



SPECIAL COUNCIL MEETING
TUESDAY, MARCH 22, 2022
5:30 P.M.
AGENDA

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. PUBLIC HEARING
 - A. 2022-2023 Budget Approval Resolution 2022-07
4. NEW BUSINESS
 - A. MDOT Road Resolution 2022-08
 - B. MDOT Performance Resolution for Municipalities 2022-09
5. PUBLIC COMMENTS
6. ANNOUNCEMENTS/INFORMATION
7. ADJOURNMENT

47 Cole St

Quincy

Michigan

49082

517.639.9065

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RESOLUTION NO. 2022-07
A RESOLUTION TO APPROVE 2022-2023 BUDGET AND 2022-2027
CAPITAL IMPROVEMENT PLAN

WHEREAS the Village Manger has submitted a proposed Fiscal Year 2022-2023 Budget and 2022-2027 Capital Improvement Program; and

WHEREAS the Village Council held a public hearing on the proposed budget on March 22, 2022 at 5:30 PM;

NOW, THEREFORE BE IT RESOLVED that the Council of the Village of Quincy hereby adopts the 2022-2023 Fiscal Year Budget and appropriates the following sums for each of the Village for municipal purposes:

<u>Fund</u>	<u>Revenues</u>	<u>Expenditures</u>
General Fund	\$1,211,035	\$1,243,729
Major Streets	\$197,655	\$150,202
Local Streets	\$163,253	\$107,739
Municipal Streets	\$126,832	\$110,000
Downtown Development Authority	\$26,196	\$23,200
Debt Service Fund	\$117,510	\$117,910
Sewer Fund	\$547,096	\$778,671
Water Fund	\$733,890	\$756,720
Garbage Fund	\$103,230	\$95,200

BE IT FURTHER RESOLVED that the Village Council hereby adopts the 2022-2027 Capital Improvement Program as presented for the purpose of establishing a guide for future capital expenditures, with the provision that such Capital Improvement Program in no way obligates the Village to undertake any specific program, include any item in future budgets, or to appropriate funds for any project or item; and

BE IT FURTHER RESOLVED that the Village Council adopts the wages included in the budget document; and

BE IT FURTHER RESOLVED that the Village President shall be compensated at a rate of \$120 per Council meeting and each Council member at a rate of \$100 per Council meeting. Furthermore, all members shall be compensated at a rate of \$10 per Special Council meeting.

BE IT FURTHER RESOLVED that the Village Manager is charged with the supervision and execution of the budget adopted under this general appropriations act and shall be responsible for

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the performance of the programs within the amounts appropriated by the Village Council unless such amounts appropriated are amended.

BE IT FURTHER RESOLVED THAT this resolution is effective April 1, 2022.

This resolution is hereby adopted on this 22nd day of March, 2022 by the Village Council of the Village of Quincy with the following vote:

Motion by , with support by to approve Resolution 2022-07 as presented.

Ayes:

Nays:

Absent:

Tricia Rzepka
Clerk/Treasurer

I, Tricia Rzepka, hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Council of the Village of Quincy, County of Branch, Michigan, at a regular meeting held on March 22, 2022.

Tricia Rzepka, Village Clerk



RESOLUTION 2022-08
RESOLUTION TO CHANGE CHURCH STREET CERTIFICATION

WHEREAS, the Village of Quincy does wish to certify Church Street from a local street to a major street;

WHEREAS, the certification of Church Street is located between Cole Street and Broughton Street for a total addition length of 875 feet;

WHEREAS, Church Street is located within a Village right-of-way and is under the control of the Village of Quincy;

WHEREAS, Church Street is a public road and is for public street purposes including semi traffic;

NOW, THEREFORE, BE IT RESOLVED the Council of the Village of Quincy wishes to certify Church Street from Cole Street to Broughton Street a major street.

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

Ayes:

Nays:

Absent:

RESOLUTION DECLARED ADOPTED.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Village Council of the Village of Quincy, County of Branch, State of Michigan, at a special meeting held on March 22, 2022, 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, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Tricia Rzepka
Village Clerk

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PERFORMANCE RESOLUTION FOR MUNICIPALITIES

This Performance Resolution (Resolution) is required by the Michigan Department of Transportation for purposes of issuing to a Municipality an "Individual Permit for Use of State Highway Right of Way", and/or an "Annual Application and Permit for Miscellaneous Operations within State Highway Right of Way".

RESOLVED WHEREAS, the _____
(County, City, Village, Township, etc.)

hereinafter referred to as the "MUNICIPALITY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the MUNICIPALITY agrees that:

1. Each party to this *Resolution* shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this *Resolution*, as provided by law. This *Resolution* is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. If any of the work performed for the MUNICIPALITY is performed by a contractor, the MUNICIPALITY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employee's, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the MUNICIPALITY Failure of the MUNICIPALITY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.
3. Any work performed for the MUNICIPALITY by a contractor or subcontractor will be solely as a contractor for the MUNICIPALITY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the MUNICIPALITY, or their subcontractors or any other person not a party to the PERMIT without the DEPARTMENT'S specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the MUNICIPALITY.
4. The MUNICIPALITY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.
5. The MUNICIPALITY will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the MUNICIPALITY'S facilities according to a PERMIT issued by the DEPARTMENT.

- 6. With respect to any activities authorized by a PERMIT, when the MUNICIPALITY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.
- 7. The incorporation by the DEPARTMENT of this *Resolution* as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
- 8. This *Resolution* shall continue in force from this date until cancelled by the MUNICIPALITY or the DEPARTMENT with no less than thirty (30) days prior written notice provided to the other party. It will not be cancelled or otherwise terminated by the MUNICIPALITY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the MUNICIPALITY.

Title and/or Name:

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by

the _____
 (Name of Board, etc.)
 of the _____ of _____
 (Name of MUNICIPALITY) (County)
 at a _____ meeting held on the _____ day
 of _____ A.D. _____.

Signed

Title

Print Signed Name