

COUNCIL PROCEEDINGS
Regular Meeting
February 10, 2020

CALL TO ORDER: By Mayor Ridge on Monday, February 10, 2020 at 7:00 p.m.

PRESENT: Councilmembers Dyer, Baker, Hoogstra, Weissenborn, Mayor Pro-Tem Armitage, Mayor Ridge, City Clerk Terpstra and City Manager Guetschow.

The invocation was offered by Pastor Randy Royston, New Hope Community Church followed by the Pledge of Allegiance.

APPROVAL OF MINUTES FOR WORK SESSION OF JANUARY 27, 2020: Council member Baker moved, supported by Weissenborn to approve the work session meeting minutes of January 27, 2020 as presented. Carried. 6 Yes. 0 No. 0 Absent

APPROVAL OF MINUTES FOR REGULAR MEETING OF JANUARY 27, 2020: Council member Baker moved, supported by Dyer to approve the regular meeting minutes of January 27, 2020 as presented. Carried. 6 Yes. 0 No. 0 Absent.

ABSENT: None.

PUBLIC HEARINGS: None.

Mayor Ridge stated that in regards to item 12 f on the agenda relating to 600 S. Cochran that there would be no action taken on this item as it would need to go back to the Planning Commission for a majority vote before it can be considered by the City Council for action.

PUBLIC COMMENTS:

Don Sovey, 106 Kensington Ct., spoke in favor of appointing Brett McRae to the open council seat for District 2.

Paul Zielinski, 607 S. Cochran, stated that he had some questions in regards to the 600 S. Cochran issue.

APPROVAL OF AGENDA: Council member Armitage moved, supported by Hoogstra to approve agenda with the addition of Item 11b to consider approval of Resolution No. 2020-28 to approve Council member Armitage's attendance at the MAP Transportation Bonanza 2020. Carried. 6 Yes. 0 No.

SPECIAL PRESENTATIONS:

APPOINTMENT OF COUNCIL MEMBER DISTRICT 2

Brett McRae, 403 W. Fourth, stated that he is interested in the open position. He stated that he has served on several entities in the past and also on City Council. He would like to look out for the public's interest and feels that he has something to contribute.

Council member Baker moved, supported by Dyer to appoint Brett McRae to the partial term for District 2. Carried. 6 Yes. 0 No.

City Clerk Terpstra administered the oath of office to Brett McRae.

EXPEDITED RESOLUTIONS AND ORDINANCES

A. CONSIDER APPROVAL OF RESOLUTION NO. 2020-22 REGARDING PAYMENT OF CLAIMS & ACCOUNTS:

RESOLUTION NO. 2020-22
A RESOLUTION TO APPROVE EXPENDITURES OF THE
CITY
FOR FEBRUARY 10, 2020

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WHEREAS, Section 7.7 (B) of the City Charter requires Council approval for the expenditure of city funds; and
WHEREAS, the January 31, 2020 payroll totaled \$158,701.41;
WHEREAS, the February 10, 2020 claims total \$92,871.51;
WHEREAS, the January 27, 2020 insurance claims total \$8,585.70; and the February 3, 2020 insurance claims total \$608.71.
THEREFORE, BE IT RESOLVED that the City Council approves claims and accounts for February 10, 2020 in the amount of \$197,563.89.

APPROVAL OF CLAIMS AND ACCOUNTS BY ROLL CALL VOTE: Council member Baker moved, supported by Dyer to approve Resolution 2020-22 regarding payment of claims & accounts as presented. Carried. 7 Yes. 0 No.

B. CONSIDER APPROVAL OF RESOLUTION NO. 2020-28 TO APPROVE COUNCIL MEMBER MICHAEL ARMITAGE'S ATTENDANCE AT THE MAP TRANSPORTATION BONANZA 2020:

RESOLUTION NO. 2020-28

A RESOLUTION TO APPROVE COUNCIL MEMBER MICHAEL ARMITAGE'S ATTENDANCE AT THE MAP TRANSPORTATION BONANZA 2020

BE IT RESOLVED that Council Member Michael Armitage is hereby authorized to attend the MAP Transportation Bonanza 2020 meeting to be held at the Lansing Center on Thursday, February 13, 2020 and to incur reasonable and customary expenses for registration and meals.

Council member Baker moved, supported by Hoogstra to approve Resolution No. 2020-28 to approve Council member Armitage's attendance at the MAP Transportation Bonanza 2020 as presented. Carried. 7 Yes. 0 No.

