



AGENDA

REGULAR MEETING OF THE PARCHMENT CITY COMMISSION

JUNE 5, 2017

7 P.M.

PARCHMENT CITY COMMISSION

MAYOR ROBERT B. HEASLEY

COMMISSIONER TERRY HAGEMAN

COMMISSIONER JON HEASLEY

COMMISSIONER ERIC CRONIN

VICE MAYOR ROBERT D. BRITIGAN III

COMMISSIONER DOUGLAS FOY

COMMISSIONER HOLLY EVANS

OFFICERS

INTERIM CITY MANAGER CURT FLOWERS

CITY ATTORNEY ROBERT SOLTIS

CITY TREASURER/CLERK SHANNON STUTZ

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES

A. City Commission Regular Meeting Minutes of May 15, 2017 – Approve

4. ADDITIONS OR CHANGES TO THE AGENDA

5. CITIZEN COMMENTS

Persons wishing to address the City Commission on items not already an agenda item, will be allowed five minutes. Please state your name and address for the record. If you require special accommodation, please notify the Clerk

7. CONSENT AGENDA

Items on the consent agenda will be dealt with one vote by the City Commission unless a Commissioner requests an item be dealt with individually.

Motion to RECEIVE OR APPROVE as indicated:

- i. Warrant No. 1336 – receive
- ii.

8. UNFINISHED BUSINESS

9. NEW BUSINESS

- A. 2017 Water/Sewer Rate Resolutions - approve
- B. 2017-18 Fiscal Year Budget Resolution - approve
- C. 2017 Millage Rate Resolution – approve
- D. July Commission Meeting Dates - discuss

10. BOARD AND COMMISSION REPORTS/MINUTES

- E. KAC Minutes from May 15, 2017 – receive
- F. Personnel Committee – Vice Mayor Britigan
- G. City Manager Contract - approve

11. CITIZEN COMMENTS

Persons wishing to address the City Commission on items not already an agenda item, will be allowed five minutes. Please state your name and address for the record. If you require special accommodation, please notify the Clerk.

12. MAYOR & COMMISSIONER COMMENTS

13. CITY MANAGER COMMENTS

14. ADJOURNMENT

**MINUTES OF THE REGULAR MEETING OF THE PARCHMENT CITY
COMMISSION HELD ON MONDAY MAY 15, 2017.**

1. Call to order

Mayor Heasley called the meeting to order at 7:00 p.m. He led those present in the "Pledge of Allegiance".

2. Roll Call.

Present: Mayor Heasley, Vice Mayor Britigan, Commissioners Cronin, Evans, Fooy, Hageman and Heasley. Interim City Manager Flowers, City Treasurer/Clerk Stutz, and City Attorney Soltis.

Absent: None.

3. Minutes

Moved by Commissioner Heasley, supported by Commissioner Cronin to approve the Minutes of the May 1, 2017 regular meeting.

Motion Carried.

Moved by Commissioner Cronin, supported by Commissioner Hageman to approve the Minutes of the May 8, 2017 special meeting.

Motion Carried.

4. Additions or Changes to the Agenda

None.

5. Citizen Comments

Deb Lawson, 507 Keyes, reported that the Neighborhood Watch had a recent meeting where they decided to have a booth at the Festival. She asked the Commission for funds for information magnets (\$100 for 200).

Judy Resler, 218 Maple, asked if there was any movement on amending the charter to allow the Commission to hire and fire employees. Interim City Manager Flowers explained that, among other things, to amend the Charter a vote must go to the residents. Ms. Resler also presented a noise ordinance from a neighboring community to Interim City Manager Flowers, suggesting that the City take a look at it. She then asked about whether a "for sale" sign could be put in the Bellisle Property.

