



PROPOSED AGENDA
REGULAR MEETING OF THE CHARLOTTE CITY COUNCIL
111 E. Lawrence Ave, Charlotte, MI 48813 (517) 543-2750
7:00 P.M. Monday, April 03, 2023

Interested persons can participate in-person or via Zoom
Connect to Zoom from your computer, tablet, or smartphone
Website: <https://us02web.zoom.us/j/89818138875>
One tap mobile: +16465588656,,89818138875#
Telephone: (312) 626-6799 Webinar ID: 818 1813 8875

- 1. Call to Order**
- 2. Roll Call**
- 3. Invocation – Jack Conklin - Lawrence Ave. Methodist Church**
- 4. Pledge of Allegiance**
- 5. Approval of Minutes**
 - a. March 20, 2023 Regular Council Meeting
- 6. Absence of Council Members**
- 7. Public Hearing**
 - a. Resolution 2023-07 to modify city elections to even years
 - i. Resident letters - Richard Deer
- 8. Public Comment - Limit presentation to five (5) minutes**
- 9. Approval of Agenda**
- 10. Consent Agenda**
 - a. Approval of Claims and Expenditures totaling \$966,679.20
 - b. Approval to extend contract for Assessing services for one year
 - c. Resolution 2023-08 to dedicate a portion of city property for road right-of-way for Spring St (part of Hall/Washington/McClure road project).

- d. Resolution 2023-09 to dedicate a portion of city property for road right-of-way for Hall St (part of Hall/Washington/McClure road project).
- e. Final approval of Resolution 2023-06 to sell land in Combs Industrial Park to Charlotte Anodizing, LLC
- f. Adopt Ordinance 2023-03 to correct ownership information for PILOT Ordinance at 535 Lansing Rd, commonly known as Butternut Creek Apartments

11. Business Agenda

- a. Consider Resolution 2023-07 to modify city elections to even years
- b. Consider Adoption of Council Policy 2023-01 establishing a base threshold for Payments in Lieu of Taxes (PILOT)
- c. Consider Adoption of Council Policy 2023-02 establishing a Pension Funding Policy
- d. First reading of Ordinance 2023-04 to amend Chapter 30 to update the City Fire Code
- e. Approval of request to sell fire vehicle #312
- f. Approval of request to purchase AEDs and LUCAS Device utilizing ARPA Funds
- g. Approval of retainer agreement with City Attorney

12. Communications and Committee Reports

- a. City Attorney Report
- b. City Manager Report
- c. Receive draft FY 23/24 Budget
- d. Councilmember Committee Reports

13. Public Comment

14. Mayor and Council Comments

15. Adjourn

~Mary LaRocque, City Clerk

ADDRESSING THE CITY COUNCIL

Comments shall be made only during times set aside for that purpose.

Each citizen may speak for up to 5 minutes during each public hearing and comments period.

Comments made during public hearings shall be relevant to the subject of the public hearing.

Comments shall be made from the podium unless otherwise directed by the Mayor.

Comments shall be directed to the Mayor and Council members.

Speakers shall begin by stating their name and indicate if they are a resident or non-resident of the City.

Speakers shall refrain from using vulgarity, hate speech or "fighting words."

CITY OF CHARLOTTE COUNCIL PROCEEDINGS
111 E. Lawrence Ave., Charlotte, MI 48813 (517) 543-2750
Regular Council Meeting
March 20, 2023

CALL TO ORDER:

By Mayor Armitage on Monday March 20, 2023, 7:04 p.m.

ROLL CALL:

Mayor Armitage, Mayor Pro-Tem Weissenborn, Council members Van Langevelde, Chin, Duweck, Rodriguez, and Dyer. A quorum was met. Also in attendance were City Manager LaPere, and City Clerk LaRocque.

Also present in the audience was Chief Brentar and via Zoom (Lansing, MI) Attorney Hitch.

INVOCATION:

~~Fr. Dwight Ezop, St. Mary's Catholic Church~~ (absent)

PLEDGE OF ALLEGIANCE:

Led by Mayor Armitage

APPROVAL OF MINUTES:

- a. March 06, 2023 Regular Council Meeting Minutes
- b. March 15, 2023 Workshop Meeting Minutes

Motion by Chin supported by Dyer to approve the meeting minutes. Carried; Yea 7; Nay 0; Absent 0

EXCUSE ABSENT MEMBERS:

No absences

PUBLIC COMMENT:

No comment

APPROVAL OF AGENDA:

Motion by Dyer supported by Van Langevelde to approve the agenda with the requested change. Carried. Yea 7; Nay 0; Absent 0

CONSENT AGENDA:

