

EMPIRE VILLAGE COUNCIL WORK SESSION

JANUARY 9, 2020

EMPIRE TOWN HALL, 10088 FRONT ST.

AGENDA

A. PLEDGE OF ALLEGIANCE

B. MOTION OF REQUIRED COUNCIL ACTION(S) ONLY

C. CHANGES/ADDITIONS TO AGENDA

D. PRESENTATION

- 1) David Diller - Update on Glen Lake Community Library Progress

E. PUBLIC COMMENT ON AGENDA ITEMS

F. DEPARTMENT HEAD REPORTS

G. COMMITTEE ISSUES (PARKS, WATER, ETC.)

H. OLD BUSINESS

- 1) 2020-21 Budget
- 2) Rules of Procedure
- 3) Update from Engineer on Beach Remediation
 - a. Have drawings been revised?
 - b. Rip rap placed on the south end of parking/beach area and at the north end?
 - c. Plans for ADA accessible location?
 - d. Boat launch remediation and expected costs?
 - e. Paths/walkways accounted for in the placement of rip rap other than at the boat ramp?

I. NEW BUSINESS

- 1) Union Street Project
- 2) Update on Outlet Wall

QUESTIONS / COMMENTS FROM THE AUDIENCE

BOARD COMMENTS

ADJOURNMENT

**DRAFT Empire Village Council
Rules of Procedure**

1. Meetings

1.1 Regular and Work Session Meetings

The regular meetings of the Council shall be held on the fourth Tuesday and the work session meetings shall be held on the second Thursday of each month, unless that day is a holiday. The Council shall approve by resolution each February the regular and work session meeting schedule for the following fiscal year of March 1st through February 28th, including any exceptions for holidays. Said schedule shall be posted no later than 10 days following the first regular meeting in March.

1.2 Special Meetings

A Special Meeting is any meeting of the governing body other than those called for in paragraph 1.1, above. It may be a meeting of the full body or just a committee. The Clerk/Deputy Clerk upon the request of the President or any three members of the Council shall call a special meeting. Notice of special meetings shall be given to each Council member *posted* at least 18 hours in advance of the meeting. Special meeting notices shall contain the *date*, time, place and purpose of the meeting. No official action shall be transacted at any special meeting unless the item has been stated in the notice of the meeting.

1.3 Public Hearings

A Public Hearing is a meeting designed specifically to receive input from the public on a single issue. Public hearings shall be scheduled, and due notice given in accordance with the provisions of the applicable act *or ordinance*, ~~or upon the discretion of the Council~~. Public hearings that are scheduled as part of a regular meeting shall ~~begin following the call to order~~ *follow procedures outlined in 5. Public Hearings*.

1.4 Place of Meeting

All regular, work session and special meetings of the Council will be held at the Empire Town Hall, 10088 Front Street. A majority of the Council may designate a different place for any regular or special meeting, or the Clerk/Deputy Clerk, with the consent of the President, may change the meeting to another location. A notice of the change shall be prominently posted on the door of the Town Hall and the *Village kiosk next to the Post Office*.

1.5 Time of Meetings

All regular and work session meetings of the Council will begin at 7:00 p.m., unless the Council, by a majority vote, sets a different starting time. The time of any special meeting shall be included in the meeting notice.

1.6 Ending of Meetings

At regular and work session meetings of the Council, items of business shall be completed by ~~10:15~~ *9:30* p.m. in order to allow time for public comment and an adjournment time of ~~10:30~~

10:00 p.m. At the appointed hour Council shall immediately adjourn unless the Council, by majority vote, extends the meeting.

2. Public Notice of Meetings

2.1 Regular and Work Session Meeting Schedule

The Clerk/Deputy Clerk shall post a notice of the regular and work session meeting schedule for the fiscal year electronically on the Village website and at the Village of Empire Office. The notice shall indicate the dates, times and places of the regular and work session meetings scheduled.