ACTION ITEMS – RESOLUTIONS AND ORDINANCES:

A. CONSIDER APPROVAL OF RESOLUTION NO. 2020-16 AUTHORIZATION TO PURCHASE SWINGS AND SLIDES:

RESOLUTION NO. 2020-16

A RESOLUTION TO AUTHORIZE PURCHASE OF SWINGS AND SLIDE

WHEREAS, the Park Advisory Board has requested certain old equipment be replaced at Dean Park; and
WHEREAS, two items that were budgeted are a slide and replacement swings; and
WHEREAS, the DPW has searched for the lowest cost available for the equipment, and
WHEREAS, the lowest quote for the swings is \$3,625.00 and the lowest quote for the slide is \$3,870.00 and both are from Kidstuff Playsystems; and
WHEREAS, the equipment will be installed by the Department of Public Works; and
WHEREAS, Section 2-186 of the City Ordinances allows for the waiver of sealed bids for purchases over the amount of \$5,000.
THEREFORE, BE IT RESOLVED That the City Council authorizes of the purchase of new play elements for Dean Park as recommended by the Park Advisory Board in the amount of \$6,725.00 from Kidstuff Playsystems and agrees to waive the sealed bid process due to the best price of each piece of equipment is from the same vendor, but the total is over \$5,000.

Council member Hoogstra moved, supported by Armitage to approve Resolution No. 2020-16 authorization to purchase swings and slides as presented. Carried. 7 Yes. 0 No.

B. CONSIDER APPROVAL OF RESOLUTION NO. 2020-17 AUTHORIZATION TO PURCHASE CLIMBER AND BOUNCY DINOSAUR:

RESOLUTION NO. 2020-17

A RESOLUTION TO AUTHORIZE PURCHASE OF CLIMBER AND BOUNCY DINOSAUR

WHEREAS, the Park Advisory Board has requested certain old equipment be replaced at Dean Park; and
WHEREAS, two items that were budgeted are a climber and a bouncy dinosaur manufactured by GameTime which is represented by Sinclair Recreation in Holland, MI; and
WHEREAS, the cost for the climber is \$3,471.00 and the cost for the dual-seat bouncy dinosaur is \$1,296.00; and
WHEREAS, the freight for the equipment is estimated at \$940.96 for a total purchase of \$5,707.96; and
WHEREAS, the equipment will be installed by the Department of Public Works; and
WHEREAS, Section 2-186 of the City Ordinances allows for the waiver of sealed bids for purchases over the amount of \$5,000.
THEREFORE, BE IT RESOLVED That the City Council authorizes of the purchase of new play elements for Dean Park as recommended by the Park Advisory Board in the amount of \$5,707.96 from Sinclair Recreation and agrees to waive the sealed bid process due to the best price of each piece of equipment is from the same vendor, but the total is over \$5,000

Council member Hoogstra moved, supported by Armitage to approve Resolution No. 2020-17 authorization to purchase climber and bouncy dinosaur as presented. Carried. 7 Yes. 0 No.

C. CONSIDER APPROVAL OF RESOLUTION NO. 2020-18 AUTHORIZATION FOR DEMOLITION OF HORSE STALLS AND ATTACHED STRUCTURE AT EATON COUNTY FAIRGROUNDS:

RESOLUTION NO. 2020-18

A RESOLUTION TO AUTHORIZE THE DEMOLITION OF HORSE STALLS AND AN ATTACHED STRUCTURE AT THE EATON COUNTY FAIRGROUNDS

WHEREAS, the City of Charlotte is the owner of property known as the Eaton County Fairgrounds, which property is leased to the Eaton County Agricultural Society; and
WHEREAS, the lease between the City and the Eaton County Agricultural Society provides, in part, that the Society must obtain the permission of the City Council prior to the demolition of any buildings on the fairgrounds; and
WHEREAS, the Eaton County Agricultural Society has submitted a letter dated January 17, 2020 requesting permission to demolish horse stalls and an attached two-story structure that are situated along the south line of the fairgrounds bordering Bennett Park and is committing to installing a fence and grade and seed the areas disturbed in the demolition; and
WHEREAS, City administrators have reviewed the request and have determined that the removal of the horse stalls and attached structure does not adversely affect the City's interest in the property;
NOW, THEREFORE, BE IT RESOLVED that the request to demolish the horse stalls and attached structure as outlined in the Eaton County Agricultural Society's letter of January 17, 2020 is hereby approved.

Council member Baker moved, supported by Hoogstra to approve Resolution No. 2020-18 authorization for demolition of horse stalls and attached structure at Eaton County Fairgrounds as presented. 7 Yes. 0 No.

