

Resolution 2021-19
City of Plainwell
Allegan County, Michigan

**A RESOLUTION TO ESTABLISH A COMMERCIAL REHABILITATION DISTRICT FOR
119 W. BRIDGE ST., PLAINWELL, MI 49080 – PARCEL 55-350-001-10**

Minutes of a regular meeting of the City Council of the City of Plainwell, held on December 13, 2021, at Plainwell City Hall in Plainwell, Michigan at 7:00pm..

PRESENT: Keeler, Steele, Overhuel, Keeney, Wisnaski

ABSENT: None

The following preamble and resolution were offered by Overhuel, and supported by Steele.

WHEREAS, pursuant to PA 210 of 2005, the has the authority to establish “Commercial Rehabilitation Districts” within the City of Plainwell at request of a commercial business enterprise; and

WHEREAS, Mark and Lisa Mezaros, has filed a written request with the clerk of the City of Plainwell requesting the establishment of the Commercial Rehabilitation District for 119 W. Bridge St. located in the City of Plainwell hereinafter described; and

WHEREAS, the City Council of the City of Plainwell determined that the district meets the requirements set forth in sections 2(b) and 3 of PA 210 of 2005; and

WHEREAS, written notice has been given by certified mail to the county and all owners of real property located within the proposed district as required by section 3(3) of PA 210 of 2005; and

WHEREAS, on December 13, 2021 a public hearing was held and all residents and taxpayers of the City of Plainwell were afforded an opportunity to be heard thereon; and

WHEREAS, the City Council deems it to be in the public interest of the City of Plainwell to establish the Commercial Rehabilitation District as proposed;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Plainwell that the following described parcel(s) of land situated in the Central Business District of the City of Plainwell, Allegan County and State of Michigan, to wit:

119 W. Bridge St.
Plainwell, MI 49080

55-350-001-00

LOT 17 BLOCK 1 EX THE W 46.5 FT OF S 122 FT ALSO UNNUMBERED LOT LYING E OF LOT 17 ALSO W 82 FT OF LOT 18 ALSO E 2.5 FT OF LOT 19 ALSO E 2.5 FT OF N 10 FT LOT 20 ALSO COM AT A PT ON S LINE OF LOT 17 3 RDS E OF SW COR SD LOT 17 TH N TO WITHIN 10 FT OF N LINE OF SD LOT 17 TH W 3 FT TH SE TO PLACE OF BEG EXCEPT: COM AT SW COR LOT 4 SD PLAT TH W 30' TO POB THIS DESC TH W 19.09' TH N 121.58' TH E 19.09' TH S 121.58' TO POB THOMPSON'S ADDITION (87)

be and here is established as a Commercial Rehabilitation District pursuant to the provisions of PA 210 of 2005 to be known as Commercial Rehabilitation District No. 001.

YES: Keeler, Steele, Overhuel, Keeney, Wisnaski
NO: None
ABSENT: None



Brian Kelley, City Clerk

CERTIFICATE:

STATE OF MICHIGAN
COUNTY OF ALLEGAN

I, the undersigned do hereby certify the foregoing is a true and complete copy of a Resolution adopted by the City Council of the City of Plainwell, Michigan at a regular meeting of the City Council held on the 13th day of December, 2021.



Brian Kelley, City Clerk



County of Marquette
BOARD OF COMMISSIONERS

Courthouse Complex
Marquette, Michigan 49855
Phone: (906) 225-8151
Fax: (906) 225-8155
www.co.marquette.mi.us

Gerald O. Corkin, *Chairman*

Joe Derocha, *Vice-Chair*
Karen Alholm
Bill Nordeen
Johnny DePetro
Stephen Adamini

**RESOLUTION SUPPORTING THE CAUSE OF PROTECTING
DEMOCRACY, PROMOTING POLICIES THAT PROTECT
ACCESS TO THE BALLOT FOR VOTERS AND BUILDING ON
THE PROGRESS OF THE 2020 ELECTIONS**

WHEREAS, access to voting and participation in free, fair and secure elections is fundamental to our system of governance; and

WHEREAS, Michigan's election security protocols are among the strongest in the nation. Robust voter-ID laws prevent or intercept fraudulent attempts to impersonate voters. Multiple security checks bolster our absentee voting process. And gold-standard paper balloting ensures all our election outcomes can be verified; and

WHEREAS, in 2018, Michigan voters overwhelmingly supported amending the constitution to expand voting rights, make it easier to register and easier to vote, by the following percentages of votes cast on Proposition 3: 68% support among Marquette County voters and 67% Statewide; and

WHEREAS, restricting voting rights and undermining the fair, nonpartisan administration of elections is harmful to all communities, but disproportionately impacts (already marginalized) voters of color, lower-income communities, the elderly, as well as disabled voters; and

WHEREAS, in recent months, state legislatures, including Michigan's, have introduced dozens of bills that essentially restrict access to voting, make election administration and oversight less equitable and efficient, and undermine existing laws that maintain election security and ensure nonpartisan counting and certification of votes; and

WHEREAS, elections in Michigan have been conducted safely and securely and without any significant fraud, up to and including the 2020 election, as the Senate Oversight Committee Report concluded; and

WHEREAS, in 2021, the Secretary of State unveiled a legislative agenda that would improve access to voting whether early, absentee, or in-person; expedite absentee ballot processing; and make voting more convenient, demanding that every valid vote is counted and accurate election outcomes upheld;

Now, therefore, be it RESOLVED that the Marquette County Board of Commissioners on this eighteen day of January, 2022 strongly supports policies that **expand and protect equitable access to voting and that strengthen and sustain a robust election infrastructure**, including both material and human resources:


- Make Election Day a state holiday to facilitate voting and make it easier for citizens to serve as election workers;

- Allow overseas service members and spouses to return their ballots electronically;
- Earmark sufficient funding for elections to recruit, train and retain needed election workers, to add sufficient election equipment such as secure drop boxes and tabulators, and to support voters with disabilities;
- Allow the processing of Absentee Ballots and Establish Early In-Person voting the weekend prior to Election Day;
- Any rule governing the mailing of absentee ballot applications to registered voters by state or local election administrators should apply equally to all other organizations, including nonpartisan voter engagement groups and political parties;
- Mandate the same training standards for election workers and election challengers.

