

**CITY OF CHARLOTTE
COUNCIL PROCEEDINGS**

**Regular Meeting
December 28, 2020**

CALL TO ORDER:

By Mayor Armitage on Monday, December 28, 2020 at 7:03 p.m

PRESENT:

Councilmembers: McRae, Baker, Weissenborn, Hoogstra, VanStee, Dyer & Mayor Armitage. All reported their remote meeting location as being in the City of Charlotte, County of Eaton and State of Michigan. Staff: Clerk Tidwell, Manager Thomas, Police Chief Brentar, Fire Captain Daly

PLEDGE OF ALLEGIANCE:

Mayor Armitage led the Pledge of Allegiance to the Flag of the United States of America.

INVOCATION:

There was no minister present for the meeting to offer an invocation.

APPROVAL OF MINUTES:

Motion by Baker, Second by Hoogstra to approve the minutes from December 14, 2020 as presented. Carried. 7 Yes. 0 No. 0 Absent.

Motion by VanStee, Second by Mayor Pro-tem Dyer to approve the minutes from December 15, 2020 as presented. Carried. 7 Yes. 0 No. 0 Absent.

EXCUSE ABSENT MEMBERS:

All members were present.

PUBLIC COMMENT:

There was no public comment.

**APPROVAL OF REGULAR AGENDA AND UNANIMOUS
CONSENT AGENDA:**

Motion by Baker, supported by Weissenborn to approve the Regular Meeting Agenda as presented. Carried. 7 Yes. 0 No. 0 Absent.

McRae asked that agenda item 11) b be removed from the Unanimous Consent Agenda for individual discussion.

Council member VanStee moved, supported by Mayor Pro-Tem Dyer to approve the Unanimous Consent Agenda as with 11) b removed. Carried with roll call vote. 7 Yes. 0 No. 0 Absent.

SPECIAL PRESENTATIONS:

A. Regional Trails Project

Lisa Barna gave an update on the regional trail program and discussed potential grant opportunities.

Weissenborn inquired about location of the trail including the City of Charlotte and recommended a recreation representative be on the trail committee.

McRae inquired about rail-to-trail possibilities.

Armitage spoke in support on the trail and stated he is hopeful for potential grant opportunities.

EXPEDITED RESOLUTIONS AND ORDINANCES:

**A. Consider approval of Resolution No. 2020-161 Approving the
Payment of Claims and Accounts**

RESOLUTION NO. 2020-161

**A RESOLUTION TO APPROVE
EXPENDITURES OF THE CITY**

FOR DECEMBER 28, 2020

WHEREAS, Section 7.7(B) of the City Charter requires Council approval for the expenditure of city funds; and

WHEREAS, the December 18, 2020, payroll totaled \$153,853.59; and

WHEREAS, the December 23, 2020, claims total in the amount of \$139,828.70; and

WHEREAS, December 14, 2020, insurance claims totaled \$1,040.40; and December 20,2020, insurance claims totaled \$1,298.56;

THEREFORE, BE IT RESOLVED that the City Council approves claims and accounts for December 14, 2020, in the amount of \$400,180.26.

Council member VanStee moved, supported by Mayor Pro-tem Dyer to approve Resolution 2020-161 to approve expenditures of the City. Carried with roll call vote. 7 Yes. 0 No.

B. Consider approval of Resolution No. 2020-160 Approving an Agreement with Erin E. LaPere for her Employment as City Manager

RESOLUTION NO. 2020-160

**A RESOLUTION OF THE CITY OF CHARLOTTE,
MICHIGAN
APPROVING AN AGREEMENT WITH ERIN E. LAPERE
FOR HER EMPLOYMENT AS CITY MANAGER**

BE IT RESOLVED that the City Council is authorized to accept and deliver on behalf of the City that Agreement between the City and Erin E. LaPere, relating to the terms and condition of her employment as City Manager, with employment commencing on January 18, 2021 with benefits more particularly described in the body of the Agreement, in substantially the form attached and presented to the Council today, with such changes, insertions or omissions as may be approved by the Council and Mayor and whose execution shall be conclusive evidence of such approval.