D. CONSIDER APPROVAL OF RESOLUTION NO. 2020-19 MICHIGAN NORDIC FIRE FESTIVAL 2020:

RESOLUTION NO. 2020 -19

**A RESOLUTION AUTHORIZING MICHIGAN NORDIC
FIRE FESTIVAL ACTIVITIES FEBRUARY 28 THROUGH
MARCH 1, 2020**

WHEREAS, the Michigan Nordic Fire Festival is a community-based, organized event that is to be held February 28 through March 1, 2020; and,

WHEREAS, the Michigan Nordic Fire Festival organization is responsible for planning these events intended to contribute to community-wide fellowship, benevolence, and welfare; and

WHEREAS, the Michigan Nordic Fire Festival has, or will obtain prior to the festival, the appropriate insurance coverage, security and medical services, and licensing from the Michigan Liquor Control Commission; and

WHEREAS, the Committee in conjunction with City Administration, have planned events that require the use and closure of certain public facilities; and

WHEREAS, the Committee is asking that the Charlotte City Council approve the following requests and conditions:

1. Authorization for the use of the city Sledding Hill area for festival activities on February 28, February 29 and March 1; these activities to include a historical Viking encampment, a community bonfire, entertainment, food vendors, games and contests, historic demonstrations, and related activities.
2. Authorization for the city Department of Public Works to provide supporting services at the sledding hill area, including snow plowing and picnic table placement.
3. Authorization for the Charlotte Police and Fire Department to provide public safety assistance as it deems necessary at the sledding hill throughout the weekend.

WHEREAS, the City Council of the City of Charlotte determines these requests and conditions are in the best interests of the community.

NOW, THEREFORE, BE IT RESOLVED, that the use of public facilities is authorized as outlined above; and

BE IT ALSO RESOLVED, that the city Department of Public Works, Police and Fire Department be authorized to provide the assistance as outlined above.

Council member Dyer moved, supported by Hoogstra to approve Resolution No. 2020-19 Michigan Nordic Fire Festival 2020 as presented. 7 Yes. 0 No.

E. CONSIDER APPROVAL OF RESOLUTION NO. 2020-20 ALCOHOL SALES AND CONSUMPTION 2020 MICHIGAN NORDIC FIRE FESTIVAL:
RESOLUTION 2020 –20

WHEREAS, Nordic Fire, Inc., the organizers of the Michigan Nordic Fire Festival, have requested permission to sell and consume alcohol on City of Charlotte property located at 615 West Shepherd Street, Charlotte, Michigan on February 28 and 29, 2020; and

WHEREAS, City of Charlotte Council Policy 2017-02 regulates this activity and sets forth certain requirements for City Council approval of this request; and

WHEREAS, Nordic Fire, Inc. have met or exceeded these requirements.

THEREFORE, BE IT RESOLVED that the City of Charlotte City Council hereby approves the request by Nordic Fire, Inc. to sell and consume alcohol at the above-mentioned location on February 28 and 29, 2020.

Council member Hoogstra moved, supported by Dyer to approve Resolution No. 2020-20 alcohol sales and consumption 2020 Michigan Nordic Fire Festival as presented. 7 Yes. 0 No.

F. CONSIDER APPROVAL OF ORDINANCE NO. 2020-01 TO AMEND CHAPTER 82 BY AMENDING THE ZONING MAP TO CHANGE 600 S. COCHRAN FROM R-1 SINGLE FAMILY RESIDENTIAL TO B-1 LOCAL

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BUSINESS DISTRICT:

CITY OF CHARLOTTE

ORDINANCE NO. 2020-01

AN ORDINANCE TO AMEND CHAPTER 82-ZONING BY AMENDING THE ZONING MAP TO CHANGE A CERTAIN DESCRIBED PARCEL FROM R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO B-1 LOCAL BUSINESS DISTRICT

THE CITY OF CHARLOTTE ORDAINS:

Section 1. The Zoning District Map of the City of Charlotte, being part of Chapter 82 – Zoning of the Code of the City of Charlotte is hereby amended as follows:

That property described as:

E 82 feet of Lot 5, except S 42 feet. S. P. Jones’

Addition City of Charlotte

is hereby rezoned from R-1 Single Family Residential District to B-1 Local Business District.

Section 2. That the City Clerk is hereby directed to make the necessary corrections evidencing this zoning change.

Section 3. The attached map evidencing this change shall be marked and designated as Ordinance No. 2020-01 and the City Clerk shall enter on the zoning map this ordinance number and the date of the adoption thereof and shall maintain and file containing a copy of this ordinance and map thereto attached.

