

**CITY OF MENOMINEE, MICHIGAN
MENOMINEE CITY COUNCIL
AGENDA FOR JANUARY 16, 2023
HELD AT CITY HALL - 2511 10th STREET – 6 p.m.**

A) CALL THE MEETING TO ORDER.

B) PLEDGE OF ALLEGIANCE TO THE FLAG.

C) ROLL CALL.

D) APPROVAL OF MEETING AGENDA.

E) MINUTES OF PREVIOUS MEETINGS.

- 1) Regular meeting of December 19, 2022.

F) COMMUNICATIONS.

G) PUBLIC HEARINGS.

H) PUBLIC COMMENT.

- 1) This public comment session is intended for statements, not debate, limited to three minutes per person *on agenda items only*. Please be prepared to state your name and address before speaking.

I) REPORTS OF OFFICERS.

- 1) City Manager's report.

J) REPORTS OF BOARDS, COMMISSIONS, AND STANDING COMMITTEES.

- 1) The Parks and Recreation/Buildings and Grounds Committee on a Resolution for a Lighthouse security project.
2) The Judicial and Legislative/Personnel and Labor Committee regarding Marinette Marine Non-Federal sponsor.
3) The Judicial and Legislative/Personnel and Labor Committee regarding Assessing Department services.
4) The Water and Wastewater Utility Board to forgo a portion of a water bill.

K) MISCELLANEOUS.

L) MOTIONS AND RESOLUTIONS.

- 1) Resolution on Poverty Exemption Guidelines.

M) PUBLIC COMMENT.

- 1) This public comment session is *not limited to agenda items*. It is intended for statements, not debate, limited to three minutes per person. Please be prepared to state your name and address before speaking.

N) ADJOURN.

Requests from individuals with disabilities who need special accommodations to participate in this meeting or hearing should be made to the City Clerk's Office at 1-906-863-2656 with as much advanced notice prior to the meeting as possible.



**CITY OF MENOMINEE, MICHIGAN
REGULAR COUNCIL PROCEEDINGS
DECEMBER 19, 2022**

A regular meeting of the Menominee City Council, City of Menominee, County of Menominee, State of Michigan, was held on Monday, December 19, 2022 in the Municipal Complex Council Chambers.

The Honorable Jean Stegeman called the meeting to order at 6:00 p.m. and led the pledge of allegiance to the flag.

PRESENT: Council Members Baron, DeDamos, Dulak, Jones, Klitzke, Marineau, and Nutter
Mayor Stegeman

ABSENT: Council Member Plemel (excused)

PRESENT: 8

ABSENT: 1

A motion was made by Council Member Jones and seconded by Council Member Marineau to excuse Council Member Plemel from the meeting. This motion was carried unanimously.

A motion was made by Council Member Jones and seconded by Council Member Nutter to add a presentation by Bob Gonzalez of Hayes Mechanical regarding the municipal complex boilers to the agenda and approve the amended agenda for the meeting dated December 15, 2022. This motion was carried unanimously.

A motion was made by Council Member Jones and seconded by Council Member Marineau to approve the minutes of the regular meeting of November 21, 2022 as presented. This motion was carried unanimously.

COMMUNICATIONS:

Bob Gonzalez, Hayes Mechanical, gave an update on the condition of the municipal complex boilers and the need for replacement. He presented a proposal for the emergency work.

A motion was made by Council Member Marineau and seconded by Council Member DeDamos to authorize the City Manager to proceed with replacement of the boiler through Hayes Mechanical. This motion was carried unanimously.

PUBLIC COMMENT:

Mayor Stegeman opened the public comment session that was called for the purpose of hearing citizen comments on agenda items only.

Comments were heard from Kris Rusch.

A motion was made by Council Member Dulak and seconded by Council Member Jones to close public comment. This motion was carried unanimously.

REPORTS OF OFFICERS:

A report was heard from City Manager Botbyl.

COMMITTEE REPORT:

At a December 14, 2022 meeting, the Finance Committee discussed the audit report for the City of Menominee for the year ended June 30, 2022, as prepared by Gabridge and Company and they recommended to City Council that Council receive the report and place it on file.

FINANCE COMMITTEE

A motion was made by Council Member Jones and seconded by Council Member Nutter to adopt the recommendation. This motion was carried unanimously.

COMMITTEE REPORT:

At a December 14, 2022 meeting, the Public Safety/Public Works Committee discussed current trash collection in the city and they recommended to City Council that Council approve developing a transition plan with our current curbside waste management contractor, GFL Environmental that would include providing 95-gallon carts at no cost to residents sometime in the spring of 2023, amending current ordinances to require businesses to contract for their own garbage pickup with whomever they choose, and extending the contract with GFL for five additional years (until February 28, 2030).