Teresa Stannard, Library Director, updated those present on the upcoming events at the Library, including monthly town hall meetings. Check their website for details. Parchmentlibrary.org

6. Public Hearing for 2017/18 Fiscal Year Budget

At 7:16 pm Vice Mayor Britigan moved to go into the Public Hearing, supported by Commissioner Hageman. **Motion Carried.** Judy Resler, 218 Maple, commented that she thought the City Manager position was appropriately budgeted. Hearing no other comments, Vice Mayor Britigan moved to end the Public Hearing at 7:21 pm, supported by Commissioner Heasley. **Motion Carried.**

7. Consent Agenda

A. Moved by Vice Mayor Britigan, supported by Commissioner Hageman to receive the consent agenda items. **Motion Carried.**

8. Unfinished Business

A. None.

9. New Business

- A. Revised Waiver & Release for 400 Island Avenue – approve. Per Commissioner Cronin, there seemed to be a miscommunication between KABA and the City regarding this release. Per Attorney Soltis, the second paragraph of the revised release goes farther than necessary. He noted the City has an executed document in the first waiver, and suggested the Commission was done. No action was taken.
- B. Deficit Elimination Resolution – approve. Moved by Commissioner Cronin, supported by Commissioner Heasley to approve the Major Street Fund Deficit Reduction Plan as presented by Interim City Manager Frakes. Roll call vote was as follows:
Ayes: Britigan, Cronin, Evans, Fooy, Hageman, J Heasley, R Heasley
Nays: None
Absent: None
Abstain: None
Motion Carried 7-0.
- C. Michigan Municipal League 2017-18 Dues – approve. Moved by Commissioner Hageman, supported by Commissioner Evans to approve the budgeted MML dues for 2017-18. **Motion Carried.**
- D. Water/sewer Rate Committee Members – confirm/appoint. Mayor Heasley appointed Commissioners Heasley, Cronin, and Evans.

10. Standing Board and Committee Reports

- A. KAC Meeting Minutes of May 1, 2017 – Information only.
- B. Personnel Committee Report. Vice Mayor Britigan announced that the Commission decided on May 8, 2017 to offer the City Manager position to Nancy Stoddard. He noted terms are in negotiation and a draft prepared; also that a background check is in process. Vice Mayor Britigan stated that “if all goes well”, she will start on Tuesday, June 6. Interim City Manager Flowers agreed to stay on through a transition period.

11. Citizen Comments

Bob Greene, 143 N Riverview, suggested adding to the website the water/sewer rate study that’s in the lobby. He also encouraged Commissioners and employees to take advantage of conference opportunities, saying they can be valuable.

Chester Emmons, 433 N Riverview, asked if signs were allowed for the Farmer’s Market at Bookends.

12. Mayor and Commissioner Comments

Commissioner Fooy talked about restructuring the City’s Master Plan; he also commented that he spoke with Cooper Township Supervisor Sorensen regarding road projects and sewer tile needs. Commissioner Heasley said that he was happy that Dennis Durham was no longer the City Manager. Vice Mayor Britigan acknowledged the Jack Lessenberry event at the Library, saying it was well attended. He also lobbied the water/rate committee suggesting they make the rates as affordable as possible, and consider increasing the Cooper Township rate. Mayor Heasley commented that a newsletter is in the making, hoping it would be ready in time to boost the festival as well as introduce the new CM.

13. City Manager Comments/Reports

- A. None.

14. Adjournment

There being no further business to come before the Commission, it was moved by Commissioner Cronin and supported by all to adjourn the meeting at 8:14 p.m.