Section 4. This ordinance shall become effective upon the date of its publication.

Council member Dyer moved, supported by Weissenborn to refer this action back to the Planning Commission for a majority vote before consideration by council. 7 Yes. 0 No.

INTRODUCTION OF RESOLUTIONS AND ORDINANCES:

A. CONSIDER FIRST READING OF REOLUTION NO. 2020-23 TO AUTHORIZE REPLACEMENT OF

TRICKLING FILTER ARMS AT THE WASTEWATER TREATMENT PLANT:

RESOLUTION NO. 2020-23

A RESOLUTION TO AUTHORIZE THE REPLACEMENT OF TRICKLING FILTER ARMS AT THE WASTEWATER TREATMENT PLANT

WHEREAS, the distribution arms of the trickling filters are an essential component for the proper distribution of water throughout the trickling filters allowing the plant to meet its permit requirements; and

WHEREAS, the two mast arms in the north trickling filter have now deteriorated to a point that they need to be replaced; and

WHEREAS, the arms have been ordered from WesTech prior to the installation bid due to long lead times for delivery; and

WHEREAS, sealed bids were received for the project ranged from \$24,600.00 to \$25,600.00; and

WHEREAS, the lowest responsible bidder was T. H Eifert Mechanical of Lansing, MI in the amount of \$24,600.00.

THEREFORE, BE IT RESOLVED That the City Council approve the replacement of the trickling filter arms by T. H Eifert Mechanical and it be paid for from the Water and Sewer Fund.

Council member Baker moved, supported by Dyer to approve first reading of Resolution No. 2020-23 to authorize replacement of trickling filter arms at the Wastewater Treatment Plant as presented. Carried. 7 Yes. 0 No.

B. CONSIDER FIRST READING OF RESOLUTION NO. 2020-24 TO IMPOSE A TEMPORARY MORATORIUM ON THE CONVERSION OF EXISTING SINGLE FAMILY RESIDENCES INTO TWO FAMILY RESIDENCES IN THE RT-TWO FAMILY RESIDENTIAL ZONING DISTRICT:

CITY COUNCIL RESOLUTION NO 2020-24

**A RESOLUTION TO IMPOSE A TEMPORARY
MORATORIUM ON THE CONVERSION OF EXISTING
SINGLE FAMILY RESIDENCES INTO TWO FAMILY
RESIDENCES IN THE RT – TWO FAMILY RESIDENTIAL
ZONING DISTRICT**

WHEREAS, the City of Charlotte has received a request from residents to rezone a portion of the RT Two-Family Residential zoning district to R1 Single-Family residential; and

WHEREAS, the City of Charlotte has heard from other residents and community stakeholders concerned about the number and quality of rental units in the City; and

WHEREAS, the City of Charlotte also recognizes an existing and ongoing need for quality, available and affordable housing; and

WHEREAS, the City of Charlotte believes that addressing this issue in fair and equitable ways that maximize positive outcomes will require thoughtful consideration; and

WHEREAS, the City of Charlotte relies on long-term community planning, and associated zoning regulations, to guide major development decisions; and

WHEREAS, community planning processes and the due consideration of proposals from residents, property owners and City elected and appointed officials take time to conceive and implement; and

WHEREAS, the City of Charlotte City Council recognizes that some residents and property owners see this issue as pressing and of immediate concern.

THEREFORE, BE IT RESOLVED that the City of Charlotte City Council hereby directs its boards, commissions and administrative staff to delay temporarily any actions or approvals that would facilitate the further conversion of single-family properties in the RT Two-Family Residential zoning into two-family residences; and

BE IT ALSO RESOLVED that this moratorium remain in place until the City Council of the City of Charlotte takes affirmative action to rescind it; and

BE IT ALSO RESOLVED that the City of Charlotte City Council hereby directs its administrative staff and related boards and commission to evaluate this issue during future community planning activities, and to include a proposed long-term resolution of the issue in the next significant iteration of the Community Master Plan for development.