PUBLIC SAFETY/PUBLIC WORKS COMMITTEE

A motion was made by Council Member Jones and seconded by Council Member Nutter to refer the recommendation back to the Public Safety/Public Works Committee.

AYES: Jones, Baron, Dulak, and Klitzke NAYS: Nutter, DeDamos, Marineau, and Stegeman

This motion failed to carry.

MOTIONS AND RESOLUTIONS:

The proposed 2023 meeting schedule was presented as follows:

MONTH	MONDAY 6p.m. CITY COUNCIL	THURSDAY 4 p.m. W W U B	TUESDAY 11 a.m. CEMETERY BOARD	TUESDAY 4:15 p.m. PLANNING COMMISSION
January	16 th	12 th	10 th	10 th
February	21 st Tues	9 th	14 th	14 th

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March	20 th	9 th	14 th	14 th
April	17 th	13 th	11 th	11 th
May	15 th	11 th	9 th	9 th
June	19 th	8 th	13 th	13 th
July	17 th	13 th	11 th	11 th
August	21 st	10 th	8 th	8 th
September	18 th	14 th	12 th	12 th
October	16 th	12 th	10 th	10 th
November	20 th	9 th	14 th	14 th
December	18 th	14 th	12 th	12 th

A motion was made by Council Member Marineau and seconded by Council Member Nutter to approve the schedule. This motion was carried unanimously.

PUBLIC COMMENT:

Mayor Stegeman opened the public comment session.

Comments were heard from Sherry Duffrin and April Allen.

A motion was made by Council Member Dulak and seconded by Council Member Nutter to close public comment. This motion was carried unanimously.

ADJOURN:

A motion was made by Council Member Jones and seconded by Council Member Marineau to adjourn the meeting. This motion was carried unanimously.


Susan K. Johnson

COMMITTEE REPORT:

At a January 12, 2023 meeting, the Parks and Recreation/Buildings and Ground Committee discussed applying for a grant to run electricity to the Lighthouse for a security system and place dehumidifiers inside to control moisture and they recommend to City Council that Council approve Resolution No. 2023-001 to apply for a State Historic Preservation Office Grant (SHPO) in the amount of \$50,000.00 for the Lighthouse Projects.

PARKS AND RECREATION/BUILDINGS AND GROUNDS COMMITTEE

MOTION BY: _____ SECOND BY: _____

Adopt

	BARON	DeDAMOS	DULAK	JONES	KLITZKE	MARINEAU	NUTTER	PLEMEL	STEGEMAN
AYES									
NAYS									

RESOLUTION No. 2023-001

I, Kathleen A. Brofka, the duly qualified and acting City Clerk/Treasurer, do hereby certify that the following resolution was adopted at a meeting of the City of Menominee City Council held on January 16, 2023; is on file; has not been amended, altered or revoked, and is in full force and effect.

RESOLVED:

Whereas, the City of Menominee will file an application to the Michigan State Historic Preservation Office (SHPO) for the Certified Local Government Grant Program in the amount of \$50,000 for the Lighthouse Security Project for the resource located at 90 Harbor Drive; and

Whereas, the City of Menominee acknowledges that the Certified Local Government Grant Program is an expense reimbursement program. The City of Menominee authorizes expenditures in the amount of \$50,000 for the project work, with funds from the General Fund and private donations; and

Whereas, the City of Menominee acknowledges that reimbursement will be made upon completion of final project work, SHPO acceptance of the final completion report, SHPO audit and acceptance of financial documentation for eligible costs and SHPO acceptance of a historic reservation easement recorded at the Register of Deeds; and

Whereas, upon approval of the application by the SHPO the City Manager shall be authorized to sign the grant agreement, any necessary grant agreement amendments, and other agreement-related documents; and

Whereas, Brett Botbyl, City Manager, is appointed as the Grant Project Manager who will oversee the day-to-day grant management and grant administration duties, including vendor selection and coordinating the payment of vendor invoices; and

Whereas, upon completion of the project, the City Clerk/Treasurer shall be required to and is authorized to sign the required historic preservation easement and record it at the County Register of Deeds before the grant reimbursement will be processed by the SHPO;

RESOLVED, that the City of Menominee City Council directs Brett Botbyl, City Manager, to file an application for a grant from the SHPO Certified Local Government Grant Program for \$50,000; and

RESOLVED, that the City Manager be authorized to sign the grant application and any additional grant documentation, and to take Any additional administrative actions necessary to implement this resolution.