2.2 Special Meetings

For a rescheduled regular, work session or special meeting of the Council, the Clerk/Deputy Clerk shall ~~notify the Leelanau Enterprise and~~ shall post a public notice at least 18 hours before the meeting at the Village of Empire Office and *at the Village kiosk next to the Post Office.* ~~and, if permitted, at the Empire Post Office and other bulletin boards in the village.~~ The notice shall state the date, time, place *and purpose of the meeting.* ~~of the meeting, and the purpose.~~

2.3 Emergency Special Meetings

The notice described above in Section 2.2 is not required for an emergency session of Council in the event of a severe and imminent threat to the health, safety or welfare of the public when two-thirds of the members of the Council determine that delay would be detrimental to the Village's efforts in responding to the threat.

3. Record of Meetings

3.1 Recording Responsibility

The Clerk shall be responsible for maintaining the official record and minutes of each meeting of the Council. The minutes shall include all actions of the Council with respect to motions, including the name of the member who made a motion and the member who supported it. Highlights of discussions will be included. If the vote is a roll call, the minutes shall show who voted "Yes," "No," or abstained.

The Clerk shall not be responsible for maintaining a verbatim report of all the discussion or comments of the Council or members of the public made at Council meetings.

In the absence of the Clerk or Deputy Clerk, the Council may appoint one of its own members or another person to temporarily perform the Clerk's duties.

3.2 Minutes

~~Draft Proposed~~ minutes of each regular, work session and special meeting shall be ~~approved by the President or his designate prior to posting. They shall then be made available for public inspection by being posted on the Village website and in hard copy at the Village Office and Glen Lake Community Library within eight (8) business days following the meeting to which they refer.~~ ~~Proposed-Draft~~ minutes shall be clearly labeled as such.

Approved minutes showing the corrections shall be posted in place of ~~proposed~~ draft minutes on the Village website and in hard copy at the Village Office ~~and Glen Lake Community Library~~ within five (5) business days following the meeting at which they were approved by Council. Approved minutes shall be clearly labeled as such.

3.3 Correspondence

All correspondence received from members of the public shall be read and/or summarized at Council meetings and retained in the Village Office.

3.4 Public Access to Meeting Materials and Minutes

All meeting materials, except for those deemed privileged or confidential, and minutes shall be available for public inspection at the Village Office during regular business hours. Council members shall turn into the Clerk for proper filing, any personal notes, writings, drawings, etc. when said items are used in a meeting or referred to in a meeting.

3.5 Taping of Meetings and Disposition of Tapes

Council meetings are taped solely for assisting the Clerk/Deputy Clerk in preparing the minutes of the meetings. Tape recordings are not to be considered the official record of a Council meeting and may be ~~recycled or disposed of six (6) months~~ after the Council approves the written minutes.

4. Closed Meetings

4.1 Purpose and Procedure

A roll call vote and purpose for calling a closed meeting must be recorded in the ~~regular~~ minutes of a regular or special meeting. Council upon a 2/3 roll call vote of the total number of members of the Council (not just the quorum present) may call a closed meeting for any of the following reasons:

- A. To consider the purchase or lease of real property.
- B. To consult with its attorneys regarding trial or settlement strategy in connection with specific pending litigation, but only when an open meeting would have a detrimental financial effect on the litigating or settlement position of the Council.
- C. To review contents of an application for employment or appointment, but only when the candidate requests confidentiality. However, an interview must be conducted in an open meeting.
- D. To consider material specifically exempt from discussion or disclosure by state or federal statute.

Upon a simple majority roll call vote of the total number of members of Council (not just the quorum present), the meeting may go into a closed session for the following reasons:

A. To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, but only when the named person requests a closed session.

B. For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement.

4.2 Minutes of Closed Meetings

The Clerk/Deputy Clerk shall take a separate set of minutes at the closed session. These minutes and any audiotape of the closed session will be retained by the Clerk, shall **not** be available to the public, and shall only be disclosed if required by a civil action, as authorized by the Michigan Open Meetings Act. These minutes *and any attachments* may be destroyed one year and one day after approval of the minutes of the regular or special meeting at which the closed session was approved.

5. Public Hearings

The Chairperson begins each public hearing by calling the meeting to order, taking the roll and explaining the purpose of the hearing and the rules of public conduct. Following the briefing, the chairperson opens the hearing to receive written and oral comments. Section 6.8 applies to the length of each person's comments and rules regarding written comment.