Shannon S. Stutz
City Clerk



City of Parchment
Check Register Report
Warrant 1336

Check #	Check Date	Vendor Name	Check Description	Amount
MERCANTILE Checks				
33831	05/23/2017	BLUE CROSS BLUE SHIELD OF MI	Employee/Retiree Ins - June	10,495.31
33832	05/23/2017	JASON & DAWN BRADY	Credit - Water Refund	108.07
33833	05/23/2017	CERTIFIED LABORATORIES	Case of Permalube Grease	240.00
33834	05/23/2017	CINTAS CORPORATION LOC. 725	Uniform Rental & Towels	192.88
33835	05/23/2017	CLARK TECHNICAL SERVICES	April Support	192.50
33836	05/23/2017	CLEAN EARTH ENVIRONMENTAL	Service Leak-426 N Riverview	2,932.65
33838	05/23/2017	CONSUMERS ENERGY	City wide Electricity - April	8,549.78
33839	05/23/2017	CORNERSTONE OFFICE SYSTEMS	Monthly Contract-5/4 to 6/3/17	150.31
33840	05/23/2017	DEYOUNG LANDSCAPE SERVICE	Garden-Turf Treatment #2	165.00
33841	05/23/2017	DIAMOND CONCRETE SAWING	Service Leak-426 N Riverview	275.00
33842	05/23/2017	ENGINEERED PROTECTION SYSTEMS	Maint Bldg-6/1 to 8/31/17	126.69
33843	05/23/2017	FORD, KRIEKARD, SOLTIS & WISE	April Police/General matters	2,168.75
33844	05/23/2017	FRANCOTYP-POSTALIA, INC.	Rental, Meter, Scale	78.00
33845	05/23/2017	KALAMAZOO OIL CO.	Fuel Charges 5/1 to 5/15/17	191.27
33846	05/23/2017	KELLY WHITE DESIGN, INC.	Updates & Maint-April	112.50
33847	05/23/2017	LINDE GAS NORTH AMERICA LLC	Comp Air & Compliance Chg	26.20
33848	05/23/2017	PREIN & NEWHOF	MS4 Stormwater Permit-TMDL	155.35
33849	05/23/2017	QUALITY PRECAST, INC.	Concrete-426 N Riverview-Water	158.00
33850	05/23/2017	REPUBLIC SERVICES #249	City Wide Pickup-May	7,809.77
33851	05/23/2017	ROSE PEST SOLUTIONS	Pest Control - Contract	78.00
33852	05/23/2017	SEVERANCE ELECTRIC CO INC	Traffic Signal Maint-May 2017	120.00
33853	05/23/2017	SMALL BUSINESS ADMIN SERVICES	HRA - May	52.50
33854	05/23/2017	MIKE WOLTHUIS	Repair Storm Drain & Concrete	1,150.00

CITY OF PARCHMENT RESOLUTION

CHARGES FOR WATER SUPPLIED BY THE WATER DEPARTMENT

WHEREAS, in accordance with City of Parchment Compiled Ordinances, specifically section 58-113, the City Commission is empowered to fix rates charged to customers of the City of Parchment Water System for efficient operation and maintenance of said system.

NOW THEREFORE BE IT RESOLVED, effective July 1, 2017, charges for water supplied by the City of Parchment Water System shall be computed as follows:

A. RATE SCHEDULE "A"

Demand Charge – The minimum charge, covering periods during which no water has been used, shall be referred to as the demand charge. The demand charge shall be based on the size of the meter installed. The demand charge shall apply whenever water service is on and available to the customer and shall be discontinued only after the meter has been removed by authorized City personnel.

Domestic and Commercial Size of Meter	Base Charge per quarter
Less than one inch	\$20.00
One inch	29.70
One and one half inch	43.96
Two inch	61.78
Three inch	119.00
Four inch	178.00
Six inch	178.00
Eight inch	178.00

Commodity Charge -- Customers of all account classes located within the corporate limits of the City of Parchment shall pay \$2.66 per 100 cubic feet of water usage.

Customers located outside the corporate limits of the City of Parchment and those customers not on the real property tax rolls of the City of Parchment shall pay one and one half the rate for demand and commodity charges.

Exceptions: Discount volume contracts in existence at the time of adoption of this resolution shall be entitled to the rate structures and/or formulas set forth within their respective contracts.

B. RATE SCHEDULE "B" - FIRE SPRINKLER

Fire Sprinkler Service Pipe Size	Ready to Serve Charge per Quarter
Four inch	\$ 178.00
Six inch	178.00
Eight inch	178.00

Commodity Charge: \$2.66 per 100 cubic feet

Rate schedule "B" shall apply to all service pipes furnishing water to fire protection sprinkler systems. It shall be unlawful to use water through such service pipes for any purpose other than extinguishing fires, testing or filling of the sprinkler system or its appurtenances. Customers using water under schedule "B" shall maintain their

sprinkler systems in a tight condition free from drips, leaks, and unlawful uses of water at all times and at such frequencies as to best protect the interests of the City of Parchment water system.

C. PENALTY

A penalty of ten (10) percent of the billing for services shall be charged on all accounts not paid on or before the due date as indicated on the billing.

D. TURN ON - TURN OFF CHARGES

A charge of \$15.00 shall be made whenever a meter is removed or service is turned off, and a charge of \$15.00 shall be made whenever a meter is reinstalled or service is turned on. No charge shall be made for the initial installation of a meter.

E. PARALLEL METERS

When two or more meters are connected parallel, the size for the purpose of billing shall be considered as the size meter having the next largest cross sectional area than the total of the cross sectional areas of the meters so connected.

Moved by Commissioner _____, supported by Commissioner _____.

The roll call vote was as follows:

Ayes: .
Nays: .
Absent: .
Abstain: .

