv) A state-operated veterans' facility.
- (g) "Person" means an individual, partnership, corporation, association, or other legal entity.
- (h) "Principal symptoms of COVID-19" has the definition provided by order of the director or chief medical executive of the Michigan department of health and human services. In the event that the term is not defined by the director or chief medical executive of the Michigan department of health and human services at the time of an action taken under section 5, principal symptoms of COVID-19 means either or both of the following:
 - (i) One or more of the following not explained by a known medical or physical condition:
 - (A) Fever.

- (B) Shortness of breath.
- (C) Uncontrolled cough.
- (ii) Two or more of the following not explained by a known medical or physical condition:
 - (A) Abdominal pain.
 - (B) Diarrhea.
 - (C) Loss of taste or smell.
 - (D) Muscle aches.
 - (E) Severe headache.
 - (F) Sore throat.
 - (G) Vomiting.

Sec. 3. (1) Except as provided in subsection (2), an employer shall not discharge, discipline, or otherwise retaliate against an employee who does any of the following:

- (a) Complies with section 5, including where an employee who displays the principal symptoms of COVID-19 does not report to work and later tests negative for COVID-19.
- (b) Opposes a violation of this act.
- (c) Reports health violations related to COVID-19.
- (2) Subsection (1) does not apply to an employee described in section 5 who, after displaying the principal symptoms of COVID-19, fails to make reasonable efforts to schedule a COVID-19 test within 3 days after receiving a request from their employer to get tested for COVID-19.

Sec. 5. (1) An employee who tests positive for COVID-19 or displays the principal symptoms of COVID-19 shall not report to work until all of the following conditions are met:

- (a) If the employee has a fever, 24 hours have passed since the fever has stopped without the use of fever-reducing medications.
- (b) Ten days have passed since either of the following, whichever is later:
 - (i) The date the employee's symptoms first appeared.
 - (ii) The date the employee received the test that yielded a positive result for COVID-19.
- (c) The employee's principal symptoms of COVID-19 have improved.
- (2) Except as provided in subsection (3), an employee who has close contact with an individual who tests positive for COVID-19 or with an individual who displays the principal symptoms of COVID-19 shall not report to work until 1 of the following conditions is met:
 - (a) Fourteen days have passed since the employee last had close contact with the individual.
 - (b) The individual with whom the employee had close contact receives a medical determination that they did not have COVID-19 at the time of the close contact with the employee.
- (3) Subsection (2) does not apply to an employee who is any of the following:
 - (a) A health care professional.
 - (b) A worker at a health care facility.
 - (c) A first responder.
 - (d) A child protective service employee.
 - (e) A worker at a child caring institution, as that term is defined in section 1 of 1973 PA 116, MCL 722.111.
 - (f) A worker at an adult foster care facility, as that term is defined in section 3 of the adult foster care facility licensing act, 1979 PA 218, MCL 400.703.
 - (g) A worker at a correctional facility.

Sec. 7. (1) An employee aggrieved by a violation of this act may bring a civil action for appropriate injunctive relief or damages, or both, in the circuit court for the county where the alleged violation occurred or for the county where the employer against whom the action is filed is located or has its principal place of business.

(2) A court shall award to a plaintiff who prevails in an action brought under this act damages of not less than \$5,000.00.

Sec. 9. This act applies to public employers and public employees, except to the extent that it is inconsistent with section 5 of article XI of the state constitution of 1963.

Sec. 10. This act is effective retroactive to March 1, 2020.

Sec. 12. This act does not affect rights, remedies, or protections under the worker's disability compensation act of 1969, 1969 PA 317, MCL 418.101 to 418.941, including the exclusive application of that act.

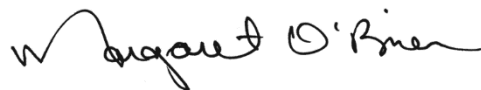
Enacting section 1. This act does not take effect unless all of the following bills of the 100th Legislature are enacted into law:

- (a) House Bill No. 6030.
- (b) House Bill No. 6031.
- (c) House Bill No. 6101.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor

DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY
MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

GENERAL RULES

EMERGENCY RULES

CORONAVIRUS DISEASE 2019 (COVID-19)

Filed with the secretary of state on

These rules take effect upon filing with the secretary of state and shall remain in effect for 6 months.

(By authority conferred on the director of the department of labor and economic opportunity by sections 19, 21, and 24 of the Michigan occupational safety and health act, 1974 PA 154, MCL 408.1019, 408.1021, and 408.1024, and Executive Reorganization Order Nos. 1996-1, 1996-2, 2003-1, 2008-4, 2011-4, and 2019-3, MCL 330.3101, 445.2001, 445.2011, 445.2025, 445.2030, and 125.1998.)

FINDING OF EMERGENCY

These rules are promulgated by the Director of the Michigan Department of Labor and Economic Opportunity to establish requirements for employers to control, prevent, and mitigate the spread of coronavirus disease 2019 (COVID-19) among employees. Based on the best available scientific evidence and public health guidance published by the U.S. Centers for Disease Control (CDC) and other public health authorities, COVID-19 is an infectious disease caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2). SARS-CoV-2 is easily transmitted through the air from person-to-person through respiratory aerosols, and the aerosols can settle and deposit on environmental surfaces where they can remain viable for days. There is currently no approved vaccine or proven effective antiviral treatment for COVID-19. In addition to its contagious nature, COVID-19 is dangerous and deadly. As of October 7, 2020, COVID-19 has infected 130,842 Michiganders and killed 6,847 in less than seven months.

Work, by its nature, removes people from the confines and relative safety of their homes to interact with others who may be carrying the virus including coworkers, customers, patients, or the public at large. Employees who come into contact with others at work are at elevated risk of infection.

Since March 2020, employers have reported 30 worker deaths from COVID-19 in Michigan and 127 in-patient hospitalizations for COVID-19 potentially linked to workplace exposure to SARS-CoV-2. MIOSHA has received over 3,800 complaints from employees alleging uncontrolled COVID-19 hazards in the workplace and 263 referrals from local government, including local health departments, indicating that businesses were not taking all the necessary measures to protect their employees from SARS-CoV-2 infection.

The Legislature has declared that “all employees shall be provided safe and healthful work environments free of recognized hazards.” MCL 408.1009. Employers must provide employees with “a place of employment that is free from recognized hazards that are causing, or are likely to

October 14, 2020

cause, death or serious physical harm to the employee.” MCL 408.1011(a). Nonetheless, Michigan’s experience with COVID-19 demonstrates that the disease can spread rapidly without protective measures and standards in place. Workplaces, where employees, customers, and members of the public congregate, pose a particular threat for COVID-19’s spread. To mitigate and limit COVID-19’s spread in workplaces and to protect employees across Michigan, it is necessary to impose these rules and standards.