After all persons have had the opportunity to speak, the chairperson shall call the hearing adjourned. No action may be taken by the Council during a public hearing, but the matter may be placed on the regular meeting agenda or special meeting notice for possible action.

6. Conduct of Meeting

6.1 Regular Meeting Agenda/ Consent Agenda

The Village President may use a consent agenda to allow the Council to act on numerous administrative or non-controversial items at one time. Included on this agenda can be non-controversial matters such as approval of minutes, payment of bills, approval of recognition resolutions, etc. Upon request by any member of the council, an item shall be removed from the consent agenda and placed on the regular agenda for discussion.

All Council members and staff shall have agenda items submitted to the Village Office by the Tuesday afternoon preceding each regular meeting for inclusion on the agenda. This would pertain to any item from the public that may require consideration and or action by the Village Council. This does not mean letters of public comment. *Presentations shall be added as necessary and require prior approval from Village Council**. An agenda shall be prepared for each regular council meeting with the following order of business as applicable:

~~Call to Order
Taking of the Roll
Pledge of Allegiance
Changes/Additions to the Agenda
Public Comments on Agenda items
Public Hearings
Consent Agenda
Review of Financial Statement
Presentations
Public Comment on Presentation
Communications
Department Head Reports
Committee Reports (Water, Streets, Personnel, Planning Commission, etc. if necessary)
Old Business
New Business
Questions/Comments from the Audience
Board Comments
Adjournment~~

*Call to Order and Pledge of Allegiance
Taking of the Roll
Public Hearings
Adoption of Agenda
Public Comment on Agenda Items
Consent Agenda
Presentations*
Public Comment on Presentations*
Review of Financial Statement
Communications
Department Head Reports
Committee Reports
Old Business
New Business
Public Comments
Adjournment*

Work Session Meeting Agenda

Work sessions are primarily study sessions with motions permitted as necessary. All Council members and staff shall have agenda items submitted to the Village Office by noon on Thursday preceding each work session meeting for inclusion on the agenda. ~~This would pertain to any item from the public that may require consideration by the Village Council.~~ An agenda shall be prepared for each work session meeting with the following order of business as applicable:

~~Pledge of Allegiance
Motion of required council action(s) only
Changes/Additions to the Agenda
Presentation
Public Comments on Agenda items
Department Head Reports
Committee Issues (Parks and Water etc.)
Old Business
New Business
Questions/Comments from the Audience
Board Comments
Adjournment~~

*Call to Order and Pledge of Allegiance
Adoption of Agenda
Public Comments on Agenda Items
Department Head Reports
Committee Issues
Old Business
New Business
Public Comments
Adjournment*

6.2 Agenda and Meeting Material Distribution

Agendas and meeting materials shall be distributed to Council, electronically or in person, and posted no later than the Thursday preceding the regular meeting, and no later than the Monday preceding the work session meeting. All materials will be dated. Documents in draft form (e.g., budgets, financials, ordinances, etc.) shall be labeled as such, with a version number and last date changed.

6.3 Special Meeting Agenda

The agenda of a special meeting will consist only of the matters so stated in the notice of the meeting.

6.4 Chairperson

The President shall moderate and chair all meetings of Council. In the absence of the President, the President pro temp shall assume the duties of the chair. In the instance of absence of both president and president pro temp, the longest serving member of council will assume the role of chair.

6.5 Quorum

Four (4) members of the Council shall constitute a quorum for the transaction of business at all Council meetings. In the absence of a quorum, a lesser number may adjourn a meeting to a later time or date with appropriate public notice.

6.6 Attendance at Council Meetings

Election to the Council is a privilege freely sought by the nominee. It carries with it the responsibility to participate in Council activities and represent the residents of the Village. Attendance at Council meetings is critical to fulfilling this responsibility.

No member of the Council may be absent from a regular or work session meeting without first notifying the Village Office, President or Clerk. Members who are unable to attend a special meeting shall inform the person planning the meeting, so it can be ensured that a quorum will be present at the meeting.