SEAL

Kathleen A. Brofka, City Clerk/Treasurer

At a January 12, 2023 meeting, the Judicial and Legislative/Personnel and Labor Committee discussed the request to have a liaison for the Marinette Marine Non-Federal Sponsor and they recommend to City Council that Council allows Nancy Douglas, retired Director of the MBDC, to act as a liaison with Marinette Marine Corporation and the City to ensure a smooth flow of information from Marinette Marine and the Army Corps of Engineers to the City of Menominee.

MOTION BY: _____ SECOND BY: _____

	BARON	DeDAMOS	DULAK	JONES	KLITZKE	MARINEAU	NUTTER	PLEMEL	STEGEMAN
AYES									
NAYS									



City of Menominee
City Council
Agenda Item

TITLE: Marinette Marine Non-Federal Sponsor

Requesting Agency:	Administration	Meeting Date:	January 16, 2023
Contact:	Brett Botbyl	Public Hearing:	N/A
Phone:	906-863-2656	Advertising Date:	N/A

PURPOSE:

The Menominee Business Development Corporation (MBDC) is presently seeking to replace retired Executive Director Nancy Douglas. Ms. Douglas has been instrumental in staying apprised and as a liaison on the Marinette Marine Corporation's (MMC) Menominee Harbor Federal Navigation Project where the City of Menominee is the non-federal sponsor for a United States Army Corp of Engineers (USACE) feasibility study.

BACKGROUND:

The MBDC has been working with Marinette Marine Corp. to support their expansion and job growth to accommodate the new Navy Fast Frigates FFG(X) contract. The City of Menominee takes an active role in that support. As Marinette Marine is located in the State of Wisconsin, it is difficult to provide financial support with State of Michigan tax dollars. The City became the non-federal sponsor to provide an opportunity for the City to provide support in a meaningful and necessary way. Due to the fact that this is a very important aspect of the feasibility study, and that Ms. Douglas has been an essential aspect of the process, I have asked Ms. Douglas to stay on as a liaison with the project to ensure compliance and that the process continues to move forward. Ms. Douglas has agreed to assist with no compensation.

BUDGET IMPACT:

There is no direct impact to the city budget as Marinette Marine Corp. has a development agreement with the City. The City makes payments to the USACE under the cost sharing agreement from funds provided by MMC.

STAFF RECOMMENDATION / ACTION REQUESTED

City Manager Brett Botbyl, requests and recommends that Nancy Douglas, retired Executive Director of the MBDC, be allowed to act as a liaison with MMC and the City to ensure a smooth flow of information from Marinette Marine and the Army Corps of Engineers to the City of Menominee.

COMMITTEE RECOMMENDATION / ACTION:

At a January 12, 2023 meeting, the Judicial and Legislative/Personnel and Labor Committee recommended to City Council that Council authorize Nancy Douglas, retired Executive Director of the MBDC, to act as a liaison with Marinette Marine Corporation and the City to ensure a smooth flow of information from Marinette Marine and the Army Corps of Engineers to the City of Menominee.

COMMITTEE REPORT:

At a January 12, 2023 meeting, the Judicial and Legislative/Personnel and Labor Committee discussed the Assessing department staffing and they recommend to City Council that Council allows the City Manager to enter into a contract for Assessing services for assistance in completing all of the required activities and meeting the timeline to keep the City in State compliance until such time a full time Assessor is hired.

JUDICIAL AND LEGISLATIVE/PERSONNEL AND LABOR COMMITTEE

MOTION BY: _____ SECOND BY: _____

Adopt

	BARON	DeDAMOS	DULAK	JONES	KLITZKE	MARINEAU	NUTTER	PLEMEL	STEGEMAN
AYES									
NAYS									



City of Menominee Council Agenda Item

TITLE: Assessor contract and hiring update

Requesting Agency: Administration

Meeting Date: January 2023

Contact: Brett Botbyl, City Manager

Public Hearing: N/A

Phone: 906-863-1747

Advertising Date: N/A

Council District:

Attachments:

PURPOSE:

To review and discuss details on how to handle the Assessor position and the timeliness of specific deadlines associated with the Cities tax rolls.

BACKGROUND:

With the current retirement of our Assessor, we find ourselves with time constraints pertaining to specific requirements associated with the Cities tax rolls.

We are required by state law to annually assess all properties within the city as they exist on December 31 at 50% of true cash value. In most cases, we use the cost approach method of appraisal as it is the most suitable for mass appraisal, allowing us to determine a general estimate of value for a large number of properties.

To account for differences in values between neighborhoods, we analyze sales to extract a multiplier known as the neighborhood's **Economic Condition Factor (ECF)**. This is done by listing all the sales for the subject neighborhood occurring during a specific study time period.

This ECV needs to be done prior to the City sending out our Notice of Assessment on February 18, 2023. It is my understanding that this process could take 2-3 weeks.