Businesses must do their part to protect employees, their patrons, and their communities. Many businesses have already done so by implementing robust safeguards to prevent viral transmission. But we can and must do more: no one should feel unsafe at work. Pursuant to section 21(2) of the Michigan occupational safety and health act, 1974 PA 154, MCL 408.1021, I find that these emergency rules are necessary to protect employees during the ongoing COVID-19 pandemic.

Based on the best available scientific evidence and public health guidance available regarding the spread of COVID-19 in the workplace, I find that these emergency rules are necessary to protect employees. If the non-emergency rulemaking process specified in the administrative procedures act of 1969 (APA), 1969 PA 306, MCL 24.201 to 24.328, for the promulgation of rules was followed, employees across Michigan may be unnecessarily exposed to SARS-CoV-2 during the rule promulgation process. Further, existing MIOSHA rules do not directly address COVID-19’s spread in the workplace and employees are likely to experience an increased probability of infection at work until the protective measures in this rule are in place. Accordingly, following the non-emergency rulemaking process would undermine the effectiveness of Michigan’s emergency response to COVID-19, and expose Michigan workers to a higher risk of contracting the disease in their places of employment.

The Director, therefore, for the preservation of the public health, safety, and welfare, finds that a clear and convincing need exists for the promulgation of emergency rules as provided in section 48 of the APA, MCL 24.248, without following the notice and participation procedures required by sections 41 and 42 of the APA, MCL 24.241 and 24.242.

Rule 1. Scope and application.

These rules apply to all employers covered in the Michigan occupational safety and health act, 1974 PA 154, MCL 408.1001 to 408.1094.

Rule 2. Definitions.

(1) As used in these rules:

- (a) “Close contact” means someone who was within 6 feet of an infected person for at least 15 minutes starting from 2 days before illness onset (or, for asymptomatic patients, 2 days prior to specimen collection) until the time the person is isolated.
- (b) “COVID-19” means coronavirus disease 2019, a severe acute respiratory disease characterized by symptoms including fever, cough, fatigue, and shortness of breath which may progress to pneumonia, multi-organ failure, and death.
- (c) “Known cases of COVID-19” means persons who have been confirmed through diagnostic testing to have COVID-19.
- (d) “SARS-CoV-2” means severe acute respiratory syndrome coronavirus 2, the virus which is the causative agent of COVID-19.
- (e) “Suspected cases of COVID-19” means persons who have symptoms of COVID-19 but have not been confirmed through diagnostic testing or persons who have had close contact with a person who has been confirmed through diagnostic testing to have COVID-19.

Rule 3. Exposure determination for all employers.

- (1) The employer shall evaluate routine and reasonably anticipated tasks and procedures to determine whether there is actual or reasonably anticipated employee exposure to SARS-CoV-2.
- (2) The employer shall categorize jobs tasks and procedures into the following risk categories:
 - (a) Lower exposure risk job tasks and procedures. These job tasks and procedures are those that do not require contact with people known to be or suspected of being infected with SARS-CoV-2 nor frequent close contact (e.g., within 6 feet) with the general public. Workers in this category have minimal occupational contact with the public and other coworkers.
 - (b) Medium exposure risk job tasks and procedures. These job tasks and procedures include those that require frequent or close contact (e.g., within 6 feet) with people who may be infected with SARS-CoV-2, but who are not known or suspected COVID-19 patients. In areas without ongoing community transmission, workers in this risk group may have frequent contact with travelers who may return from locations with widespread SARS-CoV-2 transmission. In areas where there is ongoing community transmission, workers in this category may have contact with the general public (e.g., schools, high-population-density work environments, high-volume retail settings).
 - (c) High exposure risk job tasks and procedures. These job tasks and procedures are those with high potential for exposure to known or suspected sources of COVID-19. Workers in this category could include licensed health care professionals, medical first responders, nursing home employees, law enforcement, correctional officers, or mortuary workers.
 - (d) Very high exposure risk job tasks and procedures. These job tasks and procedures are those with high potential for exposure to known or suspected sources of COVID-19 during specific medical, postmortem, or laboratory procedures. Workers in this category can include:
 - (i) Healthcare workers (e.g., doctors, nurses, dentists, paramedics, emergency medical technicians) performing aerosol-generating procedures (e.g., intubation, cough induction procedures, bronchoscopies, some dental procedures and exams, or invasive specimen collection) on known or suspected COVID-19 patients.
 - (ii) Health care or laboratory personnel collecting or handling specimens from known or suspected COVID-19 patients (e.g., manipulating cultures from known or suspected COVID-19 patients).
 - (iii) Morgue workers performing autopsies, which generally involve aerosol-generating procedures, on the bodies of people who are known to have or are suspected of having COVID-19 at the time of their death.

Rule 4. COVID-19 preparedness and response plan for all employers.

- (1) The employer shall develop and implement a written COVID-19 preparedness and response plan, consistent with the current guidance for COVID-19 from the US Centers for Disease Control and Prevention (CDC) and recommendations in “Guidance on Preparing Workplaces for COVID-19,” developed by the Occupational Health and Safety Administration (OSHA).
- (2) The preparedness and response plan shall include the employee exposure determination from Rule 3 and shall detail the measures the employer will implement to prevent employee exposure, including any:
 - (a) Engineering controls.

- (b) Administrative controls.
 - (c) Basic infection prevention measures.
 - (d) Personal protective equipment.
 - (e) Health surveillance.
 - (f) Training.
- (3) The employer shall make the preparedness and response plan readily available to employees and their representatives, whether via website, internal network, or by hard copy.

Rule 5. Basic infection prevention measures for all employers.

- (1) The employer shall promote frequent and thorough hand washing, including by providing workers, customers, and worksite visitors with a place to wash their hands. If soap and running water are not immediately available, provide antiseptic hand sanitizers or alcohol-based hand towelettes containing at least 60 percent alcohol.
- (2) The employer shall require workers who are sick to not report to work or work in an isolated location.
- (3) The employer shall prohibit workers from using other workers' phones, desks, offices, or other work tools and equipment, when possible.
- (4) The employer shall increase facility cleaning and disinfection to limit exposure to SARS-CoV-2, especially on high-touch surfaces (e.g., door handles), paying special attention to parts, products, and shared equipment (e.g., tools, machinery, and vehicles).
- (5) The employer shall establish procedures for disinfection in accordance with CDC guidance if it is suspected or confirmed that an employee, visitor, or customer has a known case of COVID-19.
- (6) The employer shall use Environmental Protection Agency (EPA)-approved disinfectants that are expected to be effective against SARS-CoV-2 based on data for harder to kill viruses.
- (7) The employer shall follow the manufacturer's instructions for use of all cleaning and disinfection products (e.g., concentration, application method and contact time, and personal protective equipment).
- (8) The employer shall create a policy prohibiting in-person work for employees to the extent that their work activities can feasibly be completed remotely.

Rule 6. Health surveillance for all employers.