~~If a member is absent without leave and without sufficient cause three (3) times in one year, the Council may enact a resolution of reprimand or request the Councilmember's resignation, or both.~~

6.7 Council Discussion

During Council discussion and debate the member shall confine discussion to the question at hand and to its merits and shall not be interrupted except by a point of order or privilege raised by another member. No member shall be recognized to speak a second time until all members wishing to speak a first time have been recognized. Speakers should maintain a professional demeanor.

6.8 Public Participation *Comments*

A person may address the Council at the time it is considering public comments and may address the Council, at the discretion of the chairperson, during its consideration of an item of business. Members of the public at a meeting shall not speak unless recognized by the chair and when addressing the Council shall state his or her name and home address for the public record. Comments should be confined to the question at hand and addressed to the Council in a courteous tone. A person shall limit their remarks to three minutes unless prior arrangements have been made. Communications of greater length shall be submitted in writing. ~~The chairperson~~ *A designated council member* will maintain the official time and notify the speakers when their time is up. It shall not be the practice of Council to respond directly to questions during these portions of the meeting, unless directed to do so by the chairperson. The opportunity for Council members to respond will ~~generally~~ occur during one of the business portions of the meeting. ~~or during the "Board Comments" section of the meeting.~~

6.9 Disorderly Conduct at Meetings

The chairperson may call to order any person who is being disorderly by speaking when not recognized by the chair or otherwise disrupting the proceeding by failing to be germane, by speaking longer than the allotted time, or by speaking vulgarities. Such person shall be seated until the chair determines whether the person is in order.

If a person is called out of order, he or she shall not be permitted to continue to speak at the same meeting except by special leave of the Council. A person who continues to disregard being called out of order is deemed to have committed a breach of the peace. A person who commits

a breach of peace at a meeting may be excluded from the meeting, but a person may not be excluded from a meeting for any other reason.

7. Parliamentary Procedure

The rules of parliamentary procedure, as contained in the edition of Robert's Rules of Order currently available in the Village office, shall govern the Council in all cases to which they are applicable, unless they are in conflict with these rules, the Village Charter, or the laws of the State of Michigan.

7.1 Motions, Resolutions, and Ordinances

All action taken by the Council shall be by motion, resolution, or ordinance and shall be publicly set forth in the official record (minutes) of Council.

7.2 Non-debatable Motions

A motion to adjourn, recess, lay on the table or to vote immediately shall be voted upon without further debate.

8. Voting

8.1 Duty to Vote

Council members present at a Council meeting shall vote on every matter before the body. Voting by proxy or by telephone is not permitted.

8.2 Conflict of Interest and ABSTENTION FROM VOTING

No Council member shall vote or participate in the discussion of a question, issue or decision where the Council member has knowledge that the outcome of the question, issue or decision will provide a direct or indirect financial benefit, different from any financial benefit shared by the general public, to the Council member, a member of his or her immediate family or a business with which he or she is associated. In such event, the Councilmember shall abstain and shall state on the record, or in writing for inclusion in the record, the facts which create the conflict.

Where no conflict exists as a member of law, but a Council member is concerned that facts exist which may create the appearance of a conflict, the Council member may participate in discussion and shall vote on the matter, but before doing so shall make a disclosure on the record, or in writing for inclusion in the record, the facts which create the appearance of a conflict.

Unless otherwise prohibited by law, if all sitting members of the Council are present at a meeting and one or more members must abstain because of a conflict of interest and such abstention(s) result in the inability of the Council to take action, then the member(s) with the conflict may be permitted to vote. In such event, in addition to stating on the record, or in writing for inclusion in the record, the facts which create the conflict, the Council member shall vote his or her conscience disregarding his or her personal interest and shall state the facts in support of his or her vote on the record

If a question arises as to whether or not a conflict exists, the Council may postpone the matter to seek legal opinion regarding the existence of a conflict, or may by a simple majority vote of the remaining members determine whether a conflict exists utilizing the guidelines set forth above.

8.3 Roll Call Votes

Roll call votes shall be taken when required by law, at the request of any member of Council, or when the chairperson cannot determine the results of a voice vote.