Council member Baker moved, supported by Armitage to approve first reading of Resolution No. 2020-24 to impose a temporary moratorium on the conversion of existing single family residences into two family residences in the RT-Two family residential zoning district as presented. Carried. 6 Yes. (Baker, Dyer, Hoogstra, McRae, Weissenborn, Ridge) 1 No. (Armitage)

**C. CONSIDER FIRST READING OF RESOLUTION NO.
2020-25 TO APPROVE THE PURCHASE OF
SOFTWARE ASSET MANAGEMENT PLAN:
RESOLUTION NO. 2020-25**

**A RESOLUTION TO APPROVE THE PURCHASE OF
SOFTWARE**

WHEREAS, the State requires all wastewater permit holders to prepare an Asset Management Plan (AMP) for the wastewater system to receive their new permit; and

WHEREAS, part of the AMP includes implementing Computerized Maintenance Management System (CMMS) software; and

WHEREAS, staff has been researching different software packages with the IT and engineering consultants for over a year; and

WHEREAS, CMMS packages researched range in price from \$5,457.5 to \$46,420.00 for the initial cost with varying costs for support and the number of users; and

WHEREAS, staff has concluded that the eMaint package by Fluke Corporation best suits their needs for creating work orders,

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scheduling maintenance, managing and tracking spare parts, and managing assets overall; and

WHEREAS, the initial cost of eMaint is \$7,780.00 with annual costs of \$1,020 per user; and

WHEREAS, cost for the software has been budgeted and will be charged to the Water and Sewer Fund; and

WHEREAS, Section 2-186 of the City Ordinances allows for the waiver of sealed bids for purchases over the amount of \$5,000.

THEREFORE, BE IT RESOLVED That the City Council authorizes the purchase of an e-Maint software package in the amount of \$7,780.00 with up to four users and agrees to waive the sealed bid process.

Council member Hoogstra moved, supported by Dyer to approve first reading of Resolution No. 2020-25 to approve the purchase of software Asset Management Plant as presented. Carried. 7 Yes. 0 No.

D. CONSIDER FIRST READING OF RESOLUTION NO. 2020-26 ESTABLISHING A RETIREE HEALTH CARE TRUST:

WHEREAS, Section 36(2)(a) of the Municipal Employees' Retirement Act ("MERA"), 1984 PA 427, MCL 38.1536(2)(a), and Section 71(2)(a) of the MERS Plan Document, authorized the Municipal Employees'

Retirement Board ("Board") to establish additional programs;

WHEREAS, the Board has authorized MERS' establishment of a retiree health funding vehicle ("RHFV"),

which a participating municipality or court, or another eligible public employer that constitutes a

"municipality" under Section 2(23) of the Municipal Employees' Retirement System ("MERS") Plan Document

and Section 2b(2) of MERA, MCL 38.1502b(2) ("Eligible Employer"), may adopt.

WHEREAS, the Board has established a governmental trust ("Trust Fund") under Section 115 of the Internal

Revenue Code ("IRC") to hold the assets of the RHFV, which Trust Fund shall be administered under the

discretion of the Board as fiduciary, directly by (or through a combination of) MERS or MERS duly-appointed

Program Administrator (as defined in the MERS RHFV Plan Document), and is tax-exempt under Section 115

as confirmed by MERS' Private Letter Ruling from the Internal Revenue Service dated January 13, 2004;

WHEREAS, the Public Employee Health Care Fund Investment Act, 1999 PA 149, MCL 38.1211 et seq.

("PA 149") allows a public corporation to create a public employee health care fund, and provides for its

administration, investment, and management, in order to accumulate funds to provide for the funding of

health benefits for retirees and beneficiaries;

WHEREAS, a MERS RHFV health care trust fund created under PA 149 constitutes a governmental trust

established by an Eligible Employer under IRC Section 115; provided that the PA 149 trust does not accept

assets from any defined benefit health account established under IRC Section 401(h);

WHEREAS, the Board is the investment fiduciary of the Trust Fund under PA 149 and the Public Employee

Retirement System Investment Act ("PERSIA"), 1965 PA 314, MCL 38.1132 et seq., and is responsible for the

custody of assets in the Trust Fund, as well as the establishment and monitoring of the investment options

that comprise the investment menu among which a participating Eligible Employer of the RHFV may select

one or more for the investment of its assets;

WHEREAS, each participating Eligible Employer is also a fiduciary of the assets in the RHFV under PA 149,

and is responsible for the allocation of its assets by use of the investment options offered within the RHFV investment menu, establishment of an investment policy for its RHFV assets, and compliance with PERSIA.

WHEREAS, adoption of this MERS Retiree Health Funding Vehicle Uniform Resolution (“Uniform Resolution”) by the Eligible Employer is necessary and required in order that the benefits available under the RHFV may be extended to the Eligible Employer; and

WHEREAS, this Uniform Resolution has been approved by the Board under the authority of Section 36(2)(a) of MERA and Section 71(2)(a) of the MERS Plan Document. The RHFV shall not be implemented with respect to any Eligible Employer unless in strict compliance with the terms and conditions of this Uniform Resolution, the RHFV Plan Document, and Trust Agreement.