Resolution declared adopted this 5th day of June, 2017.

Shannon Stutz
City Clerk

**CITY OF PARCHMENT
SEWER RATE RESOLUTION**

CHARGES FOR SEWER SERVICES SUPPLIED BY THE SEWER DEPARTMENT

WHEREAS, in accordance with the City of Parchment Compiled Ordinances, specifically section 58-61, the City Commission is empowered to set the rates charged to customers of the City of Parchment Sewer System for the efficient operation and maintenance of said system.

NOW THEREFORE BE IT RESOLVED, effective July 1, 2017, the charges for sewer services supplied by the City of Parchment Sewer System shall be computed as follows:

- A. The charges for sewer services shall be based upon the cubic feet readings from the water system. The charges for the October Billing shall be based on an average of the previous two winter quarters or the actual readings which ever is lower.
- B. Demand Charge - The minimum charge, covering periods during which no water usage has been recorded shall be referred to as the demand charge. The demand charge for all account classes shall be \$30.00 per quarter.

Commodity Charge - Customers of all account classes located within the corporate limits of the City of Parchment shall pay \$4.75 for sewer services per 100 cubic feet of water usage.

Customers located outside the corporate limits of the City of Parchment and those customers not on the real property tax rolls of the City of Parchment shall pay one and one-half the rate for demand and commodity charges.

Exceptions: Discount volume contracts in existence at the time of the adoption of this resolution shall be entitled to the rate structures and/or formulas set forth within their respective contracts.

C. **PENALTY**

A penalty of ten (10) percent of the billing for services shall be charged on all accounts not paid on or before the due date as indicated on the billing.

Moved by _____, supported by Commissioner _____.

The roll call vote was as follows:

Ayes:

Nays:

Absent: .

Abstain:

Resolution declared adopted this 5th day of June, 2017.

Shannon Stutz
City Clerk

City of Parchment
2017-2018

Budget Resolution

At a regular meeting of the City Commission of the City of Parchment held on Monday, June 5, 2017 the following budget resolution was offered by Commissioner _____ and supported by Commissioner _____.

WHEREAS, the City Manager did submit to the City Commission a proposed budget estimating revenues and expenditures for the 2017-2018 fiscal year on April 17, 2017, as required by Chapter VII, Section 7.4 of the City Charter; and

WHEREAS, the City Commission in accordance with Act 621 Michigan Public Acts of 1978, did hold a public hearing on May 15, 2017 at 7:00 P.M. to receive citizen comment on the proposed budget as presented herein. A copy of the affidavit of publication is on file with the City Clerk.

NOW THEREFORE BE IT RESOLVED THAT, the City Commission of the City of Parchment, does hereby adopt said budget as represented herein; and

BE IT FURTHER RESOLVED, that the City Treasurer be authorized and directed to make such transfers between the various funds in accordance with the adoption of the budget; and

BE IT FURTHER RESOLVED, that the City Manager be authorized to transfer up to \$ 5,000.00 from any function of this budget to any other function of the budget within the same fund without further approval.

General Fund

Revenues		Expenditures	
Taxes/Fees	\$733,436	Legislative	43,286
State Sales Tax	173,480	Administration	250,025
Solid Waste Collect'ns	114,000	Legal Services	25,000
Other Revenues	29,400	Police Services	343,850
From Fund Balance	200,000	Fire Department	105,790
State Grants	50,900	Public Works Department	388,559
		Parks, Recreation & Culture	140,488
Total Revenues	\$1,301,216	Total Expenditures	\$1,296,998

City of Parchment
2017-2018

Major Street Fund

Revenues		Expenditures	
State Grants	\$122,480	Routine Maintenance	13,860
Transfers	75,000	Traffic Services	23,602
		Winter Maintenance	22,020
		Administration	40,143
Total Revenues	\$197,480	Total Expenditures	\$99,625

Local Street Fund

Revenues		Expenditures	
State Grant/Interest	51,000	Routine Maintenance	13,623
Transfers	20,000	Traffic Services	14,281
		Winter Maintenance	22,019
		Administration	18,141
Total Revenues	\$ 71,000	Total Expenditures	\$68,064