9. Appointments

The President, subject to the approval of a majority of the Council, will make appointments, unless a law, the Village Charter, or an ordinance defines a different appointment procedure. Boards and Commissions operating under the jurisdiction of the Village Council may make recommendations to the Council regarding appointments, but the President or Council shall not be bound by the recommendations.

9.1 Pro Tempore Appointments

Per MCL 65.3, ACT III 1895, on November 20th of each year, or as soon after that date as possible, Council shall make pro tempore appointments.

10. Committees

10.1 Standing Committees of Council

The Village shall have the following standing committees:

Parks
Personnel
Water
Streets, Sidewalks and Equipment
Airport

Committee members shall be appointed by the President and shall be Councilmembers. The committee member shall serve for a term of one year and may be re-appointed.

10.2 Special Committees of Council

Special committees may be established for a specific period of time by the President or by a resolution of the Council, which specifies the task of the special committee and the date of its dissolution.

10.3 Public Notice of Committee Meetings

All Council appointed Committees (Standing and Special) shall be conducted in accordance with the Open Meetings Act, and are subject to these Rules of Procedure and other applicable laws of the State. The committee chairperson shall see that the rules of Section 2.2 regarding public notice of special meetings are complied with and that minutes are taken at each meeting.

10.4 Committee Authority

No committee shall have any authority to take any action on behalf of the Village Council, unless the Council otherwise instructs it. A committee may only make reports and recommendations to the Council on matters referred to it.

10.5 Citizens Task Forces

Citizen task forces may be established by a resolution of the council which specifies the task to be accomplished and the date of its dissolution. Members of such committees will be appointed by the Village President subject to approval by a majority vote of the Council and must be residents of the Village. Vacancies will be filled by majority vote of the Village Council in the same way appointments are made.

11. Authorization for Contacting Village Professional Service Providers

Unless there is immediate need, no contact with professional service providers shall be made regarding Village business and/or issues until fully disclosed to the Village Council and approved by the Council.

The President and Clerk (in consultation with the President or Council), are authorized to contact the Village professional service providers (~~i.e., Village Attorney(s), Auditor, Engineers, or other professional service providers~~) regarding Village matters. The President or Village Council may move to authorize a Council member to contact a particular professional service provider.

The person making contact with a professional service provider shall do so in writing, setting forth the reason for the contact, the authorization, all relevant facts and the action requested of the professional service provider *and shall copy the Village Office for distribution to each council member*. A copy of the written contact, including a printed copy of any e-mail, shall be submitted for filing to the Village Office and a copy shall be distributed to all councilmembers at least by the next meeting. ~~A request should be made that a response from an attorney or auditor shall be in writing, filed in the Village Office and distributed to each councilmember.~~

~~Unless there is immediate need, no contact with professional service providers shall be made regarding Village business and/or issues until fully disclosed to the Village Council and approved by the Council.~~

In the event the contact with the professional service provider is not in writing, the person making the contact shall prepare a written record of any and all contacts by the next Council meeting, setting forth the date, method of contact, authorization, people present and to the best recollection of the person, the statements of every person party to the conversation. A copy of such record shall be filed in the Village records and distributed to all council members. ~~Also, the response~~ *All responses* of the professional service provider shall be in writing, filed in the Village Office and distributed to all council members.

Authorization for payment of professional service provider invoices, shall not be approved unless procedures outlined in section 11. are followed.

12. Amendment of Council Rules of Procedure

These rules were adopted by resolution of the Village Council pursuant to the authority of the General Law Village Act. None of these rules may supersede the Village Charter or the laws of the State of Michigan. The Council may alter or amend its rules at any time by a majority vote of its members after notice has been given of the proposed alteration or amendment.

Adopted: November 20, 2001

Amended: September 17, 2002

Amended: November 21, 2006

Amended: December 19, 2006

Amended: March 20, 2007

Amended: April 22, 2008

Amended: August 25, 2009

Amended: November 12, 2015

Amended: June 28, 2016

Amended: December 8, 2016

Amended: April 25, 2017

Amended: June 27, 2017

Amended: September 25, 2018

Amended: March 26, 2019

Amended: May 28, 2019

Amended:

12/16/2019 – Val Dalton Comments re Empire Village Council Rules of Procedure

2.2 – the public currently receives an email when meetings are rescheduled, propose that that process be included

Minutes:

3.1 – “Highlights” – suggest the word “facts” replace highlights. Also in the second paragraph, The Clerk shall not be responsible for maintaining a verbatim report...., suggest adding at the end “but will record salient facts or statements.