This resolution shall be effective immediately upon passage.

Council member VanStee moved, supported by Mayor Pro-tem Dyer to approve Resolution 2020-160. Carried with roll call vote. 7 Yes. 0 No.

C. Consider approval of Resolution No. 2020-162 Adopting the MERS Defined Contribution Plan

RESOLUTION NO. 2020-162

ADOPTING THE MERS DEFINED CONTRIBUTION PLAN

This Resolution is entered into under the provisions of 1996 PA 220 and the Municipal Employees' Retirement System of Michigan ("MERS") Plan Document, as each may be amended.

WHEREAS, the participating entity desires to adopt the MERS Defined Contribution Plan for its designated employees;

WHEREAS, the participating entity has furnished MERS with required data regarding each eligible employee and retiree;

WHEREAS, as a condition of MERS membership, and pursuant to the MERS Retirement Board's power as plan administrator and trustee under Plan Document Section 71 and MCL 38.1536, as each

may be amended, it is appropriate and necessary to enter into a binding agreement providing for the administration of the Defined Contribution Plan, the reporting of wages, and the payment of the required contributions of a participating entity and withholding of employee contributions; now, therefore,

IT IS HEREBY RESOLVED:

On behalf of the participating entity, the governing body of the City of Charlotte adopts the MERS Defined Contribution Plan in accordance with Plan Section 4 for its eligible employees as described in the MERS Defined Contribution Adoption Agreement, subject to the MERS Plan Document and as authorized by 1996 PA 220, as both may be amended.

Council member VanStee moved, supported by Mayor Pro-tem Dyer to approve Resolution 2020-162. Carried with roll call vote. 7 Yes. 0 No.

D. Consider approval of Resolution No. 2020-163 Approving the MERS Defined Contribution Plan Adoption Agreement for the City Manager Division

RESOLUTION NO. 2020-163

**APPROVING THE MERS DEFINED CONTRIBUTION PLAN
ADOPTION AGREEMENT FOR THE CITY MANAGER
DIVISION**

The Employer, a participating municipality or court within the state of Michigan that has adopted MERS coverage, hereby establishes the following Defined Contribution Plan provided by MERS of Michigan, as authorized by 1996 PA 220 in accordance with the MERS Plan Document.

Employer Name: City of Charlotte
Division Name: City Manager

If this is the initial Adoption Agreement for this group, the effective date shall be the first day of January, 2021.

Contributions will begin with the employee's date of hire (no Probationary Period). Effective with the date of hire, wages and any associated contributions must be submitted to MERS.

Council member VanStee moved, supported by Mayor Pro-tem Dyer to approve Resolution 2020-163. Carried with roll call vote. 7 Yes. 0 No.

**E. Consider approval of Resolution No. 2020-164 Approving the
Contribution Addendum for MERS Defined Contribution**

RESOLUTION NO. 2020-164

**APPROVING THE CONTRIBUTION ADDENDUM FOR
MERS DEFINED CONTRIBUTION**

This is an Addendum to the Adoption Agreement completed by City of Charlotte for City Manager.

The Addendum modifies the Adoption Agreement by providing for employer contributions to the Plan.

Employer contributions may be considered a "match" to the employee's elected contribution upon enrollment in the plan, or non-matching; regardless of employee contributions. Contributions may

not exceed IRS maximums for combined employee and employer contributions.

Non-Matching Contributions

The Employer hereby elects to make contributions to the participants' accounts without regard to a participant's contribution amount of 10% of compensation per participant for each payroll period.

Council member VanStee moved, supported by Mayor Pro-tem Dyer to approve Resolution 2020-164. Carried with roll call vote. 7 Yes. 0 No.