Kindleberger Summer Festival

Revenues		Expenditures	
Grants	\$36,500	Performance Expense	\$39,850
Sponsorships	17,000	Festival Day	4,250
Fundraising	-	Fundraising	-
Other Revenues	7,825	Administration	8,000
		Publicity	7,100
		Stage Expenses	1,100
Total Revenues	\$ 61,325	Total Expenditures	\$60,300

City of Parchment
2017-2018

Brownfield Redevelopment Authority

Revenues		Expenditures	
Tax Revenue	\$53,130	Brownfield Debt Retirement	58,146
Transfers	5,016	Environmental	0
		Administrative Overhead	0
Total Revenues	\$ 58,146	Total Expenditures	\$ 58,146

The roll call vote was as follows:

Ayes:
Nays:
Absent:
Abstain:

Resolution declared adopted this 5th day of June, 2017.

Shannon Stutz
Treasurer/Clerk

Resolution to Establish the 2017 Millage Rate

City of Parchment
2017-2018

At a regular meeting of the City Commission of the City of Parchment held on Monday, June 5, 2017 the following millage resolution was offered by _____ and supported by Commissioner _____.

WHEREAS, the City of Parchment Board of Review has completed its review and correction of the Assessment Roll for 2017; and

WHEREAS, said Assessment Roll shows the taxable value of all real and personal property in the City of Parchment subject to general Ad Valorem taxation to be as follows:

REAL PROPERTY	39,437,698
PERSONAL PROPERTY	1,808,300
TOTAL ASSESSMENT ROLLS	\$41,245,998

WHEREAS, the City Commission has adopted a budget for the 2017-18 fiscal year which will require the levy of 16.7239 mills in order to adequately fund the operations of the City of Parchment; and

WHEREAS, the City Commission has complete authority to establish that 16.7239 mills be levied in 2017 for operating purposes; and

WHEREAS, the City Commission of the City of Parchment did hold a public hearing Monday, May 15, 2017 at which time the property tax millage rate proposed to be levied to support the proposed budgets was a subject of that hearing.

NOW THEREFORE BE IT RESOLVED, that by the authority granted by the City Charter, Chapter IX, Section 9.1, the millage rate for 2017 is hereby set at 16.7239 mills to be levied against each dollar of Taxable Value of Real and Personal Property within the City of Parchment for general operating purposes.

BE IT FURTHER RESOLVED, pursuant to the authority of Parchment City Charter, Chapter IX, Section 9.6 the City Clerk is hereby directed to certify to the Assessor the total amount of \$733,436 to be raised by taxes.

FURTHER, when extensions have been made by the Assessor, that the City Assessor, pursuant to City Charter, Chapter IX, Section 9.8, shall execute the necessary warrant directing the City Treasurer to collect the tax set forth in said warrant, and that same when collected be credited to 2017-2018 GENERAL OPERATIONS in the amount of \$733,436.

The roll call vote was as follows:

Ayes:
Nays:
Absent:
Abstain:

Resolution declared adopted this 5th day of June, 2017.

Shannon Stutz
Treasurer/Clerk

**MINUTES OF THE REGULAR MEETING OF THE KINDLEBERGER ARTS COMMISSION
HELD ON MONDAY MAY 22, 2017.**

1. Call to Order

Chairman Heasley called the meeting to order at 6:00 p.m.

2. Roll Call

Present: Chairman Heasley, Chris Falk, Leah Ankney, Chester Emmons, Molly Andrews, and Barb Steffler.

Absent Commissioner Holly Evans, Wendy Gaul, Curt Flowers, and Commissioner Fooy

3. Minutes

Moved by Leah Ankney, supported Molly Andrews to approve the Minutes of the May 15, 2017 regular meeting.

Ayes: R. Heasley, M. Andrews, L. Ankney, B. Steffler, C. Emmons

Nays: None.

Absent: None

Abstain: None.

Motion Carried 5-0.

4. New Business. Chairman Heasley proposed a Motion to amend the budget as follows:

- A. Eliminate the street dance and move the proposed budget of \$1,100 to publicity budget for Social Media on Facebook. Chris Falk will run the ads and get with Shannon Stutz to set up the credit card for use online.
- B. Transfer \$600 from the Stage Entertainment budget to the Art Fair budget to balance it out.

The Motions were seconded by Leah Ankney

Ayes: R. Heasley, M. Andrews, L. Ankney, B. Steffler, C. Emmons

Nays: None.

Absent: None

Abstain: None.

Motion Carried 5-0.