- (1) The employer shall conduct a daily entry self-screening protocol for all employees or contractors entering the workplace, including, at a minimum, a questionnaire covering symptoms and suspected or confirmed exposure to people with possible COVID-19, together with, if possible, a temperature screening.
- (2) The employer shall direct employees to promptly report any signs and symptoms of COVID-19 to the employer before or during the work shift.
- (3) The employer shall physically isolate any employees known or suspected to have COVID-19 from the remainder of the workforce, using measures such as, but not limited to:
 - (a) Not allowing known or suspected cases to report to work.
 - (b) Sending known or suspected cases away from the workplace.
 - (c) Assigning known or suspected cases to work alone at a remote location (for example, their home), as their health allows.
- (4) When an employer learns of an employee, visitor, or customer with a known case of COVID-19, the employer shall:
 - (a) Immediately notify the local public health department, and

- (b) Within 24 hours of learning of the known case, notify any co-workers, contractors, or suppliers who may have come into contact with the person with a known case of COVID-19.
- (5) The employer shall allow employees with a known or suspected case of COVID-19 to return to the workplace only after they are no longer infectious according to the latest guidelines from the CDC and they are released from any quarantine or isolation order by the local public health department.

Rule 7. Workplace controls for all employers.

- (1) The employer shall designate one or more worksite COVID-19 safety coordinators to implement, monitor, and report on the COVID-19 control strategies developed under these rules. The COVID-19 safety coordinator must remain on-site at all times when employees are present on site. An on-site employee may be designated to perform the COVID-19 safety coordinator role.
- (2) The employer shall place posters in the languages common in the employee population that encourage staying away from the workplace when sick, cough and sneeze etiquette, and proper hand hygiene practices.
- (3) The employer shall keep everyone on the worksite premises at least 6 feet from one another to the maximum extent possible and to reduce congestion, including using ground markings, signs, and physical barriers, as appropriate to the worksite.
- (4) The employer shall provide non-medical grade face coverings to their employees at no cost to the employee.
- (5) The employer shall require face coverings to be worn when employees cannot consistently maintain 6 feet of separation from other individuals in the workplace and consider face shields when employees cannot consistently maintain 3 feet of separation from other individuals in the workplace.
- (6) The employer shall require face coverings in shared spaces, including during in-person meetings and in restrooms and hallways.

Rule 8. Personal protective equipment requirements for all employers.

- (1) The employer shall provide employees with the types of personal protective equipment, including respirators if necessary, for protection from SARS-CoV-2 appropriate to the exposure risk associated with the job. The employer must follow current CDC and OSHA guidance for personal protective equipment.
- (2) The employer shall ensure that the personal protective equipment is properly fitted and worn; used consistently; regularly inspected, maintained, and replaced, as necessary; and properly removed, cleaned, and stored or disposed of to avoid contamination of self, others, or the work environment.
- (3) In establishments that provide medical treatment or housing to known or suspected cases of COVID-19, the employer shall ensure that employees in frequent or prolonged close contact with such cases are provided with and wear, at a minimum, an N95 respirator, goggles or face shield, and a gown.

Rule 9. Industry-specific requirements. An employer of a business, operation, or facility in the industry sectors named below shall comply with the following requirements specific for its business, operation, or facility.

- (1) **Construction.** Businesses or operations in the construction industry must:
 - (a) Create dedicated entry point(s) at every worksite, if possible, for daily screening as provided in Rule 6 of these rules, or in the alternative issue stickers or other indicators to employees to show that they received a screening before entering the worksite that day.

- (b) Identify choke points and high-risk areas where employees must stand near one another (such as hallways, hoists and elevators, break areas, water stations, and buses) and control their access and use (including through physical barriers) so that social distancing is maintained.
 - (c) Create protocols for minimizing personal contact upon delivery of materials to the worksite.
- (2) **Manufacturing.** Manufacturing facilities must:
 - (a) Create dedicated entry point(s) at every facility for daily screening and ensure physical barriers are in place to prevent anyone from bypassing the screening.
 - (b) Create protocols for minimizing personal contact upon delivery of materials to the facility.
- (3) **Retail, libraries, and museums.** Retail stores that are open for in-store sales, as well as libraries and museums, must:
 - (a) Create communications material for customers (e.g., signs or pamphlets) to inform them of changes to store practices and to explain the precautions the store is taking to prevent infection.
 - (b) Require patrons to wear a face covering (unless the patron is unable medically to tolerate a face covering).
 - (c) Post signs at store entrances instructing customers to wear a face covering when inside the store.
 - (d) Post signs at store entrances informing customers not to enter if they are or have recently been sick.
 - (e) Design spaces and store activities in a manner that encourages employees and customers to maintain 6 feet of distance from one another.
 - (f) Install physical barriers at checkout or other service points that require close interaction, including plexiglass barriers, tape markers, or tables.
 - (g) Establish an enhanced cleaning and sanitizing protocol for high-touch areas like restrooms, credit-card machines, keypads, counters, shopping carts, and other surfaces.
- (4) **Restaurants and bars.** Restaurants and bars must:
 - (a) Require 6 feet of separation between parties or groups at different tables or bar tops (e.g., spread tables out, use every other table, remove or put up chairs or barstools that are not in use).
 - (b) Require patrons to wear a face covering except when seated at their table or bar top (unless the patron is unable medically to tolerate a face covering).
 - (c) Prohibit access to common areas in which people can congregate.
 - (d) Create communications material for customers (e.g., signs, pamphlets) to inform them of changes to restaurant or bar practices and to explain the precautions that are being taken to prevent infection.
 - (e) Post signs at all entrances informing customers not to enter if they are or have recently been sick.
 - (f) Post signs instructing customers to wear face coverings until they are seated at their table.
 - (g) Require hosts, servers, and staff to wear face coverings in the dining area in addition to areas where social distancing cannot be maintained.
- (5) **Health care.** Health facilities or agencies, including outpatient health-care facilities, clinics, primary care physician offices, dental offices, and veterinary clinics, must:
 - (a) Post signs at entrance(s) instructing patients to wear a face covering when in the facility, except as necessary for identification or to facilitate an examination or procedure.