**F. Consider approval of Resolution 2020-165 MERS Uniform
457 Supplemental Retirement Program**

RESOLUTION 2020-165

**MERS UNIFORM 457 SUPPLEMENTAL RETIREMENT
PROGRAM**

This Resolution, together with the MERS 457 Supplemental Retirement Program and Trust Master Plan Document and the MERS 457 Supplemental Retirement Program Participation Agreement and any Addendum thereto, constitute the entire MERS 457 Deferred Compensation Plan Document.

WHEREAS, the Municipal Employees Retirement Act of 1984, Section 36(2)(a), MCL 38.1536(2)(a) (MERS Plan Document (Section 36(2)(a)) authorizes the Municipal Employees' Retirement Board (the "Board") to "establish additional programs including but not limited to defined benefit, defined contribution, ancillary benefits, health and welfare benefits, and other postemployment benefit programs," and on November 8, 2011, the Municipal Employees' Retirement Board adopted the MERS 457 Deferred Compensation Plan.

WHEREAS, this Uniform Resolution has been approved by the Board under the authority of Section 36(2)(a), and the Board has authorized the MERS 457 Deferred Compensation Plan, which shall

not be implemented unless in strict compliance with the terms and conditions of this Resolution.

WHEREAS, the Participating Employer, a participating “municipality” (as defined in Section 2b(2) in the Municipal Employees Retirement Act of 1984; MCL 38.1502b(2); Plan Document Section 2b(4)) or participating “court” (circuit, district or probate court as defined in Section 2a(4) – (6) of the Act, MCL 38.1502a(4) – (6); Plan Document Section 2a(4) – (6)) within the State of Michigan has determined that in the interest of attracting and retaining qualified employees, it wishes to offer a deferred compensation plan;

WHEREAS, the Participating Employer has also determined that it wishes to encourage employees’ saving for retirement by offering salary reduction contributions; **WHEREAS**, the Participating Employer has reviewed the MERS 457 Supplemental Retirement Program (“Plan”);

WHEREAS, the Participating Employer wishes to participate in the Plan to provide certain benefits to its employees, reduce overall administrative costs, and afford attractive investment opportunities;

WHEREAS, the Participating Employer is an Employer as defined in the Plan;

WHEREAS, concurrent with this Resolution, and as a continuing obligation, this Governing Body has completed and approved, and submitted to MERS and the Board documents necessary for adoption and implementation of the Plan; and

WHEREAS, the Governing Body for and on behalf of the Participating Employer is authorized by law to adopt this Resolution approving the Participation Agreement on behalf of the Participating Employer. In the event any alteration of the terms or conditions stated in this Resolution is made or occurs, it is expressly recognized that MERS and the Retirement Board, as sole trustee and fiduciary of the Plan and its trust reserves, and whose authority is nondelegable, shall have no obligation or duty to continue to administer (or to have

administered) the MERS 457 Supplemental Retirement Program for the Participating Employer.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body adopts the MERS 457 Supplemental Retirement Program as provided below.

- I. The Participating Employer adopts the Plan for its Employees.
- II. The Participating Employer hereby adopts the terms of the Participation Agreement, which is attached hereto and made a part of this Resolution. The Participation Agreement sets forth the Employees to be covered by the Plan, the benefits to be provided by the Participating Employer under the Plan, and any conditions imposed by the Participating Employer with respect to, but not inconsistent with, the Plan. The Participating Employer reserves the right to amend its elections under the Participation Agreement, so long as the amendment is not inconsistent with the Plan or the Internal Revenue Code or other applicable law and is approved by the Board.
- III. The Participating Employer shall abide by the terms of the Plan, including amendments to the Plan made by the Board, all investment, administrative, and other service agreements of the Plan and the Trust, and all applicable provisions of the Internal Revenue Code and other applicable law.
- IV. The Participating Employer acknowledges that the Board is only responsible for the Plan and any other plans of the Employer administered by MERS and that the Board has no responsibility for other employee benefit plans maintained by the Employer that are not part of MERS.
- V. The Participating Employer accepts the administrative services to be provided by MERS and any services provided by a Service Manager as delegated by the Board. The Participating Employer acknowledges that fees will be imposed with respect to the services provided and that such fees may be deducted from the Participants’ accounts.