We have also been in contact with the State of Michigan Department of Treasury and have discussed our situation. The State is completely understanding of our situation, and advised that we will submit an unsigned tax roll to them. When an Assessor is hired, the State will then turn the tax roll back to the City for final completion etc.

Presently we have three applicants for the Assessor position, two that are looking for the full-time position, and one that is looking for a contractual basis. Two applicants are located within Menominee County, and the other contractual applicant is located in the Upper Peninsula.

Due to the time constraints, and the hiring process I am proposing that we negotiate a contract to complete the ECF, then move on with the hiring process and hopefully hire a full-time assessor with Council approval at the February Council Meeting on February 21, 2023.

Here is a list of specific dates that we need to adhere to:

February 18, 2023: Notice of Assessment to be mailed out
March 06, 2023: Tax roll to be completed
March 07, 2023: Board of Review organizational meeting
March 13, 2023: Board of Review organizational meeting

I will seek oversight and ensure that Attorney Celello has reviewed the contract.

BUDGET IMPACT:

I will attempt to stay within the approved 2022/2023 budget.

STAFF RECOMMENDATION / ACTION REQUESTED:

The City Manager respectfully requests that the tentative plan be approved and the manager is allowed to enter into a contract and continue the Assessor hiring process.

COMMITTEE RECOMMENDATION / ACTION:

At a January 12, 2023 meeting, the Judicial and Legislative/Personnel and Labor Committee discussed the Assessing department staffing and they recommend to City Council that Council allows the City Manager to enter into a contract for Assessing services for assistance in completing all of the required activities and meeting the timeline to keep the City in State compliance until such time a full time Assessor is hired.

BOARD RECOMMENDATION:

At a January 12, 2023 meeting, the Water and Wastewater Utility Board discussed a high-water billing and they recommend to City Council that Council forgive payment of \$611.00 for landlord Mark Jasper for 3300 13th St. due to extreme circumstances.

WATER AND WASTEWATER UTILITY BOARD

MOTION BY: _____ SECOND BY: _____

Adopt

	BARON	DeDAMOS	DULAK	JONES	KLITZKE	MARINEAU	NUTTER	PLEMEL	STEGEMAN
AYES									
NAYS									

- (a) A water and wastewater utilities board is hereby established.
- (b) The water and wastewater utilities board shall consist of five members who shall be freeholders and electors of the city.
- (c) Four members of the water and wastewater utilities board shall be appointed by the mayor with the consent of the City Council. Each term shall be for a period of five years and shall be staggered so that only one membership expires in a given year.
- (d) The City manager shall be an ex officio voting member of the water and wastewater utility board.
- (e) Every May, the water and wastewater utilities board shall organize and elect one member president. A majority of the water and wastewater utilities board shall constitute a quorum for the transaction of business. The City clerk/treasurer shall be ex officio clerk of the water and wastewater utilities board but shall have no vote therein. It shall be the City clerk/treasurer's duty to perform all clerical labor required by the water and wastewater utilities board and to have charge of all its books, records, accounts and papers.
- (f) The water and wastewater utilities board, subject to the direction of the City Council, may be charged and entrusted with any other public improvements or works as the City Council may, by ordinance, place under its management, supervision or control.
- (g) The water and wastewater utilities board shall have power to make and adopt all such bylaws, rules and regulations as they may deem necessary and expedient for the transaction of their business consistent with this Code.
- (h) The water and wastewater utilities board shall have the power to use its judgment in dispersing its budget allocation.
- (i) The water and wastewater utilities board's fiscal year shall be consistent with the City's fiscal year. Accurate accounts shall be kept under the direction of the water and wastewater utilities board and all money received and disbursed by it, and a full statement thereof, together with a complete statement in detail of all work done, shall be reported to, and audited by, the City Council or by any committee it may appoint for such purpose.
- (j) The water and wastewater utilities board may provide when and to whom all water rates and other moneys collected shall be paid and what steps consistent with those provided in this Code shall be taken to enforce payment. (See also section 28-54 pertaining to billings and billing enforcement).
- (k) All wages and salaries of water distribution employees and supervisors shall be paid from this board's budget.
- (l) The board may receive such compensation as the council may from time to time determine.

(Code 1979, § 1:8.2)

Sec. 28-24. - Combined sewer and water system.

- (a) It is hereby determined to be necessary for the public health, benefit and welfare of the City, to continue to operate the water supply system and the sewage disposal system as one combined system, designated as the "Water Supply and Sewage Disposal System of the City of Menominee," under the provisions of the Revenue Bond Act of 1933 (MCL 141.101 et seq.).
- (b) The City water supply and sewage disposal system shall be operated and maintained as one system on a combined rate basis and shall include all wells, pumps, pump house, water mains and laterals, water and sewer pumping stations, water storage and treatment facilities, sewers, sewage treatment plant and all attendant facilities and equipment which are used or useful in the operation and maintenance of the water supply and sewage disposal system, now in existence or hereafter acquired.