- (b) Limit waiting-area occupancy to the number of individuals who can be present while staying 6 feet away from one another and ask patients, if possible, to wait in cars for their appointment to be called.
- (c) Mark or arrange waiting rooms to enable 6 feet of social distancing (e.g., by placing X's on the ground and/or removing seats in the waiting room).
- (d) Conduct a common screening protocol for all patients, including a temperature check and questions about COVID-19 symptoms.
- (e) Place hand sanitizer and face coverings at patient entrances.
- (f) Require patients to wear a face covering when in the facility, except as necessary for identification or to facilitate an examination or procedure.
- (g) Install physical barriers at sign-in, temperature screening, or other service points that normally require personal interaction (e.g., plexiglass, cardboard, tables).
- (6) **In-home services.** All businesses or operations that provide in-home services, including cleaners, repair persons, painters, and the like, must:
 - (a) Maintain accurate appointment record, including date and time of service, name of client, and contact information, to aid with contact tracing.
 - (b) Prior to entering the home, inquire with the customer whether anyone in the household has been diagnosed with COVID-19, is experiencing symptoms of COVID-19, or has had close contact with someone who has been diagnosed with COVID-19. If so, the business or operation must reschedule for a different time.
- (7) **Personal-care services.** All businesses or operations that provide barbering, cosmetology services, body art services (including tattooing and body piercing), tanning services, massage services, or similar personal-care services must:
 - (a) Post signs at all entrances instructing customers to wear a face covering when inside the facility.
 - (b) Post signs at all entrances informing customers not to enter if they are or have recently been sick.
 - (c) Restrict entry to customers, to a caregiver of those customers, or to the minor dependents of those customers.
 - (d) Limit waiting-area occupancy to the number of individuals who can be present while staying 6 feet away from one another and ask customers, if possible, to wait in cars for their appointment to be called.
 - (e) Discard magazines in waiting areas and other non-essential, shared items that cannot be disinfected.
 - (f) Mark or arrange waiting rooms to enable 6 feet of social distancing (e.g., by placing X's on the ground and/or removing seats in the waiting room).
 - (g) Require employees and customers to wear a face covering at all times, except that customers may temporarily remove a face covering when receiving a service that requires its removal. During services that require a customer to remove their face covering, an employee must wear a face shield or goggles in addition to the face covering.
- (8) **Public accommodations.** Sports and entertainment facilities, including arenas, cinemas, concert halls, performance venues, sporting venues, stadiums and theaters, as well as places of public amusement, such as amusement parks, arcades, bingo halls, bowling alleys, night clubs, skating rinks, and trampoline parks, must:
 - (a) Post signs at all entrances instructing customers to wear a face covering when inside the facility.
 - (b) Post signs outside of entrances informing customers not to enter if they are or have recently been sick.
 - (c) Require patrons to wear a face covering (unless the patron is unable medically to tolerate a face covering).

- (d) Establish crowd-limiting measures to meter the flow of patrons (e.g., digital queuing, delineated waiting areas, parking instructions, social distance markings on ground or cones to designate social distancing).
- (e) For sports and entertainment facilities, establish safe exit procedures for patrons (e.g., dismiss groups based on ticket number, row).
- (9) **Sports and exercise facilities.** Gymnasiums, fitness centers, recreation centers, exercise facilities, exercise studios, bowling alleys, roller rinks, ice rinks, and like facilities must:
 - (a) Post signs at all entrances instructing customers to wear a face covering when inside the facility.
 - (b) Post signs outside of entrances instructing individuals not to enter if they are or have recently been sick.
 - (c) Mandate wearing of facial coverings at all times except when swimming.
 - (d) Provide equipment-cleaning products throughout the facility for use on equipment.
 - (e) Ensure that ventilation systems operate properly.
- (10) **Meat and poultry processing.** Meat and poultry processing plants must:
 - (a) Create at least 1 dedicated entry point at every facility for daily screening and ensure physical barriers are in place to prevent anyone from bypassing the screening.
 - (b) Provide clean face coverings or disposable mask options for employees to use when the coverings become wet, soiled, or otherwise visibly contaminated over the course of a workday.
- (11) **Casinos.** Casinos must:
 - (a) Post signs at all entrances instructing customers to wear a face covering when inside the facility.
 - (b) Designate entry points and exit points with extensive signage of the directional flow of patrons.
 - (c) Place signs at each entrance point, cage, and throughout the casino reminding patrons of CDC guidelines for social distancing practices, proper washing of hands, wearing face coverings, and to stay at home if feeling ill or sick.
 - (d) Conduct a daily entry screening protocol for customers and any other individuals entering the facility, including a questionnaire covering symptoms and suspected or confirmed exposure to people with possible COVID-19, together with temperature screening.
 - (e) Require patrons to wear a face covering, except while eating or drinking or for identification purposes.

Rule 10. Training requirements for all employers.

- (1) The employer shall provide training to employees on SARS-CoV-2 and COVID-19.
- (2) The employer shall provide any communication and training on COVID-19 infection control practices in the primary languages common in the employee population.
- (3) The training shall cover:
 - (a) Workplace infection-control practices.
 - (b) The proper use of personal protective equipment.
 - (c) Steps the employee must take to notify the business or operation of any symptoms of COVID-19 or a suspected or confirmed diagnosis of COVID-19.
 - (d) How to report unsafe working conditions.
- (4) The employer shall provide updated training if it changes its preparedness and response plan or new information becomes available about the transmission of SARS-CoV-2 or diagnosis of COVID-19.

Rule 11. Recordkeeping requirements for all employers.

- (1) Employers must maintain a record of the following requirements:
 - (a) Training. The employer shall maintain a record of all COVID-19 employee training.
 - (b) Screening protocols. The employer shall maintain a record of screening for each employee or visitor entering the workplace.
 - (c) Records of required notifications. The employer shall maintain a record of each notification required by Rule 6 of these rules.
- (2) Employers must maintain records for 1 year from time of generation.

DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY

10/14/2020
Date

Sean Egan
Sean Egan
Director COVID Workplace Safety

Pursuant to Section 48(1) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.248(1), I hereby concur in the finding of the Department of Labor and Economic Opportunity that circumstances creating an emergency have occurred and the public interest requires the promulgation of the above rules.

10/14/2020
Date

Gretchen Whitmer
Honorable Gretchen Whitmer
Governor

[illegible]

Set up a MI Symptom Account

<https://misymptomapp.state.mi.us/>

At the top right corner use the **Login** Button

Another window will open and you will need to go to the bottom and click “sign Up”

Enter your email address and a password

You will need to enter:

Name

Phone Number (your own)

Home address (Include City and State)

Birthdate

Work Address 114 N. Woodhull, Laingsburg, MI 48848

Enter Employer Code 7250-2128

LOGIN BEFORE WORK – MISYMPTOMAPP.STATE.MI.US

Complete the MI Symptom check before entering the workplace each day – this is required



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**Resolution No. 2013
11/09/2020**

RESOLUTION 2013 - EXEMPTION

RESOLUTION TO ADOPT THE ANNUAL EXEMPTION OPTION AS SET FORTH IN 2011 PUBLIC ACT 152, THE PUBLICLY FUNDED HEALTH INSURANCE CONTRIBUTION ACT

The following resolution was moved by _____ and supported by _____ at the November 9, 2020 Regularly Scheduled City Council Meeting:

WHEREAS, 2011 Public Act 152 (the “Act”) was passed by the State Legislature and signed by the Governor on September 24, 2011;

WHEREAS, the Act contains three options for complying with the requirements of the Act;

WHEREAS, the three options are as follows:

- 1) Section 3 - “Hard Caps” Option - limits a public employer's total annual health care costs for employees based on coverage levels, as defined in the Act;
- 2) Section 4 - “80%/20%” Option - limits a public employer's share of total annual health care costs to not more than 80%. This option requires an annual majority vote of the governing body;
- 3) Section 8 - “Exemption” Option - a local unit of government, as defined in the Act, may exempt itself from the requirements of the Act by an annual 2/3 vote of the governing body;

WHEREAS, the Laingsburg City Council has decided to adopt the annual Exemption option as its choice of compliance under the Act;

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Laingsburg elects to comply with the requirements of 2011 Public Act 152, the Publicly Funded Health Insurance Contribution Act, by adopting the annual Exemption option for the medical benefit plan coverage year January 1, 2021 through December 31, 2021.