The Board urges the Michigan House, Senate and Governor Whitmer to take immediate and long-term action to support the goal of preserving democracy, ensuring access to voting, and continuing to promote the integrity, security, and fairness of all elections throughout the State of Michigan; and be it further

RESOLVED, that the Marquette County Board of Commissioners strongly opposes all legislation or other efforts that would restrict access to the ballot, undermine the nonpartisan, fair and efficient administration of elections; and restrict voting rights; and be it further

RESOLVED, that a copy of this Resolution be forwarded to the Office of the Secretary of State, the Governor's Offices in Lansing and Northern Michigan, and the members of the Upper Peninsula delegation to the Michigan State Legislature.



Gerald O. Corkin, Chairperson
County Board of Commissioners

Dated: January 18, 2022

**TOWNSHIP OF WATSON
ALLEGAN COUNTY, MICHIGAN
RESOLUTION # 02032022-1**

RESOLUTION TO SUBMIT AMICUS CURIAE BRIEF RE PEOPLE V LOEW

Whereas, as a political subdivision of the State of Michigan, Watson Township has the authority to file an amicus curiae brief without leave of the Michigan Supreme Court when submitted by its authorized legal officer. Michigan Court Rule 7.312(H)(2)

Whereas, Mr. Loew was convicted by jury trial in the 48th Circuit Court in Allegan County before Judge Zuzich-Bakker.

Whereas, The Chief Prosecutor Koch and Judge Zuzich-Bakker communicated ex-parte during the course of the jury trial.

Whereas, the ex-parte communication was discovered after a FOIA request against Chief Prosecutor Koch.

Whereas, Judge Baillargeon granted Mr. Loew a new trial based upon the ex-parte communication because the communication between the judge and the prosecutor gave the appearance of impropriety.

Whereas, in a two to one decision of the Michigan Court of Appeals – docket 352056 – the decision of Judge Baillargeon was reversed.

Whereas, Mr. Loew's attorney Heath Lynch plans to appeal the Court of Appeals decision to the Michigan Supreme Court.

Whereas, From Judge Riordan's dissent, "A fair trial in a fair tribunal is a basic requirement of due process." In re Murchison, 349 US 133, 136; 75 S Ct 623; 99 L Ed 942 (1955).

Whereas, Judge Riordan cited the three factors in Liljeberg v Health Servs Acquisition Corp, 486 US 847; 108 S Ct 2194; 100 L Ed 2d 855 (1988) (1) the risk of injustice to the parties in the particular case, (2) the risk that the denial of relief will produce injustice in other cases, and (3) the risk of undermining the public's confidence in the judicial process.

Whereas, Pursuant to the Michigan Rules of Professional Conduct 8.3, lawyers that learn of another lawyer's misconduct or of a judge's misconduct shall inform the appropriate regulatory body, the Attorney Grievance Commission or Judicial Tenure Commission respectively.

Whereas, the majority opinion's decision that such ex parte communication - though about substantive issues in the case - was administrative in nature goes against the spirit of MRPC 8.3 and has the potential to create injustices in other cases pursuant to the second Liljeberg factor by discouraging the reporting of suspected unethical behavior in the future.

Whereas, there are ample social media posts or communication among Allegan County residents that is indicative that the public lacks confidence in the judiciary in general and the 48th Circuit Court specifically, and that such ex-parte communication is normal or expected or that such FOIA inquires that reveal ex-parte communication are merely personal attacks or "scorched earth" political tactics.

Whereas, Watson Township, on behalf of its residents, has an interest in ensuring that its residents be treated fairly in accordance with the Constitution of the State of Michigan and the Constitution of the United States.

Whereas, Watson Township, as a political subdivision of the State of Michigan in general and Allegan County, specifically, has an interest in ensuring public confidence in the judiciary in general and the 48th Circuit Court of Allegan County specifically.

Therefore, be it resolved, The Watson Township Board authorizes The Watson Township Supervisor – as its authorized legal officer – to submit an Amicus Curiae Brief to the Michigan Supreme Court in favor of granting Mr. Loew a new trial in accordance with the dissenting opinion and applicable court rules.

The Resolution was Moved by Michelle Harris

The Resolution was Seconded by Kelli Wood

Upon roll call vote, the vote was as follows:

Supervisor Travis:	<u>yes</u>	Clerk Morris:	<u>yes</u>
Treasurer Caulder:	<u>yes</u>	Trustee Harris:	<u>yes</u>
Trustee Wood:	<u>yes</u>		

Clerk's Certification

I, Kelli Morris, the duly elected Clerk of Watson Township, hereby certify that the foregoing resolution was adopted by the Township Board of said Township at the regular meeting of said Board on, Thursday, June 4, 2020 at which meeting a quorum was present.

Kelli Morris 2/3/2022
Kelli Morris, Watson Township Clerk Date