VI. The Participating Employer acknowledges that the Plan contains provisions for involuntary Plan termination.

VII. The Participating Employer acknowledges that all assets held in connection with the Plan, including all contributions to the Plan, all property and rights acquired or purchased with such amounts and all income attributable to such amounts, property or rights shall be held in trust for the exclusive benefit of Participants and their Beneficiaries under the Plan. No part of the assets and income of the Plan shall be used for, or diverted to, purposes other than for the exclusive benefit of Participants and their Beneficiaries and for defraying reasonable expenses of the Plan. All amounts of compensation deferred pursuant to the Plan, all property and rights acquired or purchased with such amounts and all income attributable to such amounts, property or rights held as part of the Plan, shall be transferred to the Board to be held, managed, invested and distributed as part of the Trust Fund in accordance with the provisions of the Plan. All contributions to the Plan must be transferred by the Participating Employer to the Trust Fund. All benefits under the Plan shall be distributed solely from the Trust Fund pursuant to the Plan.

VIII. This Resolution and the Participation Agreement shall be submitted to the Board for its approval. The Board shall determine whether the Resolution complies with the Plan, and, if it does, shall provide appropriate forms to the Participating Employer to implement participation in the Plan. The Board may refuse to approve a Participation Agreement by an Employer that does not possess State statutory authority to participate in the Plan. The Governing Body hereby acknowledges that it is responsible to assure that this Resolution and the Participation Agreement are adopted and executed in accordance with the requirements of applicable law.

BE IT FINALLY RESOLVED: This Resolution shall have no legal effect under the Plan until a certified copy of this adopting Resolution is filed with MERS, and MERS determines that all necessary requirements under the 457 Supplemental Retirement Program Plan and Trust, the Participation Agreement, and this

Resolution have been met. All dates for implementation of the Plan shall be determined by MERS from the date of filing with MERS of this Resolution in proper form and content. Upon MERS determination that all necessary documents have been submitted to MERS, MERS shall record its formal approval upon this Resolution, and return a copy to the Employer.

In the event an amendatory Resolution or other action by the municipality is required, such Resolution or action shall be deemed effective as of the date of the initial Resolution or action where concurred by this Governing Body and MERS (and a third-party administrator, if applicable and necessary). The terms and conditions of this Resolution supersede and stand in place of any prior resolution, and its terms are controlling.

Council member VanStee moved, supported by Mayor Pro-tem Dyer to approve Resolution 2020-165. Carried with roll call vote. 7 Yes. 0 No.

G. Consider approval of Resolution 2020-166 MERS 457 Participation Agreement

RESOLUTION 2020-166

MERS 457 PARTICIPATION AGREEMENT

The Employer, a participating municipality or participating court within the state of Michigan, hereby agrees

to adopt and administer the MERS 457 Program provided by the Municipal Employees' Retirement System of Michigan, in accordance with the MERS Plan Document, as both may be amended, subject to the terms and conditions herein.

Employer Name: City of Charlotte
Original Adoption. The MERS 457(b) Program will be effective 01/2021 with respect to contributions upon approval by the Program Administrator; To add the MERS 457 Program in addition to ICMA.

VERY IMPORTANT: All eligible programs of a Participating Employer are considered to be a single plan for purposes of

compliance with Code Section 457(b). Thus, if a Participating Employer has more than one eligible 457 (or additional investment options under a 457(b) arrangement with more than one vendor), the Participating Employer is responsible for ensuring that all of its arrangements, treated as a single program, comply with the 457(b) requirements. In order to fulfill its responsibility for monitoring coordination of multiple programs, the Participating Employer must carefully review the Master Plan Document provisions.