Upon a call of the roll, the vote was as follows:

Ayes:

Nays:

Absent: None.

RESOLUTION DECLARED ADOPTED.

Micheal Culpepper, Mayor
City of Laingsburg

Paula Willoughby, Clerk
City of Laingsburg



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TREASURY

RACHAEL EUBANKS
STATE TREASURER

March 18, 2020

**PUBLIC EMPLOYER CONTRIBUTIONS TO MEDICAL BENEFIT PLANS
ANNUAL COST LIMITATIONS – CALENDAR YEAR 2021**

For a medical benefit plan coverage year beginning on or after January 1, 2012, MCL 15.563, as last amended by 2018 Public Act 477, sets a limit on the amount that a public employer may contribute to a medical benefit plan.


For medical benefit plan coverage years beginning on or after January 1, 2013, MCL 15.563 provides that the dollar amounts that are multiplied by the number of employees with each coverage type be adjusted annually. Specifically, the dollar amounts shall be adjusted, by October 1 of each year after 2011 and before 2019, by the change in the medical care component of the United States consumer price index for the most recent 12-month period for which data are available. By April 1 of each year after 2018, the dollar amounts shall be adjusted by the change in the medical care component of the U.S. consumer price index for the most recent 12-month period for which data are available. For calendar year 2020, the limit on the amount that a public employer may contribute to a medical benefit plan was set to the sum of the following:

- \$ 6,818.87 times the number of employees and elected public officials with single-person coverage
- \$14,260.37 times the number of employees and elected public officials with individual-and-spouse coverage or individual-plus-1-nonspouse-dependent coverage
- \$18,596.96 times the number of employees and elected public officials with family coverage.

The limits for 2021 equal the 2020 limits increased by **3.3 percent**. The 3.3 percent is the percentage change in the medical care component from the period March 2018-February 2019 to the period March 2019-February 2020.

Thus, for medical benefit plan coverage years beginning on or after January 1, 2021, the limit on the amount that a public employer may contribute to a medical benefit plan equals the sum of the following:

- **\$ 7,043.89** times the number of employees and elected public officials with single-person coverage
- **\$ 14,730.96** times the number of employees and elected public officials with individual -and-spouse coverage or individual-plus-1-nonspouse-dependent coverage
- **\$ 19,210.66** times the number of employees and elected public officials with family coverage.


Rachael Eubanks
State Treasurer

March 18, 2020

BILLS

As of today: 11/5/2020

(Additional bills will be added that arrive between
now and the meeting)

Motion to pay the bills: for October 2020

Checks 41329– 41361 in the amount of \$43,228.16
dated 10/13/2020-11/5/2020

E-Checks dated 10/1/2020 - 10/31/2020 in the
amount of \$18,054.63

Tax Distributions paid \$15,036.25

Roll call vote to pay the Bills:

11/05/2020 01:09 PM
User: CASSY
DB: LAINGSBURG

CHECK REGISTER FOR CITY OF LAINGSBURG
CHECK NUMBERS 41329 - 41361

Page: 1/1

Item 10.

Check Date	Bank	Check	Vendor	Vendor Name	Amount
Bank POOL ALL CASH ACCOUNT POOLED					
10/13/2020	POOL	41329	00627	SHIAWASSEE COUNTY TREASURER	3,428.52
10/16/2020	POOL	41330	00057	BAKER & TAYLOR	439.02
10/16/2020	POOL	41331	01469	NORTHERN CONSULTANTS INC	1,180.00
10/16/2020	POOL	41332	01499	REVITALIZE, LLC	2,520.00
10/16/2020	POOL	41333	01227	THE LIBRARY NETWORK	38.00
10/16/2020	POOL	41334	01181	WOW ! BUSINESS	1,482.15
10/16/2020	POOL	41335	00802	XEROX CORPORATION	139.20
10/20/2020	POOL	41337	00627	SHIAWASSEE COUNTY TREASURER	2,000.22
11/09/2020	POOL	41338	00030	AMERICAN RENTALS, INC.	100.00
11/09/2020	POOL	41339	00100	C2AE	3,131.19
11/09/2020	POOL	41340	00100	C2AE	444.76
11/09/2020	POOL	41341	00133	COATINGS UNLIMITED	4,755.00
11/09/2020	POOL	41342	00173	DALTON ELEVATOR	10.00
11/09/2020	POOL	41343	01308	Daniel J. DEKORTE	57.65
11/09/2020	POOL	41344	00192	DETROIT SALT COMPANY	3,185.90
11/09/2020	POOL	41345	01238	Election Source	123.50
11/09/2020	POOL	41346	01069	First Bankcard	664.99
11/09/2020	POOL	41347	01069	First Bankcard	1,408.50
11/09/2020	POOL	41348	01069	First Bankcard	695.55
11/09/2020	POOL	41349	00289	HSC SERVICES INC	2,850.00
11/09/2020	POOL	41350	01191	JS Tooling	94.00
11/09/2020	POOL	41351	00331	KEN'S TREE CARE	672.00
11/09/2020	POOL	41352	00371	LANDSCAPE ARCHITECTS&PLANNERS	5,000.00
11/09/2020	POOL	41353	00434	MICHIGAN COMPANY INC (MICHCO)	93.64
11/09/2020	POOL	41354	00874	MICHIGAN MUNICIPAL LEAGUE	150.00
11/09/2020	POOL	41355	01396	MICHIGAN MUNICIPAL TREASURERS	75.00
11/09/2020	POOL	41356	01350	NuSystems LLC	4,481.82
11/09/2020	POOL	41357	00932	Preston Community Services, LLC	2,941.25
11/09/2020	POOL	41358	00632	SHIAWASSEE CO. ROAD COMMISSION	416.64
11/09/2020	POOL	41359	00666	STAPLES CREDIT PLAN	217.30
11/09/2020	POOL	41360	00771	THE WEEKLY	309.00
11/09/2020	POOL	41361	00018	VERIZON WIRELESS	123.36

POOL TOTALS:

Total of 32 Checks:	43,228.16
Less 0 Void Checks:	0.00
Total of 32 Disbursements:	43,228.16

11/03/2020 11:19 AM
User: CASSY
DB: LAINGSBURG

CHECK REGISTER FOR CITY OF LAINGSBURG
CHECK DATE FROM 10/01/2020 - 10/31/2020

Page: 1/1

Item 10.