Example of why this is suggested: Public comments in current minutes – e.g. “Fred Salisbury asked about the beach parking revenues” What was Fred’s point? It would not be verbatim to state his point. There are several other examples, mostly in the public comments sections. I feel the public would like the point of their question or comment to be recorded, not just that they spoke to an issue without the context of the comment.

3.2 – Minutes within 8 business days – something that is required that hasn’t been followed consistently, perhaps infrequently, or almost never. This is important to council and residents, and it’s the law! I will make a few process suggestions:

In order to hit the 8 business days, adding something like “The Clerk will draft the minutes within 3 business days and forward to the council for review and changes. The council will respond within 3 business days and changes will be promptly incorporated so that the minutes are posted to the website on or before the 8th business day”. By adding a few timelines, the importance of the minutes timelines are stated, there is more opportunity for council members to notice that the 8th day may be missed, but it also affords more opportunity for accurate draft minutes. This becomes especially important under number 3.5 if the tape recordings are destroyed after minutes are approved. More on that in a minute...

3.4 – Public Access to Meeting Materials and Minutes – this section makes no mention of posting public materials on the website. I suggest adding that language here.

3.5 – Taping – if the tape is to be destroyed so soon after the meeting, affording more time to council to review the minutes thoroughly prior to the council’s approval is imperative.

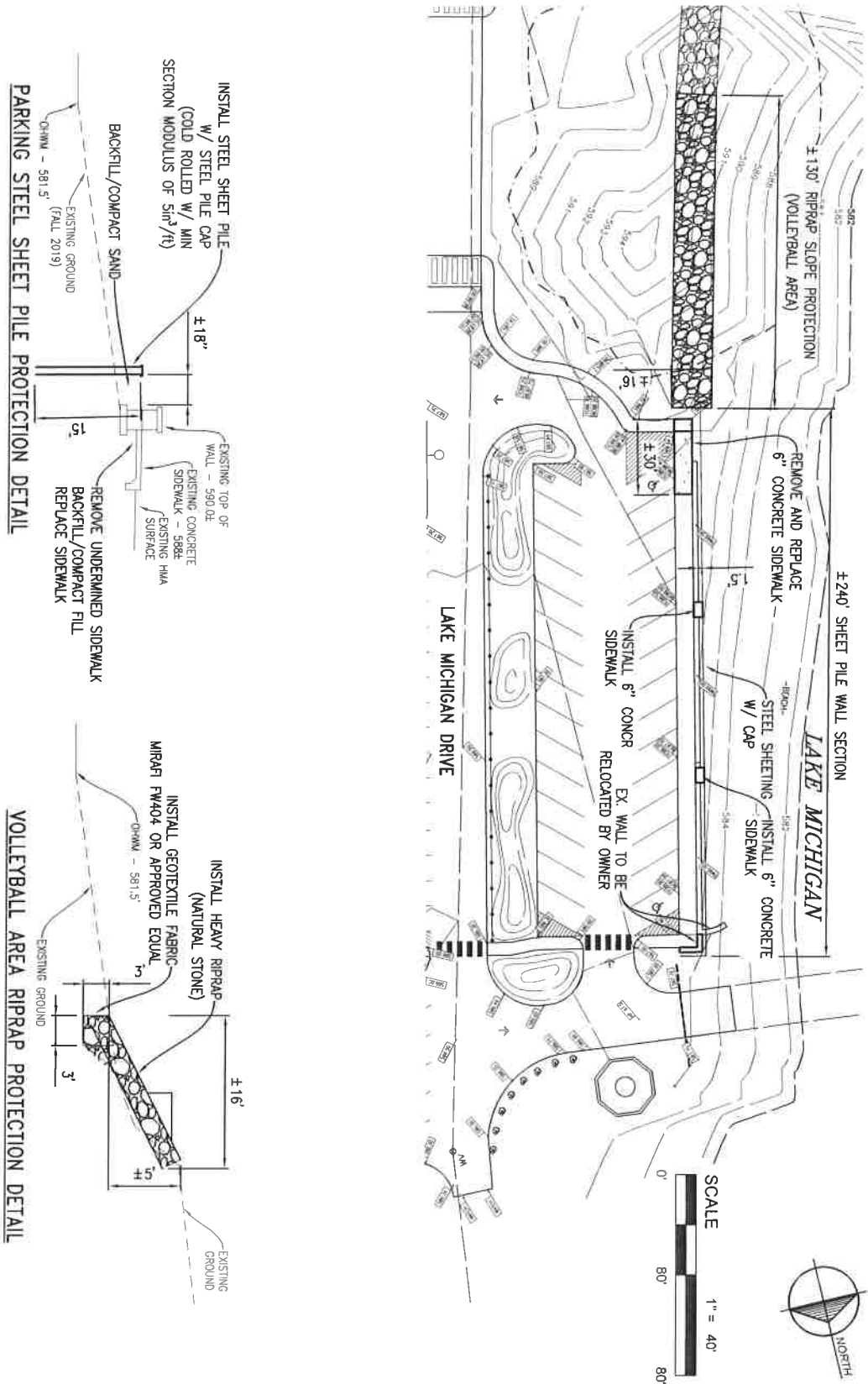
4.2 – Minutes of Closed meetings – this section mentions audiotapes, but under the destruction of minutes and attachments, audiotapes is excluded. The destruction or retention of audiotapes should be noted here.