NOW, THEREFORE, BE IT RESOLVED that the governing body of City of Charlotte adopts the MERS Retiree Health Funding Vehicle as provided below, with an effective date of: _____ for the following covered employees: _____.

I. MERS RETIREE HEALTH FUNDING VEHICLE

CONTRIBUTIONS shall be made only by the Eligible Employer, remitted to MERS by the Eligible Employer, and credited to the Eligible Employer’s account as a bookkeeping entry within the Trust Fund for the RHFV.

As this RHFV account is funded solely by the Eligible Employer on a cash or actuarial basis as determined by the Eligible Employer, there is no requirement for an agreement establishing the schedule of contributions.

Amounts in an Eligible Employer’s RHFV account shall be used to provide or subsidize the provision of health insurance for eligible retirees or their beneficiaries, to provide health benefits as defined by IRC Section 213

and are excludable from income under IRC Sections 105 and 106 as amended from time to time.

INVESTMENT of funds accumulated and held in the Trust Fund shall be held in a separate reserve and invested on a pooled basis by MERS subject to PERSIA, as provided by Section 76 of the MERS Plan

Document, Section 39 of MERA, MCL 38.1539, and PA 149. However, each participating Eligible Employer shall be responsible for the asset allocation of its assets within the RHFV investment menu, in accordance with PERSIA as required by PA 149.

THE ELIGIBLE EMPLOYER shall abide by the terms of the RHFV, including the MERS RHFV Plan Document, RHFV Trust Agreement, all investment, administration, and service agreements, and all applicable provisions of the IRC, PERSIA, PA 149 and other law. It is affirmed that no assets from any defined benefit health

account established under IRC Section 401(h) shall be transferred to, or accepted by MERS.

DISTRIBUTIONS In order to receive a distribution for allowable expenses, an Eligible Employer must complete the applicable form approved by MERS. The Program Administrator shall establish any procedures necessary to process distribution requests and transfer funds within the period set by the Program Administrator.

II. IMPLEMENTATION DIRECTIONS

(A) The governing body of the Eligible Employer desires that all assets placed in its RHFV account (as a sub-fund of the pooled Trust Fund) be administered by MERS with respect to maintaining appropriate custody of the assets, and the establishment and monitoring of investment options included in the RHFV investment menu among which options the governing body may select

one or more to invest its assets, and shall do so in compliance with PERSIA, PA 149, all applicable provisions of the IRC and other relevant law.

(B) The RHFV is designed as an IRC Section 115 and PA 149 compliant trust. All assumptions, including the rate of investment return used in any OPEB valuation, are the responsibility of the Eligible Employer. The Eligible Employer acknowledges and affirms its fiduciary responsibility for selecting the investment allocation for its RHFV assets from the options in MERS' RHFV investment menu, and its obligation to comply with all applicable provisions of PERSIA as a co-fiduciary of its RHFV account.

(C) All allocations must use a whole percentage, and the total percentage of allocated assets must equal 100%.

(D) The Eligible Employer makes the following initial investment allocation election from MERS' RHFV investment menu:

- Portfolios Built for You (Stocks/Bonds)
- MERS Total Market Portfolio %
- MERS Global Stock Portfolio (100/0) %
- MERS Capital Appreciation Portfolio (80/20) %
- MERS Established Market Portfolio (60/40) %
- MERS Balanced Income Portfolio (40/60) %
- MERS Capital Preservation Portfolio (20/80) %
- MERS Diversified Bond Portfolio (0/100) %
- Funds to Build Your Own Portfolio
- Large Cap Stock Index %
- Mid Cap Stock Index %
- Small Cap Stock Index %
- International Stock Index %
- Emerging Market Stock %

Short-Term Income %

Please refer to the Fund Summary Sheets for information regarding each investment option, including potential redemption fees, and restrictions (www.mersofmich.com)

(E) Changes in the investment option(s) selected or allocations made in paragraph (D) may be made by the Eligible Employer in writing using the form approved and provided by MERS and submitted to the RHFV Program Administrator or online via the Eligible Employer's online RHFV account. The Eligible Employer chooses the following method to change its investment option(s) and/or allocation (choose only 1):

Fund election changes will be made by submitting a completed RHFV Investment Change Form (RH-602) and supporting certified minutes identifying governing body approval.

The employer will designate the RHFV Investment Contact in the manner required by MERS to make ongoing fund election changes through the online RHFV account.