Eligible Employees: Only Employees as defined in the Program may be covered by the Participation Agreement. Subject to other conditions in the Program, this Agreement, and Addendum (if applicable), the following Employees are eligible to participate in the Program: City Manager

Contributions will be submitted (check one):

Contributions will be remitted according to Employer's "Payroll Period" which represents the actual period amounts are withheld from participant paychecks, or within the month during which amounts are withheld: Bi-Weekly (every other week)

Compensation: Employers may designate the definition of compensation per division participating in MERS 457(b) Supplemental Retirement Program Plan Document (check one):
Base wages

Roth Deferral Contributions shall be permitted. If Roth Deferral Contributions are elected, the Program will allow Roth rollover contributions from other designated Roth 457(b), 401(k), or 403(b) Plans. Roth in-plan rollovers will also be allowed. Roth in-plan rollovers allow a participant who has reached 70½ or who has incurred a severance from employment to elect to have all or a portion of his or her pre-tax contribution account directly rolled into a designated Roth rollover account under the plan if the amount would otherwise be permitted to be distributed as an eligible rollover distribution. Any amounts that are rolled to the Roth rollover account are considered to be irrevocable and may not be rolled back to the pre-tax account.

Loans shall not be permitted.

Automatic Enrollment shall not be permitted.

Employer Contributions shall not be permitted.

Modification of the Terms of the Participation Agreement If the employer desires to amend any of its elections contained in the Participation Agreement, including attachments/addendums, the Governing Body or Chief Judge, by resolution or official action accepted by MERS, must adopt a new Participation Agreement. The amendment of the new agreement is not effective until approved by MERS.

Enforcement:

1. This Participation Agreement, including attachments/addendums may be terminated only in accordance with the Master Plan Document
2. The Employer hereby agrees to the provisions of the MERS 457 Supplemental Retirement Program and Trust Master Plan Document.
3. The employer hereby acknowledges it understands that failure to properly fill out this Participation Agreement may result in the ineligibility of the program.

Council member VanStee moved, supported by Mayor Pro-tem Dyer to approve Resolution 2020-166. Carried with roll call vote. 7 Yes. 0 No.

ACTION ITEMS – RESOLUTIONS AND ORDINANCES:

A. Consider approval of Resolution No. 2020-153 Charlotte 2021 Poverty Guidelines

WHEREAS, the adoption of guidelines for poverty exemption is within the purview of the City Council; and

WHEREAS, the homestead of persons who, in the judgment of the City Assessor and board of review, by reason of poverty, are unable to contribute to the public charges is eligible for exemption in whole or part from taxation under Public Act 390, 1994 (MCL.211.7u); and

WHEREAS, pursuant to PA 390, 1994 the City of Charlotte, Eaton County adopts the following Income and Asset levels establishing eligibility for Poverty Exemptions in the year 2021,

FEDERAL INCOME GUIDELINES FOR 2021 POVERTY EXEMPTION

| | |
|-------------------------------------|-----------|
| 1 person | \$ 12,760 |
| 2 persons | \$ 17,240 |
| 3 persons..... | \$ 21,720 |
| 4 persons..... | \$ 26,200 |
| 5 persons..... | \$ 30,680 |
| 6 persons..... | \$ 35,160 |
| 7 persons..... | \$ 39,640 |
| 8 persons..... | \$ 44,120 |
| For Each Additional Person add..... | \$ 4,480 |

MAXIMUM ASSET STANDARDS TO BE ELIGIBLE FOR A POVERTY EXEMPTION

(PA 390 of 1994 states that the poverty exemption guidelines established by the governing body of the local assessing unit shall include an asset level test)

| | |
|-----------------|-----------|
| 1 person | \$ 27,741 |
| 2 persons | \$ 34,365 |
| 3 persons..... | \$ 41,103 |
| 4 persons..... | \$ 47,710 |
| 5 persons..... | \$ 54,547 |
| 6 persons..... | \$ 61,265 |
| 7 persons..... | \$ 67,892 |
| 8 persons..... | \$ 74,763 |

For Each Additional Person add..... \$ 9,345

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, unless the assessor and Board of Review determines there are substantial and compelling reasons why there should be a deviation from the policy and federal guidelines and these reasons are communicated in writing to the claimant.