10.3 – Public Notice of Committee Meetings - mentions “and that minutes are taken at each meeting”. I suggest instead adding “complies with section 3 pertaining to minutes”.

11 – Authorization for Contracting Village Professional Service Providers – 3rd and 4th paragraphs: no mention of when notification shall be created, and also distributed to each council member. Timelines are important and need to be included here.

If my type-written notes would be helpful to you, I’m happy to provide them.

01/09/20



VC 1/9/2020

Location:
 VILLAGE OF EMPIRE
 LEELANAU COUNTY, MICHIGAN
 Sheet 1

SITE PLAN
EMPIRE BEACH SHORELINE PROTECTION
VILLAGE OF EMPIRE

Job #: 2019116003 01
 Date: 10/31/2019
 Scale: AS NOTED
 Drawn: MAG
 Chk'd.: KSK
 Rev.: 11/26/19

Gosling Gzrabak
 engineering sciences, inc.
 1280 Business Park Drive, Trewette City, Michigan
 231-946-9191 800-968-1082
 www.goslinggzrabak.com info@goslinggzrabak.com

CIVIL ENGINEERING | SURVEYING | ENVIRONMENTAL SERVICES | GEOTECHNICAL
 CONSTRUCTION SERVICES | DRILLING | LANDSCAPE ARCHITECTURE

From: Derith Smith <clerk@villageofempire.com>
Sent: Thursday, January 2, 2020 10:12 AM
To: deputyclerk@villageofempire.com
Subject: FW: Agenda items

From: Maggie Bacon <m.bacon@villageofempire.com>
Sent: Sunday, December 29, 2019 3:43 PM
To: Soni Aylsworth <s.aylsworth@villageofempire.com>; Derith Smith <clerk@villageofempire.com>
Subject: Agenda items

Hi,

While I asked to keep the agenda to the budget as much as possible, I would like to request the following agenda item:

1. Update from Engineer on Beach remediation.

Request:

Martin Graf attend with revised drawings being used by Elmers.

A. The only drawings the Council has seen was a draft that indicated the steel was going to be put 3ft from the wall. Something has changed, I think. I would like to see the revised drawings being used by Elmers.

B. Will there be rip rap placed at the south end of the parking/beach area and at the north end? The steel is being "wrapped" around where the wall was - on both ends. Without rip rap in those two areas, the sidewalks and parking lot on those two sides may still be victim to erosion.