Check Date	Bank	Check	Vendor	Vendor Name	Amount
Bank POOL ALL CASH ACCOUNT POOLED					
10/08/2020	POOL	985 (E)	01264	CONSUMERS ENERGY	3,111.91
10/08/2020	POOL	986 (E)	00262	GRANGER	261.16
10/08/2020	POOL	987 (E)	00648	SEWER OPERATIONS & MAINT. FUN	150.00
10/13/2020	POOL	988 (E)	00808	CITY OF LAINGSBURG	5,503.96
10/15/2020	POOL	997 (E)	01348	EFTPS	207.65
10/20/2020	POOL	989 (E)	00064	BASIC	77.25
10/20/2020	POOL	990 (E)	00808	CITY OF LAINGSBURG	4,103.55
10/20/2020	POOL	991 (E)	01444	WEX BANK	727.47
10/20/2020	POOL	992 (E)	01237	Daystarr Communications	296.62
10/21/2020	POOL	993 (E)	01260	ALLSTATE	121.52
10/21/2020	POOL	994 (E)	01165	The Standard	201.71
10/30/2020	POOL	996 (E)	01370	FLEX PAYOUT	3,291.83

POOL TOTALS:

Total of 12 Checks:	18,054.63
Less 0 Void Checks:	0.00
Total of 12 Disbursements:	18,054.63



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P.O. Box 178 114 WOODHULL ST. LAINGSBURG, MICHIGAN 48848-0178
PHONE (517) 651-5374 FAX (517) 651-5604

DOWNTOWN DEVELOPMENT AUTHORITY
Laingsburg, MI 48848
Remote Meeting Minutes
October 26, 2020

The regular meeting of the Laingsburg Downtown Development Authority was called to order remotely, at 6:02 p.m. via Zoom.

Present: Darr, Woods, Hunt, Shinsky, Brink, Culpepper, Budnick and Ridsdale

Absent: Kribs

Also Present: Paula Willoughby, Clerk/Treasurer, David Casler, DPW

There was no public comment

Moved by Ridsdale, supported by Hunt to approve the minutes of the September 28, 2020 meeting. All in favor, Motion carried.

Moved by Culpepper, supported by Hunt to approve the Treasurer's report for September. All in favor, Motion carried.

Moved by Culpepper, supported by Woods to approve an off-cycle application from Rose Villa for Face Forward Improvement funding for up to \$5,000. The project is approved contingent upon the applicant submitting at least two bids prior to reimbursement. Roll call vote: Ayes: Darr, Woods, Hunt, Shinsky, Brink, Culpepper, Budnick and Ridsdale. Nays: None. Absent: Kribs. Motion carried.

MSU Extension presented with a one-year follow-up to the First Impressions Tourism (FIT) Assessment that was completed in 2019. The discussion revolved around what has changed in Laingsburg since the assessment and actions that were taken as a result of the FIT Assessment. The program did encourage improvements such as: outdoor seating and planters, Laingsburg Historical Page (social media), Amphitheater, Website updates with a visitor section and links to businesses with a QR code as well as a new Historical Sign that has been delivered, but will not be installed until a later date.

7:00pm Woods left the meeting

7:10pm Shinsky left the meeting

Meeting adjourned at 7:50p.m.

Paula Willoughby
Clerk/Treasurer



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PHONE (517) 651-5374 • FAX (517) 651-5604 • www.laingsburg.us

Item 11.

DPW committee meeting

October 26, 2020

5:30pm council chambers

Members present: Marcie Nickols, Alan Ducastel

Absent: David Rhodabeck

Also, present: David Casler

Meeting called to order: 5:34pm

Public comment: n/a

- Leaf pick up: ongoing
- Sidewalk/driveway project: prepping scheduled to pour 11/6/2020
- Lagoon discharges: cell#3 discharged and cell #1 currently discharging
- Parks: status McClintock, winterizing of bates: winterizing held off first week of November, will be closing week of Nov.9th
- Training -RoadSoft: Dave, Nick took an update/refresher class
- Tube heater: police department ordered: heater has been installed in police dept garage
- Cemetery: has been busy footings are caught up no more will be poured till spring 2021
- Winter equip: starting in next couple weeks we will be setting salter and checking all blades and oil changes.
- Lights: will be removing banners for holiday lighting any time after 11/3/2020

Library Board Meeting
Held at City Hall and via zoom
October 15, 2020

Meeting in session at 7:10pm

Present:

Gail Geasler
Rebekah Allen
Jennifer Sergeant
Bethany Fulford
Sandra Chavez

Visitors:

Dean and Sue Starkey

Approval of September 2020 regular meeting minutes. Motion made by Jennifer Sergeant. Beth Fulford does 2nd.

Approval of October bills of \$1,959.17 that cover a bit still missing from July 2020 (verified by Sandra) and the annual phone and internet costs. Motion made by Rebekah Allen and 2nd by Beth Fulford. All in favor

Directors report – Discussion on any emergency by a single worker at the library. They are to put a sign out and call another person to work. If that person can't work, the library can close and the person having a non-emergency is to post on the website of the closure. Discussed Sandra closing the library during her unpaid lunch hour. Some requests for maintenance have been filled, but others may not be pushed back to next year (bricks falling). Discussion with City Council is that we will now use work-order type requests to put everything in writing and in duplicates.

Secretary report - none

Unfinished business – none

New business – Singh Building – willing to sell for \$75K. Building is rough. We would need to look into: Who would own it? Who would do the rehab? Would the upstairs be rented? Rebekah Allen to motion to investigate this building. Second by Beth Fulford. Will get with City on how to proceed.

Building Fund: all agree that the building funds should be used for only large building remodel/redo; not maintenance or upkeep. Also, Lease agreement to review.

Friends of the Library – Would like to emphasis that the coverage of the Overdrive software will likely be covered, but it has not been decided yet. Winterfest is a go; it will be a weeklong event with a parade. No silent auction this year due to COVID19; no online auction due to the amount of work that takes.

Meeting ends 7:48pm. Minutes taken by Jennifer Sergeant

City Of Laingsburg

Library Lease / Service Agreement

THIS LIBRARY LEASE / SERVICES AGREEMENT ("Agreement") is made this _____ day of _____, 20__, by and between the CITY OF ("City"), whose address is 114 Woodhull St. and the PUBLIC LIBRARY ("Library"), whose address is 255 E. Grand River Rd.

(1) **Premises:** The City, in consideration of the fee to be paid and the covenants and agreements to be performed by the Library, does hereby lease unto the Library those certain premises and building situated on the City's property located at 255 E. Grand River Rd, Laingsburg, Michigan and more particularly described as the Laingsburg Public Library ("Premises").