Council member VanStee moved, supported by Mayor Pro-tem Dyer to approve Resolution 2020-153. Carried with roll call vote. 7 Yes. 0 No.

B. Consider approval of Resolution No. 2020-157 to Approve Stipend Request for Volunteer Fire Fighters

RESOLUTION NO. 2020-157

A RESOLUTION TO AUTHORIZE A STIPEND REQUEST FOR CITY OF CHARLOTTE VOLUNTEER FIRE DEPARTMENT.

WHEREAS, the City has received a request from the Charlotte Volunteer Department; and

WHEREAS, the Charlotte Volunteer Fire Department has opened and independent bank account with a separate employer identification number; and

WHEREAS, the Charlotte Volunteer Fire Department has reviewed the stipend amounts provided from the City; and

WHEREAS, the stipend amount received from the City has not changed in over 10 years; and

WHEREAS, the proposed stipend amounts are as follows: ‘A’ check; \$510; ‘B’ check; \$340 and ‘C’ Check \$170; and

WHEREAS, the Charlotte Volunteer Fire Department is requesting that the City of Charlotte be responsible for issuing applicable tax

forms and quarterly stipend checks for Charlotte Fire Department Volunteer members.

THEREFORE, BE IT RESOLVED that the City Council authorizes the stipend increase for the Charlotte Volunteer Fire Department effective January 1, 2021. Additionally, approve the City be responsible for issuing payments and applicable tax forms and quarterly stipend checks directly to Charlotte Fire Department Volunteer members. The City will provide an option for voluntary deduction for members from the stipend payments to the newly formed volunteers' 501(c)4 association.

Council member McRae inquired about the payment to volunteer fire fighters and previous payment amounts.

Captain Daly explained the tier payment schedule based on the volunteer attendance of fire runs.

Council member Baker moved, supported by Mayor Pro-tem Dyer to approve Resolution No. 2020-157. Carried. 7 Yes. 0 No.

C. Consider approval of Resolution No. 2020-158 to Approve the Eaton County Interlocal Agreement for County Designated Assessor

RESOLUTION NO. 2020-158

EATON COUNTY INTERLOCAL AGREEMENT FOR COUNTY DESIGNATED ASSESSOR

This Interlocal Agreement, by and between the COUNTY OF EATON, a political subdivision of the State of Michigan (hereinafter referred to as the "County"), and DELTA CHARTER TOWNSHIP, SUNFIELD TOWNSHIP, EATON RAPIDS TOWNSHIP, KALAMO TOWNSHIP, ONEIDA CHARTER TOWNSHIP, EATON TOWNSHIP, HAMLIN TOWNSHIP, BENTON CHARTER TOWNSHIP, ROXAND TOWNSHIP, CITY OF OLIVET, CITY OF EATON RAPIDS, CITY OF CHARLOTTE and CITY OF GRAND LEDGE, each a political subdivision of the State of Michigan (each hereinafter referred to

as an "Assessing District," and collectively referred to as the "Assessing Districts"), is entered into pursuant to the Urban Cooperation Act of 1967, Public Act 7 of 1967 (Ex. Sess.), as amended, MCL 124.501 *et seq.*, and the General Property Tax Act, Public Act 206 of 1893, as amended by Public Act 660 of 2018, MCL 211.10g, for the purpose of designating an individual to serve as the County's Designated Assessor.