C. What are the plans for an ADA accessible location?

D. What remediation will be needed for the boat launch? What is the expected cost?

E. Have paths or walkways been included in the placement of the rip rap allowing folks some safe travel from the parking lot area to the beach OTHER than the boat ramp area?

2. Update on the Outlet wall.

Thanks!

Maggie

PROPERTY CLAIM / INCIDENT REPORT – MEMBER'S PROPERTY DAMAGE ONLY

Note: Use this form 1) to report any claim involving damage to Member's Property or 2) Property in Member's care, custody, and control.

The following instructions are to assist in the completion of the Property Claim/Incident Report:

1. Name of Member: The Village of Empire

2. Department: Means the department involved in claim / incident, DPW, NOT the name of department completing the form.

3. Phone Number: 231-326-5353

4. Reported By: Means individual reporting the claim
LAKE MICH ASSOCIATION

5. Exact Location: Street address where the claim / incident occurred. It is ok to use a common name like DPW Building. OUTLET

6. Date of Claim/Incident: Date when the claim / incident occurred. MID NOV

7. Time: Time of day the claim / incident occurred. MORNING

8. Date Reported: The date that the Member was first advised by claimant or sub-department that accident occurred. _____

9. Member Property (Building): Describe member building that sustained damage.
N/A

10. Member Property (Contents): Describe member contents / personal property damaged.
N/A

11. Member Property (Other): Describe member property, other than building or contents, that sustained damage (example: sign, pole, fire truck, etc.) OUTLET RETAINING WALL

12. Cause of Damage: Describe what caused damage or loss (example: fire, wind, theft, auto collided with property, etc.) HIT WITH LOAD

13. Describe Damage: Describe the damage to the property that needs to be repaired or replaced. CRACKED 2X6 BOARD ON TOP OF WALL

14. Estimate of Repair Cost: If you have an estimate or two for the repair, please indicate
Due to current condition of retaining wall before incident repair would be mostly cosmetic and at this time detrimental to the condition of wall so it was NOT attempted. HAS NOT gotten worse since incident

VC 11/9/2020

the repair cost. _____

15. **Actual Repair Cost:** If property was already repaired, what is the cost of the repair? _____

16. **Contractor Name & Phone #:** If you have a contractor who has provided an estimate or performed the repair, please provide the contractor's name and contact information. N/A

17. **Subrogation Potential:** If you know who caused the damage, please provide the name and contact information for the at fault party. We may be able to collect from the at fault party for the cost of your damage. Engine DPW

18. **Witness Names / Addresses:** List witness name(s) and contact information who saw or have knowledge of how the damage occurred. Julie Friend
Tim O'Brien

19. **Photographs Taken:** Indicate whether or not photographs were taken and whether or not you have attached the photographs. If at all possible, please try to get photos of the scene of any incident. The sooner the pictures are taken the more valuable they become because the photos more accurately show the conditions at the time the damage happened.

20. **Supporting Documents:** Indicate whether you have any supporting documents as to how the loss occurred or to substantiate the amount of the loss, and whether or not you have attached the supporting documents. N/A

21. **Police Report:** If the loss was reported to the police, provide the police report number and indicate whether or not you have attached the police report. N/A

22. **Describe What Happen:** Provide detailed, written description of how the claim / incident occurred. we HAVE dug out the OUT ABOUT 60 Times THIS YEAR "2019", MOST OF THE TIME IT IS COMPLETELY COVERED (CANNOT SEE WALL) WAS JUST A MISCALCULATION OF DISTANCE OF LOCATION OF WALL WHEN HIT QUICKLY READJUSTED LOADED BUT DAMAGE WAS DONE.

23. Submitted By: Name of individual person completing form John Grest *John Grest*

24. Title: Provide the title of the person completing this form. Superintendent

25. Date: The date person identified in (23) filled out form. 1-3-20



50% OF THE TIME THIS IS
WHAT OUTLET LOOKS LIKE AFTER
WE START TO DIG. NO VISUAL OF OUTLET
OR RETAINING WALL



DAMAGE WAS DONE TO TOP BOARD
DID NOT BREAK ALL THE WAY THROUGH