(F) All monies in the RHFV Trust Fund (and any earnings thereon, positive or negative) shall be held and invested for the sole purpose of paying health care benefits for the exclusive benefit of Eligible Employees who shall constitute "qualified persons" who have retired or separated from employment with the Eligible Employer or their beneficiaries, and for any administration expenses. RHFV Trust Fund monies shall not be used for any other purpose and shall not be distributed to the State.

(G) Participation in and any coverage under the RHFV shall not constitute nor be construed to constitute an “accrued financial benefit” under Article 9, Section 24 of the Michigan Constitution of 1963, nor shall any contribution method for Eligible Employer funding other than “pay as you go” cash funding be required or imposed, and all benefits, rights, and obligations conferred by or arising under the RHFV shall be as provided under this Uniform Resolution and the RHFV Plan Document.

(H) The Eligible Employer will determine who constitutes an “Eligible Employee” to receive retiree health care benefits subsidized under its RHFV account. The Eligible Employer will provide proof of liability for retiree health care benefits by way of the collective bargaining agreement and/or personnel policy, OPEB valuation, or most recent and active contract with its health insurer.

The Eligible Employer designates in writing an employer contact person who may request distributions of fund monies for the benefit of the Eligible Employees; makes investment allocations of the Eligible Employer’s assets within the RHFV investment menu to the extent authorized in paragraph (D); receive necessary reports, notices, etc. using the MERS Contact Form and this document.

(J) The Eligible Employer acknowledges its responsibility to create and comply with an investment policy with respect to its RHFV account assets, as required by PA 149.

(K) It is expressly agreed and understood as an integral and nonseverable part of, extension

or continuation of coverage under this Uniform Resolution Adopting MERS Retiree Health Funding Vehicle, that Section 43 of the MERS Plan Document regarding collective bargaining agreements shall not apply to this Uniform Resolution, the RHFV Plan Document, the Trust Agreement, or any administration or interpretation.

(L) In the event any alteration of the language, terms or conditions stated in this Uniform Resolution is made or occurs under Section 43 of the MERS Plan Document, other plan provision or other law, it is expressly recognized that MERS and the Board, as fiduciary of the MERS Plan and its trust reserves, and whose authority is nondelegable, shall have no obligation or duty to administer (or to have administered) the RHFV or its Trust Fund, or to continue administration.

III. PLAN TERMINATION

Plan Termination may occur for any of the following reasons provided for in the RHFV Plan Document:

Automatic Termination, Plan Asset Transfer, or Satisfaction of RHFV Liabilities. The Program Administrator shall determine what documentation is necessary to demonstrate termination of any of the above circumstances. After receipt of such documentation, and approval of the termination, the Program Administrator shall supply the Eligible Employer with the necessary forms to complete the termination.

IV. EFFECTIVE DATE OF THIS RHFV UNIFORM RESOLUTION

This Uniform Resolution shall have no legal effect until an executed copy is filed with MERS, and MERS determines that all necessary requirements under Section 71 of the MERS Plan Document, PA 149, this

Uniform Resolution, and other relevant laws, have been met. Upon MERS' determination that all necessary documents have been completed (if necessary) and submitted, MERS shall execute this Uniform Resolution and return a copy to the Eligible Employer's designated contact person.

In the event an amendatory resolution or other action by the Eligible Employer is required by MERS, such resolution or action may be deemed effective as of the date of this Uniform Resolution or such action, if agreed to in writing by all of the parties, including, the Program Administrator, if necessary. Section 86 of the MERS Plan Document shall apply to this Uniform Resolution and all acts performed under MERS' authority.

The terms and conditions of this Uniform Resolution supersede any prior resolution, and its terms are controlling on the parties.

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MERS Retiree Health Funding Vehicle Uniform Resolution
This MERS Retiree Health Funding Vehicle Uniform Resolution is hereby adopted and approved on the _ day of _____, 20____ by the governing body of the City of Charlotte.

Council member Baker moved, supported by Dyer to approve first reading of Resolution No. 2020-26 establishing a retiree health care trust as presented. Carried. 7 Yes. 0 No.

CONSIDER FIRST READING OF RESOLUTION NO. 2020-27 AUTHORIZING MERS SIGNATORIES:

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.

This resolution applies to reporting unit(s) #_____ of the participating municipality listed below.