- (c) Records for the water supply portion of the system shall be kept separately from sewage disposal records. These records shall include all expenses and revenues associated with each of these two categories within the overall system.
- (d) The following shall use of information and data obtained from users:
 - (1) Information and data on a user obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agency without restriction.
 - (2) A user may request that the information provided by the user remain confidential. A request for confidentiality made by a user must be made at the time information is submitted. A request for confidentiality must be made on each page containing confidential information by clearly stamping on each page the words "confidential business information." No request for confidentiality can be honored with respect to effluent data.
 - (3) Information submitted to the City by a user may be made available upon written request to governmental agencies for uses related to this article, the national pollutant discharge elimination system (NPDES) permit, or pretreatment programs; provided, however, that such portions of a report shall be available for use by the state or any state agency in judicial review or enforcement proceedings involving the person furnishing the report.

(Code 1979, § 10:1.0(1)—(4))

Secs. 28-25—28-51. - Reserved.

DIVISION 2. - RATES AND CHARGES

Sec. 28-52. - Water supply and wastewater system and treatment rates.

- (a) The rates to be charged and collected for the operation and maintenance of the municipal water supply and wastewater system and the treatment of wastewater shall be as established by resolution.
- (b) Rate schedule for providing temporary water service in the City:
 - (1) Temporary service is defined as any metered usage with a duration of less than 90 days, and an annual usage of less than 180 days total and is located within the City limits of the City.
 - (2) All requests for temporary water usage will be submitted based on the following schedule:
 - a. Less than 100,000 gallons per day: 30 days' prior notice;
 - b. 100,000 to 500,000 gallons per day: 60 days' prior notice;
 - c. Over 500,000 gallons per day: 90 days' prior notice.
 - (3) All requests for temporary water usage will be approved by the water and wastewater utilities board, and will be based upon the availability capacity of the municipal water treatment facility.
 - (4) All costs for the setup and removal of a temporary water service will be the responsibility of the customer, regardless of whether or not any water is used.
 - (5) Minimum charge for the use of a water meter is one quarter (three months).
- (c) Metered rates, contract rates and industrial surcharges shall be reviewed and audited annually, and the rates and surcharges shall be adjusted accordingly to reflect the variation in cost-rate-revenue pattern as it changes during the useful life of the wastewater treatment facility.
- (d) No deduction shall be made from any consumer's account for water consumed which does not reach the sanitary sewer unless such water is taken from a separate metered connection (i.e., yard meter) with the water supply main; and such allowed deduction shall be the existing sewer rate. Any consumer having a separate meter for such purpose shall pay for that meter installation.

- (a) Charges for service shall be collected quarterly, provided however, billing may be changed to monthly in such circumstances as are deemed advisable by the water and wastewater utilities board and the bills shall specify the date they are due. Water billings and other bills due the water and wastewater utilities board shall be sent only to the person owning the property on which the bill is incurred. No bills will be sent to the renters unless the provisions of section 21 of the Revenue Bond Act of 1933 (MCL 141.121) and subsection (b) of this section are specifically satisfied.
- (b) Enforcement. The charges for services which are under the provisions of section 21 of the Revenue Bond Act of 1933 (MCL 141.121) will be made a lien on all premises served thereby, unless notice is given that a tenant is responsible, are hereby recognized to constitute such lien, and whenever any such charge against any piece of property shall be delinquent for six months, the City official or official in charge of the collection therefor shall certify to the City assessor the fact of such delinquency whereupon such charge shall be entered upon the next tax roll as a charge against said premises and shall be collected and the lien thereof enforced in the same manner as general City taxes against such premises are collected, and the lien thereof enforced; provided, however, where a notice is given that a tenant is responsible for such charges and services, as provided by said section 21 (MCL 141.121), or a customer is located outside of the City limits service shall not be rendered such premises until a cash deposit in the amount established by resolution shall have been made as security for payment of such charges and service.
- (c) In addition to other remedies provided, the City shall have the right to shut off and discontinue the supply of water to any premises for the nonpayment of charges when due. If such charges are not paid within 30 days after the due date thereof, services to such premises may be discontinued. Service so discontinued shall not be restored until all sums then due and owing shall be paid plus a turn on and turn off charge as set in the current rate schedule.
- (d) **No free service shall be furnished to any person, including nonprofit organizations.**
- (e) Premises on private water supply connected to the sewerage system may be disconnected from the sewerage system for nonpayment of services.
- (f) The City will maintain and keep proper books of records and accounts, separate from all other records and accounts, in which shall be made full and correct entries of all transactions relating to the system. The City will cause an annual audit of such books of record and account for the preceding operating year to be made by a recognized independent certified public accountant, and will supply such audit report to authorized public officials on request.
 - (1) In conjunction with the audit there shall be an annual review of the sewer charge system for adequacies meeting expected expenditures for the following year.
 - (2) Classification of old and new industrial users should also be reviewed annually.
 - (3) The City will maintain and carry insurance on all physical properties of the system, of the kinds and in the amounts normally carried by public utility companies and municipalities engaged in the operation of water supply and sewage disposal systems. All monies received for losses under any such insurance policies shall be applied solely to the replacement and restoration of the property damage or destroyed.
- (g) Duly authorized employees or representatives of the City bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this division.
- (h) The sewerage system shall be operated on the basis of a fiscal year commencing on July 1 and ending on June 30.
- (i) The rates hereby fixed are estimated to be sufficient to provide for the payment of any or all indebtedness, to provide for the expenses of administration and operation and such expenses of maintenance of such system as are necessary to preserve the same in good repair and working order, to build up a reasonable reserve for equipment replacement thereof. Such rates shall be fixed and revised from time to time as may be necessary to produce these amounts. An annual audit shall be prepared. Based on said audit, rates for sewage services shall be reviewed annually and revised as