5. Updates.

6. The next meeting is scheduled for June 5, 2017 at 6:00 AT KINDLEBERGER PARK by the sign on the corner of Maple and Park Street.

7. Adjournment

There being no further business to come before the Commission, it was moved by Leah Ankney and supported by Molly Andrews to adjourn the meeting at 6:47 p.m.

Leah Ankney
Interim Secretary

PARCHMENT CITY MANAGER EMPLOYMENT AGREEMENT

THIS AGREEMENT, made and entered this _____ day of May, 2017, by and between the CITY OF PARCHMENT ("CITY"), Employer, a Home Rule City located in Kalamazoo County, Michigan, and NANCY R. STODDARD ("CITY MANAGER"), both of whom agree and contract as follows:

W I T N E S S E T H:

WHEREAS, CITY desires to employ NANCY R. STODDARD as its CITY MANAGER; and,

WHEREAS, NANCY R. STODDARD accepts the position of CITY MANAGER; and,

WHEREAS, the parties wish to set forth NANCY R. STODDARD's terms and conditions of employment herein.

NOW, THEREFORE, in consideration of the covenants contained herein and the making of this Agreement, the parties do hereby agree as follows:

Section 1. Employment.

CITY does hereby appoint and employ NANCY R. STODDARD as CITY MANAGER for the City of Parchment to perform all functions and duties set forth by the Parchment City Charter and to perform all other permissible and proper duties and activities as set forth from time-to-time by the City Commission. NANCY R. STODDARD does hereby accept employment and agrees to perform the functions and duties thereof to the best of her ability.

Section 2. Duties of City Manager.

CITY MANAGER shall perform all duties as defined by City Ordinance and as reasonably requested by the City Commission to the best of her ability. The CITY MANAGER shall devote no less than an average of 40 hours per week to her job duties. The CITY MANAGER shall attempt to be present as often as reasonably possible when the City Hall is open to the public, but shall not be required to keep standard hours due to the nature of her position.

Section 3. Term.

This contract shall commence June 6, 2017, and shall continue for a period of two (2) years, ending June 5, 2019.

Section 4. Compensation.

Beginning June 6, 2017, the CITY MANAGER shall receive the following compensation, which may be modified from time-to-time by agreement of the parties:

- a. A salary of \$60,000.00 per annum.

- b. From June 6, 2017, through December 31, 2017, 3 weeks paid vacation and paid time off ("PTO") of 3 days and 2 unused sick days, all being prorated to the end of 2017. Beginning January 1, 2018, and thereafter during the term of this Agreement, 3 weeks paid vacation plus PTO of 3 days and 2 unused sick days, if any per calendar year. Any vacation or personal time not taken during the calendar year shall not be carried over into the following year.
- c. The CITY will match the CITY MANAGER's contribution to a deferred compensation plan of the CITY MANAGER's choosing up to 8% per year. All sums contributed shall be the sole property of the CITY MANAGER.
- d. All other fringe benefits, other than those specifically provided above, including, but not limited to, sick days and paid holidays, dental and vision insurance coverage, term life insurance (presently \$25,000.00) provided to CITY employees in the same amount or manner as the CITY provides for its other employees. Healthcare coverage for the CITY MANAGER shall begin on June 6, 2017.
- e. CITY-paid annual membership in the International City Manager's Association ("ICMA"). Reasonable expenses incurred by the CITY MANAGER for attending an ICMA Conference will only be reimbursed if the Conference attendance and anticipated expenses are approved beforehand by the City Commission.
- f. Upon providing proof of her monthly cell phone bill, the CITY MANAGER shall be reimbursed for use of her personal cell phone in an amount not to exceed \$120.00 per month.
- g. Reimbursement for mileage for the CITY MANAGER's use of her personal car for CITY business at the IRS rate then in effect.

Section 5. Waiver of Relocation.

The CITY MANAGER shall not be required to relocate to the CITY as a condition of employment.

Section 6. Bonding.

The CITY shall provide, at no expense to the CITY MANAGER, a bond in the same manner and amount as the Clerk and Treasurer.

Section 7. Applicability of Personnel Policy.

Except as otherwise modified herein, the CITY MANAGER shall be subject to the Personnel Policy of the CITY with all rights and obligations thereunder.

Section 8. Severance.