(2) **Length of Term:** The City hereby leases the Premises to the Library for a term beginning January, 1, 20__, and ending at midnight on December 31, 20__ ("Term"). During the term, the Library shall have and hold, together with appurtenances, the above described Premises subject to the terms and conditions as herein set forth.

(3) **Services:** The City shall provide to the Library during the term of the Agreement the following services:

- (a) Collection of taxes;
- (b) Accounting for the revenues and expenditures to the Library;
- (c) Preparing the payroll of the Library and processing the expense reimbursement requests of Library employees;
- (d) Maintaining the employee benefits of the Library employees;
- (e) Maintaining City insurance policies on Library real property

and

- public liability;
- (f) Custodial services and maintaining the building, premises and appurtenances of the Laingsburg Public Library as provided in Sections 5 and 7 of this Agreement;
- (g) Cable television service and telephone service at the levels and

cost in existence at the time this Agreement is executed by
both the
City and Library

The City shall provide the above mentioned services and benefits in the same manner and quality as those provided to employees and for property of the City itself. The City's provision of the above-mentioned services and benefits shall be in accordance with

Page 1 of 6

established City policies, procedures and requirements and the Library and Library employees shall comply with the established City policies, procedures and requirements with respect to the above-mentioned services and benefits. At any time when a Library policy may be in conflict with those of the City as the policy relates to services provided by the City, the City's policy(ies) shall prevail. Nothing in this Agreement shall be construed and interpreted that Library employees are employees of the City and at all times during the term of this Agreement, Library employees shall be employees of the Library and not employees of the City.

(4) **Use of Premises:** It is understood and agreed between the parties hereto that the said premises during the continuance of this term may be used and occupied for Library purposes and for no other purpose or purposes. It is further understood that all common areas, including, but not limited to, storage areas, parking areas and grounds, shall be owned by the City, and the parties share the use of the same during the term of this Agreement. The City shall retain the right to limited access to the use of meeting rooms for whatever purposes it deems appropriate, at no charge to the City, which is not in conflict with those meetings / events scheduled by the Library.

The Library shall promptly comply with all laws, ordinances, lawful orders, policies, procedures and regulations of the City and other applicable governmental entities affecting the premises, in the cleanliness, safety, occupation and use of same. In effecting such compliance, the Library may require the cooperation and consent of the City, which cooperation and consent shall not be unreasonably withheld.

(5) **Care of Premises:** The City shall keep the premises, including the

sidewalks and landscaped areas adjacent to the premises, clean and free from trash, garbage, rubbish and dirt and shall store all trash, rubbish and garbage within the premises and arrange for the regular pick-up of such trash, rubbish and garbage at the City's expense. As part of its regular maintenance of its grounds, the city shall remove ice and snow from sidewalks adjacent to the remises. The Library agrees no to perform any acts or carry on any practices which may injure the building or be a nuisance or menace to other occupants of the City's Municipal Campus.

(6) **Utility Services:** The City agrees to provide and maintain the necessary mains and conduits in order that water and sewer facilities, gas and electricity may be available on the premises, and the City shall promptly pay any charges for the use of such utilities by the Library at their general current levels of use. Any cost increases associated with cable and telephone services, either by upgrade directed by the Library or through service provider increases, shall be borne by the Library. Any dispute arising out of any utility not provided by the City, cable or telephone charge is between the Library and the provider.

Page 2 of 6

(7) **Maintenance of Premises:** The City agrees to provide custodial and other repair and maintenance services in order that the building, premises and appurtenances shall be kept in good order, maintenance, condition, and repair, and shall also be kept in a clean, sanitary, and safe condition in accordance with all directions, rules and regulations of the City and health officer, fire marshall, building inspector or other proper officers of governmental agencies having jurisdiction. Special cleaning of fixtures and furnishings outside of normal cleaning and maintenance shall be at the sole expense of the Library. Carpet and exterior window cleaning shall be conducted one time each year.

(8) **Abuse of Premises:** The plumbing facilities and adjoining or connecting sewer lines or mains shall not be used for any other purpose than that for which they are constructed. The Library, its employees, agents and/or representatives shall not paint, alter or deface any walls, ceilings, partitions, floors, carpeting, wood, stone, or metal work at the premises without the City's written consent being first obtained.

(9) **Destruction or Damage to Premises:** In case of premises shall be partially or totally destroyed by fire or other casualty which is insurable under the full standard extended coverage insurance, as to become partially or totally untenable, the same shall be repaired as speedily as possible using the proceeds of such insurance, unless the City shall elect not to rebuild and an adjustment in a proportionate part of the fee shall be abated until so repaired.

(10) **Notice by Library:** The Library shall give immediate notice to the City in case of fire or accidents in the premises or defects therein or in any fixtures or equipment.

(11) **Condemnation:** Upon the whole or any part of the premises and property hereby leased being taken by any public authority under the power of eminent domain, the term of the Agreement shall cease for that part of the premises and property so taken from the date of possession of that part shall be required for a public purpose, and this Agreement shall continue pursuant to the terms and provisions contained herein unless that portion of the property and premises taken results in a substantial interference of the Library's use of the premises to the extent that the premises cannot be effectively used for the Library purposes for which it is being leased. In said event, the Library shall have the right, by written notice to the City, to cancel this agreement and declare the same null and void, and if the Library does not so cancel this Agreement, the Library shall continue in possession of the remainder of the premises under the terms of this Agreement. Any and all damages and/or compensation awarded for such taking shall belong to and be the property of the City.

(12) **Successors:** All rights and liabilities herein given to or imposed upon the respective parties hereto shall extend to and bind the parties' heirs, executors, administrators, successors and assigns.

Page 3 of 6

(13) **Notices:** Whenever under this Agreement provision is made for notice of any kind, it shall be deemed sufficient notice and service thereof if such notice to the Library is in writing, addressed to the President of the Public Library Board at the Public Library, _____ and sent by registered or certified mail with postage prepaid, and if such notice to the City is in writing,

addressed to the City Manager at the address of the City Hall, and sent by registered or certified mail with postage prepaid.

(14) **Captions and Section Numbers:** The captions and section numbers appearing in this Agreement are inserted only as a matter of convenience and in no way define, limit or construe or describe the scope or intent of such sections or articles of this Agreement nor in any way affect the Agreement.

(15) **Partial Invalidity:** If any term, covenant or condition of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Agreement, or the application of such term, covenant or condition to persons or circumstances other than those to which it is held invalid or unenforceable shall not be affected thereby; and each term, covenant or condition of this Agreement shall be valid and be enforced to the fullest extent permitted by law.

(16) **Recording:** The Library shall not record this Agreement without the written consent of the City.

(17) **Laws of the State of Michigan:** This Agreement shall be governed by and construed in accordance with the laws of the State of Michigan.

(18) **Consent Not Unreasonably Withheld:** The City agrees that whenever, under this Agreement, provision is made for the Library securing the written consent of the City, such consent shall not be unreasonably withheld.