City of Menominee
City Council
Agenda Item

TITLE: Poverty Exemption Guidelines – Asset Test Resolution & Application

Requesting Agency: Assessor's Office

Meeting Date: January 16, 2023

Contact:

Public Hearing: NA

Phone: 863-2656

Advertising
Date: NA

Council District: Citywide

Attachments: Poverty Exemption Resolution & Application

PURPOSE:

Request the City Council approve the guideline resolution adopting the federal poverty guidelines along with the application for poverty exemption of property taxes for the 2023 tax year.

BACKGROUND:

Michigan tax law allows qualified property owners to request an exemption from some or all property taxes in cases of poverty or hardship to the local Board of Review. The State Tax Commission requires the local government unit adopt the established federal poverty levels annually. Further, the State Tax Commission requires that each unit of government approve a guideline resolution with asset test and application.

BUDGET IMPACT:

Dependent upon applications approved by the Board of Review.

STAFF RECOMMENDATION / ACTION REQUESTED:

Action Requested: adopt the guideline resolution adopting the federal poverty guidelines/asset test along with the application for poverty exemption of property taxes for the 2023 tax year.

RESOLUTION #2023-002
CITY OF MENOMINEE RESOLUTION FOR 2023 POVERTY EXEMPTION GUIDELINES

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

WHEREAS, the principal residence of persons, who the Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in whole or in part from taxation under Public Act 390 of 1994 (MCL 211.7u); and

WHEREAS, pursuant to PA 390 of 1994, the City of Menominee City Council, Menominee County adopts the following guidelines for the Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year. An asset test means the amount of cash, fixed assets or other property that could be used, or converted to cash for use in the payment of property taxes. All other assets above that should be considered available; and

WHEREAS, the City shall follow the federal poverty income guidelines which are updated annually by the United States Department of Health and Human Services. The following are the 2023 federal poverty income guidelines:

Size of Family Unit	2023 Poverty Guidelines
1	\$ 13,590
2	\$ 18,310
3	\$ 23,030
4	\$ 27,750
5	\$ 32,470
6	\$ 37,190
7	\$ 41,910
8	\$ 46,630
For each additional person	\$ 4,720

The annual allowable income includes income for all persons residing in the principal residence.

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

- 1) Be an owner of and occupy as a principal residence the property for which an exemption is requested.
- 2) File an application with the assessor or Board of Review, accompanied by required supporting documents and federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns filed in the immediately preceding year or in the current year for verification purposes.
- 3) File a claim reporting that the combined assets of all persons within the household do not exceed the asset threshold of \$ 25,000. Assets include but are not limited to:
 - Ownership interest in a second home, land, vehicles
 - Recreational vehicles such as campers, motor-homes, boats and ATV's
 - Buildings other than the residence
 - Jewelry, antiques, artworks
 - Equipment, other personal property of value

- Financial institution accounts over \$2,000
- Money received from the sale of property, such as, stocks, bonds, a house or car (unless a person is in the specific business of selling such property)
- Withdrawals of bank deposits and borrowed money
- Gifts, loans, lump-sum inheritances and one-time insurance payments
- Lottery and/or gambling winnings
- Federal and/or stimulus payments
- Food or housing received in lieu of wages
- Federal non-cash benefits programs such as Medicare, Medicaid, food stamps and school lunches

4) Produce a valid driver's license or other form of identification if requested.

5) Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.

6) Meet the federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services.

7) The application for an exemption shall be filed after January 1, but one day prior to the last day of the December Board of Review. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.

WHEREAS, Public Act 253 of 2020 amended MCL 211.7u, allows for partial poverty exemptions to be granted, the following exemption percentages shall be used by the Board of Review.

100% or 50% or 25%

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Assessor and Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption.

The foregoing resolution offered by City Council Member _____ and supported by City Council Member _____.

Upon roll call vote, the following voted:

"Aye": _____ "Nay": _____

The City Clerk declared the resolution _____.

_____ Kathleen Brofka, City Clerk Date _____

2023
CITY OF MENOMINEE
POVERTY EXEMPTION GUIDELINES

Petitioner, being the owner and residing at the property listed on the application is applying for property tax relief under MCL 211.7u of the General Property Tax Act, Public Act 206 of 1893. The principal residence of the persons who, by reason of poverty are unable to contribute toward the public charges is eligible for exemption in whole or in part from taxation per MCL 211.7u(1).

Notice: Any willful misstatements or misrepresentations made on this form may constitute perjury, which, under the law, is a felony punishable fine or imprisonment.

Notice: Per MCL 211.7u(2b), a copy of ALL household members federal income tax returns: state income tax returns (MI-1040) for the current and prior year and Homestead Property Tax Credit claims (MI-1040CR 1,2,3, or 4) must be attached as proof of income or a signed Form 4988, Poverty Exemption Affidavit.

For verification purposes monthly statements for the past six months must be provided for all income sources, including, but not limited to, credits, claims, Social Security income, child support, alimony income, and all other income sources must be provided at time of application.

Notice: For verification purposes documentation for all expenses for the past six months must be provided at the time of application.

Notice: For verification purposes the past six months of statements for checking, savings, and investment accounts for all household members must be provided.

Notice: Submitted incomplete applications will result in denial of the exemption application. In order to be considered complete, this application must: 1) be completed in its entirety, 2) include Information regarding ALL members residing within the household, and 3) include ALL required documentation as listed within the application. Please write legibly and attach additional pages as necessary.

Notice: The Petitioner is required to be available to the Board of Review in-person. Contact the City Assessor 863- 2656 for an appointment. Failure to appear or answer phone appointment time will result in denial of the poverty exemption.

2023 ASSET CLAIM

Name Address: _____

ASSET	YES or NO	VALUE
Second Home		
land		
Vehicles		
Camper		
Motor-home		
Boat		
ATV		
Buildings (other than residence)		
Jewelry		
Antiques		
Artworks		
Equipment/roofs (other personal property of value)		
Business Interests		
Bank Accounts		
Money received from sale of property, such as stocks, bonds, a house or car		
Withdrawals of bank deposits & borrowed money		
Gifts, loans, lump-sum inheritances, one-time insurance payments		
Food or housing received in lieu of wages		
Federal/State non-cash benefits such as Medicare, Medicaid, food assistance & school meals		
Other:		
Other:		
Other:		
Other:		
Other:		
Other:		

Applicant Signature

Date

Application for MCL 211.7u Poverty Exemption

This form is issued under the authority of the General Property Tax Act, Public Act 206 of 1893, MCL 211.7u.

MCL 211.7u of the General Property Tax Act, Public Act 206 of 1893, provides a property tax exemption for the principal residence of persons who, by reason of poverty, are unable to contribute toward the public charges. This application is to be used to apply for the exemption and must be filed with the Board of Review where the property is located. This application may be submitted to the city or township the property is located in each year on or after January 1.

To be considered complete, this application must: 1) be completed in its entirety, 2) include information regarding all members residing within the household, and 3) include all required documentation as listed within the application. Please write legibly and attach additional pages as necessary.

PART 1: PERSONAL INFORMATION — Petitioner must list all required personal information.				
Petitioner's Name			Daytime Phone Number	
Age of Petitioner	Marital Status	Age of Spouse	Number of Legal Dependents	
Property Address of Principal Residence		City	State	ZIP Code
<input type="checkbox"/> Check if applied for Homestead Property Tax Credit		Amount of Homestead Property Tax Credit		
PART 2: REAL ESTATE INFORMATION				
List the real estate information related to your principal residence. Be prepared to provide a deed, land contract or other evidence of ownership of the property at the Board of Review meeting.				
Property Parcel Code Number		Name of Mortgage Company		
Unpaid Balance Owed on Principal Residence	Monthly Payment	Length of Time at this Residence		
Property Description				
PART 3: ADDITIONAL PROPERTY INFORMATION				
List information related to any other property owned by you or any member residing in the household.				
<input type="checkbox"/> Check if you own, or are buying, other property. If checked, complete the information below.			Amount of Income Earned from other Property	
1	Property Address	City	State	ZIP Code
	Name of Owner(s)	Assessed Value	Date of Last Taxes Paid	Amount of Taxes Paid
2	Property Address	City	State	ZIP Code
	Name of Owner(s)	Assessed Value	Date of Last Taxes Paid	Amount of Taxes Paid

PART 4: EMPLOYMENT INFORMATION — List your current employment information.