WHEREAS, pursuant to MCL 211.10g(4), every County shall have a Designated Assessor on file with the State Tax Commission as of December 31, 2020; and

WHEREAS, the County Designated Assessor is designated by an Interlocal Agreement executed between the County Board of Commissioners and a majority of the Assessing Districts in the County; and

WHEREAS, the individual designated as the County's Designated Assessor must be approved by the State Tax Commission.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Designation of County Designated Assessor. The County and a majority of the Assessing Districts in the County designate ___Tim Vandermark___, who is an individual qualified and certified by the State Tax Commission as a Michigan Master Assessing Officer, to be the County Designated Assessor for Eaton County. The Designated Assessor is not an employee or paid contractor of the County, and shall have no responsibilities as Designated Assessor during the period in which he or she is not acting as an assessor of record for an Assessing District within the County, other than to remain certified and in good standing.
2. Duties of County Designated Assessor. The County Designated Assessor shall contract with one or more Assessing Districts as necessary to serve as the Assessing District's Assessor of record,

upon request of the Assessing District or as may be required by the State Tax Commission, as a consequence of the Assessing District receiving a notice of noncompliance from the State Tax Commission after an audit, under the terms and conditions set forth in MCL 211.10g.

The County Designated Assessor shall be capable of ensuring that the contracting Assessing Districts achieve and maintain substantial compliance with the requirements in MCL 211.10g(1). The Assessing District shall provide the Designated Assessor with reasonable access to records, documents, and information. The Assessing District shall advise the Designated Assessor of any applicable policies and procedures, including technology, equipment, and facilities.

The County Designated Assessor may charge an Assessing District that is required to contract with the County Designated Assessor a reasonable rate of compensation (e.g., periodic payment on a per parcel basis) and reimbursement of costs. The Assessing District shall pay reasonable compensation to the Designated Assessor, and be responsible to pay the reasonable costs incurred by the County Designated Assessor in serving as the Assessing District's Assessor of record, including, but not limited to, the cost of overseeing and administering the annual assessment, preparing and defending the assessment roll, costs incurred in appeals to the Michigan Tax Tribunal (i.e., appraisal costs, expert witness fees and attorney fees), and operating the assessing office (including employment of additional staff necessary to bring the Assessing District into compliance).

The services to be provided by the Designated Assessor to the contracting Assessing District include: preparation of assessment rolls, establishing a plan to correct deficiencies found in the State Tax Commission audit, timely delivery of documents and execution of forms, attendance at Board of Review meetings, handling property tax appeals filed with the Michigan Tax Tribunal (either directly or through legal counsel), timely

reporting and meetings with local officials of the Assessing District, and responsibility for overseeing assessing staff members of the Assessing District.

The County Designated Assessor is a local assessing unit for purposes of the provisions in MCL 211.44 concerning the division and use of any collected property tax administration fees.

3. Term of Designation. If approved by the State Tax Commission, the County Designated Assessor shall serve for a minimum of five (5) years from the date of the approved designation. The designation shall not be revoked, and no new designation shall be made earlier than five (5) years following the date of the approved designation, except as otherwise provided in Sec. 4.

Once an Assessing District is under contract with the Designated Assessor, the Designated Assessor will remain in place for a minimum of five years. However, the Assessing District may petition the State Tax Commission to end the contract after the Designated Assessor has been in place for a minimum of three years.

4. Revocation of Designation by State Tax Commission. The State Tax Commission may designate and approve, on an interim basis and pursuant to a formal agreement, an individual to serve as a County Designated Assessor and, if applicable, revoke the approved designation of a current County Designated Assessor under the following circumstances:

(i) if the County Designated Assessor dies or becomes incapacitated;

(ii) if the County Designated Assessor was designated and approved based on his or her employment status, and that status materially changes; or

(iii) if it determines at any time that the County Designated Assessor is not capable of ensuring that contracting Assessing Districts achieve and maintain substantial compliance with the requirements in MCL 211.10g(1).

The State Tax Commission's designation of an interim County Designated Assessor under this Section is effective only until a new County Designated Assessor has been designated in a new Interlocal Agreement under MCL 211.10g(4)(a), and approved by the State Tax Commission.