WHEREAS, City of Charlotte ("Employer") is a participating municipality with the Municipal Employees' Retirement System of Michigan ("MERS") and has adopted one or more retirement, insurance, investment or other post-employment benefit products administered by MERS;

WHEREAS, MERS requires signatures of an authorized representative of the Employer to execute contracts with MERS, the entry of which is authorized by the governing body and permitted under the applicable MERS Plan Document(s);

WHEREAS, the Employer wishes to designate certain job position(s), the holder(s) of which may sign MERS' contracts relating to the adoption, amendment and termination of MERS' products, and defined benefit service credit purchase approvals on behalf of Employer to implement decisions and actions of the governing body;

WHEREAS, this Resolution is not intended to apply to MERS forms or any other MERS document except as specifically mentioned herein,

Therefore, the Governing Body resolves:
The holders of the following job position(s) are hereby Authorized Officials that can sign: (1) MERS Adoption Agreements, Resolutions, Participation Agreements, Administrative Services Agreements, Withdrawal Agreements and any other contracts between MERS and the Employer with respect to Employer's participation in any MERS-administered product and any amendments and addendums thereto, and (2) MERS Defined Benefit service credit purchase approvals:

1. _____

Optional additional job positions:

2. _____
3. _____

This Resolution may be revoked in writing or amended by the Governing Body at any time, provided that it will not be effective until such writing or amended Resolution is received by MERS. The Governing Body agrees that MERS may rely upon this Resolution as conferring signing authority upon the holders of the above job position(s) to bind Employer with respect to MERS. Adopted at a regular/special meeting of the Governing Body on _____, 2020.

Council member Baker moved, supported by Dyer to approve first reading of Resolution No. 2020-27 authorizing MERS signatories as presented. Carried. 7 Yes. 0 No.

COMMUNICATIONS AND COMMITTEE REPORTS

CITY ATTORNEY REPORT: City Attorney report included in the packet.

CITY MANAGER REPORT: City Manager Guetschow stated that he wanted to make it clear that even though the City Attorney is out of state he is still working. He stated that he has a meeting coming up with Spartan Motors in regards to the REV Group. He has been in contact with the City Attorney's office and they are in the process of preparing a settlement agreement with Maple Knoll Mobile Home Park. He reported that Bryan Myrkle and Lisa Barna will be working on the Redevelopment Ready Community status to achieve what is needed in the next couple of months. He stated that the recent conference that he attended had a lot of issues relevant to what the City has been working on.

COUNCILMEMBER COMMITTEE REPORTS:

- Council member Dyer stated that the Park Board met and discussed budget items. They will be focusing on Oak Park and fixing a bridge at Bennett Park.
- Mayor Pro-Tem Armitage stated that Planning Commission met regarding 600 S. Cochran which was discussed earlier. He stated that Vision 2025 will be meeting later in February.

PUBLIC COMMENT: **Julie Kimmer**, 201 W.. Seminary, stated her concerns with all of the apartments in the bigger houses. She stated that the problem is with the constant turnover in tenants. She would like to see the properties protected.

Tom Potter, 221 E. Lovett, spoke in favor of placing the moratorium in the area of 200 & 300 blocks of E. Lovett and the 100 block of Pleasant Street. He stated that he has lived here since 1972. He stated that multiple apartments going into these big older homes causes parking issues and the houses in general decline in the area. He stated that the homes in the area are in a National Historic District and he would like to ensure that the homes are kept single family to enhance the future.

Martin Fabrik, 803 Pearl, President of the Eaton County Fair Board, thanked the council for their support of the fairground reconstruction. He stated that he would like to keep an open line of communication moving forward. He highlighted some of the projects and events that they are working on in the coming year.

MAYOR AND COUNCIL COMMENTS:

- Council member Dyer no comment.
- Council member McRae stated that he was learning and would not talk.
- Council member Baker no comment.

- Council member Weissenborn recognized Marie Kinneman and Mary Moran for their efforts in raising funds. They have donated \$300 to CROP Walk, \$300 to Christmas Kiddies, \$200 to Clothes Closet, \$300 to Pawsabilities and \$200 to the Library. She would like to commend and thank them for their efforts. The teachers visits out in the community went really well. They visited AL!VE, Courthouse Square, Siren Shelter, Helping Hands, CharlotteRising and the library.
- Council member Hoogstra thanked the citizens for coming out and stated that it is nice to hear their concerns. She thanked Bryan for his explanations.
- Council member Armitage thanked everyone for coming and sharing their view points.
- Mayor Ridge congratulated Brett McRae on being appointed to council. She reminded council members to send their bios to the City Manager for the website. She stated that Monday, February 3rd was the first Monday with the Mayor. The next one will be on March 2nd. She thanked everyone for coming. She stated that the council needs input from everyone.

Council member Baker moved, seconded by Dyer to adjourn at 8:06 P.M. Carried. 7 Yes. 0 No

Mayor Yvonne Ridge

Ginger Terpstra, City Clerk, CMMC