Name of Employer			
Address of Employer	City	State	ZIP Code
Contact Person	Employer Telephone Number		

PART 5: INCOME SOURCES

List all income sources, including but not limited to: salaries, Social Security, rents, pensions, IRAs (individual retirement accounts), unemployment compensation, disability, government pensions, worker's compensation, dividends, claims and judgments from lawsuits, alimony, child support, friend or family contribution, reverse mortgage, or any other source of income, for all persons residing at the property.

Source of Income	Monthly or Annual Income (Indicate which)

PART 6: CHECKING, SAVINGS AND INVESTMENT INFORMATION

List any and all savings owned by all household members, including but not limited to: checking accounts, savings accounts, postal savings, credit union shares, certificates of deposit, cash, stocks, bonds, or similar investments, for all persons residing at the property.

Name of Financial Institution or Investments	Amount on Deposit	Current Interest Rate	Name on Account	Value of Investment

PART 7: LIFE INSURANCE — List all policies held by all household members.

Name of Insured	Amount of Policy	Monthly Payments	Policy Paid in Full	Name of Beneficiary	Relationship to Insured

PART 8: MOTOR VEHICLE INFORMATION

All motor vehicles (including motorcycles, motor homes, camper trailers, etc.) held or owned by any person residing within the household must be listed.

Make	Year	Monthly Payment	Balance Owed

PART 9: HOUSEHOLD OCCUPANTS — List all persons living in the household.

First and Last Name	Age	Relationship to Applicant	Place of Employment	\$ Contribution to Family Income

PART 10: PERSONAL DEBT — List all personal debt for all household members.

Creditor	Purpose of Debt	Date of Debt	Original Balance	Monthly Payment	Balance Owed

PART 11: MONTHLY EXPENSE INFORMATION

The amount of monthly expenses related to the principal residence for each category must be listed. Indicate N/A as necessary.

Heating	Electric	Water	Phone
Cable	Food	Clothing	Health Insurance
Garbage	Daycare	Car Expense (gas, repair, etc.)	
Other (type and amount)	Other (type and amount)	Other (type and amount)	
Other (type and amount)	Other (type and amount)	Other (type and amount)	

NOTICE: Per MCL 211.7u(2)(b), federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns, filed in the immediately preceding year or in the current year must be submitted with this application. Federal and state income tax returns are not required for a person residing in the principal residence if that person was not required to file a federal or state income tax return in the tax year in which the exemption under this section is claimed or in the immediately preceding tax year.

PART 11: POLICY AND GUIDELINES ACKNOWLEDGMENT

The governing body of the local assessing unit shall determine and make available to the public the policy and guidelines used for the granting of exemptions under MCL 211.7u. In order to be eligible for the exemption, the applicant must meet the federal poverty guidelines published in the prior calendar year in the Federal Register by the United States Department of Health and Human Services under its authority to revise the poverty line under 42 USC 9902, or alternative guidelines adopted by the governing body of the local assessing unit so long as the alternative guidelines do not provide income eligibility requirements less than the federal guidelines. The policy and guidelines must include, but are not limited to, the specific income and asset levels of the claimant and total household income and assets. The combined assets of all persons must not exceed the limits set forth in the guidelines adopted by the local assessing unit.

☐ The applicant has reviewed the applicable policy and guidelines adopted by the city or township, including the specific income and asset levels of the claimant and total household income and assets.

PART 12: CERTIFICATION

I hereby certify to the best of my knowledge that the information provided in this form is complete, accurate and I am eligible for the exemption from property taxes pursuant to Michigan Compiled Law, Section 211.7u.

Printed Name	Signature	Date

This application shall be filed after January 1, but before the day prior to the last day of the local unit's December Board of Review.

Decision of the March Board of Review may be appealed by petition to the Michigan Tax Tribunal by July 31 of the current year. A July or December Board of Review decision may be appealed to the Michigan Tax Tribunal by petition within 35 days of decision. A copy of the Board of Review decision must be included with the petition.

Michigan Tax Tribunal
PO Box 30232
Lansing MI 48909

Phone: 517-335-9760
E-mail: taxtrib@michigan.gov