5. Petition to State Tax Commission. Upon the execution and filing of this Interlocal Agreement, the County shall petition the State Tax Commission to approve the individual named in Section 1 of this Interlocal Agreement to serve as the County Designated Assessor. The individual shall serve as the County Designated Assessor upon approval of the State Tax Commission. If the State Tax Commission rejects the County's petition, then the parties agree to enter into additional Interlocal Agreements under MCL 211.10g(4)(a) until a suitable Assessor has been presented.

6. Nondiscrimination. The Parties shall adhere to all Federal, State, and local laws, ordinances and regulations prohibiting discrimination in the performance of this Interlocal Agreement. The Parties shall not discriminate against a person to be served or an employee or applicant for employment because of race, color, religion, national origin, age, sex, disability that is unrelated to an individual's ability to perform the duties of a particular job or position, height, weight, or marital status. Breach of this section shall be regarded as a material breach of this Interlocal Agreement.

7. Effective Date. This Interlocal Agreement shall become effective when executed by the County and a majority of the Assessing Districts in the County, and an executed copy is filed with the Eaton County Clerk and the Michigan Secretary of State.

8. Certification. The persons signing this Agreement certify by their signatures that they are duly authorized to sign this Agreement on behalf of the Parties, and that this Agreement has been authorized by the Parties.

Council member VanStee moved, supported by Mayor Pro-tem Dyer to approve Resolution 2020-158. Carried with roll call vote. 7 Yes. 0 No.

INTRODUCTION OF RESOLUTIONS AND ORDINANCES:

A. Consider first reading of Resolution No. 2020-167 Approve Purchase of Fire Department Incident Reporting Software

RESOLUTION NO. 2020-167

A RESOLUTION TO AUTHORIZE CHARLOTTE FIRE DEPARTMENT TO PURCHASE AN INCIDENT REPORTING PROGRAM

WHEREAS, the Charlotte Fire Department has been notified by Fire Tools (our incident reporting software) that they will no longer provide support because they are going out of business.

WHEREAS, the Charlotte Fire Department is required by the state of Michigan to submit monthly reports through the National Fire Incident Reporting System and National Emergency Medical Services Information System.

WHEREAS, the Charlotte Fire Department has received quotes from three different vendors that provide incident reporting programs and transfer historical information from our old program to the new program.

WHEREAS, we have researched and demoed all three vendors and have found the lowest quote Emergency Reporting will be able to provide the Charlotte Fire Department satisfactory service.

THEREFORE, BE IT RESOLVED that the City of Charlotte purchase the needed program from Emergency Reporting for the amount of \$5,000 dollars for year one and a recurring cost of \$3,750 dollars per year.

BE IT FUTURE RESOLVED that the expense come from account number 101-350-000-744 internet/computer.

PUBLIC COMMENTS:

There was no public comment.

COMMUNICATIONS AND COMMITTEE REPORTS,

COUNCILMEMBER COMMENTS:

City Attorney was reviewed by council.

Interim City Manager stated he was working with the city attorney, assessor and fire department exploring the creation, structure and financial stability of a Fire Authority.

Mayor Armitage reminded council and the public that council meetings were being changed to the 1st and 3rd Monday in 2021 with workshops on the 2nd Tuesday of each month. Armitage reminded the public that Christmas tree pick-up will begin January 4.

Baker wished everyone a Happy New Year.

Hoogstra wished everyone a Happy New Year.

Weissenborn expressed appreciation for the Fire Department and the delivery of Christmas gifts, the Bird Feeder program at the school pantry and stated she is proud to be a citizen of Charlotte.

VanStee wished everyone a Happy New Year.

Mayor Pro-tem Dyer thanked the Fire Department and stated he was appointed to the Brownfield Redevelopment Authority for Eaton County.

Mayor Armitage introduced the new City Manager, Erin LaPere.

Erin LaPere introduced herself and stated that she was excited to start.

ADJOURNMENT:

Council member Baker moved, supported by Mayor Pro-tem Dyer to adjourn the meeting at 7:35 p.m. Carried. 7 Yes. 0 No. 0 Absent.

Mayor Armitage

Pearl Tidwell, City Clerk