In the event that the City Commission chooses to terminate the CITY MANAGER's employment before the expiration of the term of this Agreement or any Agreement which succeeds this Agreement without good cause, the CITY shall pay bi-weekly to the CITY MANAGER the lesser of 12 weeks salary minus normal withholding or the remaining salary minus normal withholding for those weeks remaining before this Agreement or any Agreement which succeeds this Agreement expires by its own terms. In the event that the City Commission terminates the CITY MANAGER's employment for good cause, no severance shall be due. In the event that the CITY MANAGER resigns, no severance shall be due. As a condition of receiving severance payments as set forth herein, the CITY MANAGER shall release, discharge, indemnify and hold harmless the City from any and all claims which the CITY MANAGER, her successors, assigns, estate or personal representatives, may have against the CITY, its representatives, successors and assigns from any and all claims, demands and liability arising from or related to the CITY MANAGER's employment with the exception of claims made under the Michigan Employment Security Act or the Workers Disability Compensation Act of 1969, or any successors thereto.

Good cause herein is defined as misconduct connected with the CITY MANAGER's work; refusal to perform the duties of CITY MANAGER; excessive absenteeism; intoxication while at work; conviction of a felony or a misdemeanor related to truth or honesty; conviction of operating a motor vehicle while intoxicated or impaired; reckless driving or driving while license suspended; ingesting, injecting, inhaling, using or possessing an illegal controlled substance while at work; conviction of or the entry of a diversion program for a drug crime; any conduct in violation of CITY policies and procedures; refusal to follow, institute or complete a lawful directive given to the CITY MANAGER by the CITY Commission; failure or refusal to notify the CITY Commission of any known or anticipated claims or lawsuits by any party against the CITY of which the CITY MANAGER knows or reasonably should know; causing or permitting any CITY employee to not perform his or her duties and/or to not follow applicable laws, ordinances and procedures if the CITY MANAGER knows or should reasonably know of that conduct; any activity harmful or detrimental to the proper and lawful functioning of the CITY; and any activity which impairs the CITY MANAGER's ability to perform her duties.

Section 9. Indemnity.

The CITY shall indemnify, save and hold harmless the CITY MANAGER from and against any and all liability, claims, demands, causes of action, damages, costs, attorney's fees or expenses arising, or which may arise, from the CITY MANAGER's performance or non-performance of her duties as CITY MANAGER except for CITY MANAGER's intentional acts which constitute a criminal offense, irrespective of whether the CITY MANAGER is charged or convicted of that offense.

Section 10. Employment at Will.

It is understood and agreed that the CITY MANAGER serves at the will and pleasure

of the City Commission. Nothing herein shall prevent, limit or qualify the right of the City Commission to terminate the employment of the CITY MANAGER at any time with or without cause or reason. Conversely, nothing herein shall prevent, limit or qualify the right of the CITY MANAGER to resign from the position of CITY MANAGER. The CITY requests that the CITY MANAGER give the CITY 30 days' notice of her intent to resign.

Section 11. Integration.

This Agreement shall be considered completely and fully integrated, constituting the complete and entire agreement between the parties. It may not be modified or amended except in writing signed by the parties and approved by the City Commission.

Section 12. Severability.

If any term, clause, sentence or provision of this Agreement is deemed invalid void or unenforceable, it shall be deemed severable and shall not affect those remaining terms, clauses, sentences or provisions not deemed void, invalid or unenforceable which shall remain in full force and effect.

Section 13. Survival of Certain Provisions.

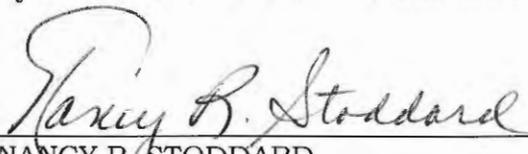
Those terms and provisions set forth in Sections 8, 9 and 10 shall survive the termination or expiration of this Agreement or any Agreement which succeeds this Agreement.

Section 14. Modification or Extension.

The parties may, by agreement placed in writing and approved by the City Commission, modify or extend the terms of this Agreement upon such terms and conditions as may be agreeable to the parties.

IN WITNESS WHEREOF, the parties hereby have hereunto set their hand and seal this _____ day of May, 2017.

Dated: _____


NANCY R. STODDARD

CITY OF PARCHMENT

Dated: _____

By: ROBERT B. HEASLEY
Its: Mayor

Dated: _____

By: SHANNON STUTZ
Its: Clerk