(19) **Option to Renew Agreement:** Provided the Library shall not be in default of the terms of this Agreement, the Library may, by giving the City written notice not later than one (1) year prior to the expiration of this Agreement and/or one (1) year prior to the expiration of any renewal, exercise its option to renew this Agreement for a period of five (5) years, with only two (2) five (5) year renewals by the Library being permitted, said renewals being under the same terms and conditions as contained in this Agreement, except that for any renewal periods, the fee to be paid by the Library to the City shall be modified to an amount mutually agreeable to the parties, and in the event the parties are not able to agree to a new fee amount, the renewal will not become effective and this Agreement will terminate as provided herein.

(20) **Remedies**: It is agreed that each and every one of the rights, remedies and benefits provided for by and in this Agreement shall be cumulative and shall not be exclusive of any other of said rights, remedies or benefits or any other rights, remedies and benefits allowed by law.

(21) **Waiver**: One or more waivers of any covenants or conditions of this Agreement by the parties shall not be construed as a waiver of a further breach of the same covenant or condition.

(22) **Expansion**: It is not contemplated by and between the parties hereto that there will be any physical expansion of the building and/or premises being rented, and, as a result, no such expansion may take place by the Library without the Library first obtaining the written consent of the City.

IN WITNESS WHEREOF, THE PARTIES HAVE EXECUTED THIS Library Lease / Services Agreement as of the day and year first above written. By Affixing signatures below, the City and Library represent that these individuals are duly authorized to bind the parties to the terms and conditions contained herein and to act on behalf of the representative entities.

CITY OF LAINGSBURG

By:

By:

STATE OF MICHIGAN)
COUNTY OF SHIAWASSEE)

The foregoing instrument was acknowledged before me this ____ day of _____, 20__, by _____, Mayor, and _____, as Clerk, on behalf of the City of Laingsburg, a Michigan municipal corporation, on behalf of the corporation.

_____, Notary Public
Shiawassee County, Michigan
My Commission Expires: _____

Laingsburg Public Library

By:

Its: President

STATE OF MICHIGAN)
COUNTY OF SHIAWASSEE)

The foregoing instrument was acknowledged before me this ____ day of _____, 20__, by _____, as President of the Laingsburg Public Library, on behalf of the Laingsburg Public Library.

_____, Notary Public
Shiawassee County, Michigan
My Commission Expires: _____

Page 6 of 6



Station #1
517-651-2638

Station #2
517-675-5121

Laingsburg • Sciota • Woodhull
Emergency Services Authority
7425 Woodbury Road
P.O. Box 96
Laingsburg, Michigan 48848



*Ambulance
Division*
517-651-2638

Minutes

October 21, 2020 – 6:00 p.m.
Station I – 7425 Woodbury Road

The regular meeting of the L.S.W. Emergency Services Authority was called to order by Chair Kline on Wednesday, October 21, 2020, at 6:00 p.m. at Station I Fire Hall at 7425 Woodbury Rd., Laingsburg. Members present: Kline, Betts, Austin, Hill and McDougall. Absent: Hetherington.

Moved by Hill, seconded by Austin to approve the minutes of September 16 and September 21, 2020, as corrected. All in favor, motion carried.

Moved by Betts, seconded by Hill to approve the Treasurer's Report, subject to audit. All in favor. Motion carried.

Chief's Report: Run logs were handed out for September. The Fire Department had 61 runs for the month, YTD 494. The Ambulance had 43 runs for the month, YTD 323. Craig Garrett has been promoted to Captain at Station III as of October 1, 2020. Testing was completed: FIT, TB and Pulmonary. Nine Firefighters went to Bath to participate in a controlled burn. The new computer and firewall have been installed. The department will participate in the Homecoming Parade. CPR training will take place this Saturday. The furnaces have been checked and Hi-Temp will perform some repairs.

An Ambulance laptop is in need of a hard drive. If the replaced hard drive does not work, they will look into a refurbished laptop through the Shiawassee County I.T. Department.

Moved by Austin, supported by McDougall to enter into a five-year contract with AccuMed to continue as the billing and collection agency for Ambulance and Fire calls. Roll call vote: Ayes: Kline, Austin, Betts, McDougall and Hill. Nays: None. Absent: Hetherington. Motion carried.

Moved by McDougall seconded by Austin to pay the bills the amount of \$83,714.50 dated 10/21/20, which includes EFTs. **Payroll** – from the Trust and Agency direct deposit in the amount of \$24,868.51 dated 09/19/20 – 10/16/20. Roll call vote: Roll call vote – Ayes: Kline, Austin, Betts, McDougall and Hill. Nays: None. Absent: Hetherington. Motion carried.

Meeting was adjourned at 6:24 PM.

Paula Willoughby, Secretary

TO: City Council

FROM: Chief Dan DeKorte

DATE: October 7, 2020

SUBJECT: August 2020 Activity Report

18 REPORTS

2 Trespassing

2 Assist County

1 Assist Perry PD

3 Assist MSP

2 Accidents

1 Traffic Hazard

1 Ordinance Violation

1 Stolen Property

1 Civil Issue

1 DWLS

1 MDOP

1 Harassment

1 Drug Overdose

77 TRAFFIC STOPS

37 Traffic Tickets Issued

32 Speed

1 DWLS

2 No proof of Insurance

2 Expired Registration Plate

40 Traffic Warnings

30 Speed

5 Expired Registration Plate

2 Seatbelt

3 Defective Equipment

PATROL MILES: 1566

Ordinance Warnings

- 3 Abandoned Vehicles
- 1 Tall grass
- 1 No building permit

TO: Police Committee
FROM: Chief Dan DeKorte
DATE: October 8, 2020
SUBJECT: September 2020 Activity Report

8 Reports

1 Harassment
1 Child Neglect
1 Assist County
1 Found Property
1 LFA
1 Trespassing
1 Accident

43 TRAFFIC STOPS

19 Traffic Tickets Issued

12 Speed
1 DWLS

30 Traffic Warnings

22 Speed
4 Expired Registration Plate
1 No proof of Insurance
1 Defective Equipment
1 Failed to Yield
1 Stop Sign

PATROL MILES: 1497

TO: Police Committee
FROM: Chief Dan DeKorte
DATE: November 6, 2020
SUBJECT: October 2020 Activity Report

11 Reports

2 Fraud
1 Harassment
1 LFA
1 No Operators License
1 Welfare Check
1 Assist County
1 Larceny
1 Threat
1 Assist MSP
1 OWI

55 TRAFFIC STOPS

19 Traffic Tickets Issued

17 Speed
1 No Operators License
1 OWI

36 Traffic Warnings

24 Speed
4 Equipment Defect
4 Expired Plate
2 Lane Usage
2 Stop Sign

PATROL MILES: 991

Ordinance Warnings;

1 Tall grass
1 Abandoned Vehicle