- a. Approval of Claims and Expenditures totaling \$657,010.49
- b. Approval of Mayoral Appointment(s)
- c. Approval of MiDeal contract for annual road salt purchase
- d. Schedule workshop meeting for Monday April 17th at 6 p.m. for commercial cannabis discussion

Motion by Weissenborn supported by Dyer to approve the consent agenda items b and c. Carried by roll call vote Yea 7; Nay 0; Absent 0

BUSINESS AGENDA:

- a. Approval of the Final Plan for Pray Funeral Home Planned Development District

Motion by Dyer supported by Van Langevelde to approve Final Plan for Pray Funeral Home PDD. Carried; Yea 7; Nay 0; Absent 0

- b. First reading of an Ordinance 2023-02 to Amend a PILOT Tax Exemption for Related Affordable, LLC, Butternut Creek Apartments.

Motion by Dyer supported by Weissenborn to approve Ordinance 2023-02 to Amend a PILOT Tax Exemption for Related Affordable, LLC Butternut Creek Apartments. Failed by roll call vote; Yea 2 (Armitage and Van Langevelde); Nay 5 (Chin, Duweck, Dyer, Rodriguez, Weissenborn); Absent 0

- c. Discussion on resolution to modify city elections from odd to even years.

Motion by Van Langevelde supported by Duweck to set a public hearing on April 3rd in regards to the resolution to modify city elections from odd to even years. Carried; Yea 7; Nay 0; Absent 0

COMMUNICATIONS AND COMMITTEE REPORTS:

- a. City Attorney report was received

Atty. Hitch updated council about the Bruch V City of Charlotte MTT tax tribunal matter being reinstated and slated for an April 3, 2023 hearing.

- b. City Manager report was received

LaPere reminded citizens of the opportunity to serve the community by applying for a Boards and Commissions position.

- c. Council member Committee Reports

No Committee reports

- d. Monthly Police Department Report – February 2023

In reply to question posed by Chin, Chief Brentar explained the department charges the cost of labor with benefit equivalent, (less \$1k as per Charter) when they provide security at community events.

Van Langevelde asked Chief Brentar to thank and commend Det. Poortvliet on his work to discover DNA evidence on a case from 2004 only to discover the suspect is now deceased.

PUBLIC COMMENT:

Cooper Cross – Per date found on M-live, straight party ticket votes in Michigan was 46%.

MAYOR AND COUNCIL COMMENTS:

Chin – wants a formal policy in regards to working with residents on utility bill payment options. LaPere answered other questions about the status of Brownfield funds for CharlotteRising, police staffing, Fire Chief and attorney contract updates.

Duweck – asked about maps of the 425 plans the City is currently engaged in and inquired about the options available to resolve his concerns at the flashing light on Shepherd.

Dyer – moved into an apartment and he is happy the City has instituted the rental inspection program to protect the interests of renters and property owners.

Weissenborn – no comment

Rodriguez – apologizes for his recent absences and assures everyone he is paying attention and has kept himself updated by watching the recorded meetings. He has questions for Erin in regards to those missed meetings that he will email her on.

Van Langevelde – Happy 1st day of Spring. Be careful during road construction this season. The Hall/Washington/McClure road project will be starting soon as well as the Island Rd. project near Wendy's. Be safe!

Armitage – Commended 911 and all responders for the clean-up and management of the multiple accidents that occurred on I-69 N. of Lansing Rd.

ADJOURN:

Motion by Chin supported by Van Langevelde to adjourn the meeting at 8:30 p.m. Carried; Yea 7; Nay 0; Absent 0

Mayor Michael Armitage

Mary LaRocque, City Clerk

McGINTY, HITCH, PERSON, ANDERSON & REVORE, P.C.

MEMORANDUM

TO: Charlotte City Council

FROM: Thomas M. Hitch, City Attorney

RE: **Transition to Even-Year Elections for City Councilmembers**

DATE: March 15, 2023

As the Council is aware, last year the Council entertained, and I prepared, proposed Charter amendments that provided for changing the term of the Mayor, eliminating wards, and going to even-year elections. As the matter proceeded, I became aware of a change in the Election Code, which provided for the change of odd-year to even-year elections by a resolution of the City Council. After discussing the matter extensively with George Elworth, the Assistant Attorney General that oversees Charter revisions on behalf of the Governor, and other potential changes to Charters, it was decided to address these issues one at a time, thus making this significantly easier to accomplish.

As the Council remembers, last year a Charter amendment was proposed, approved by the Governor for passage, and approved by the City electors, changing the Mayor's term to four years, instead of the current term of two years.

I have had discussions with the City Manager and the Assistant Attorney General regarding addressing the elimination of wards and going to even-year elections. It remains the considered judgment of the Assistant Attorney General, of which I agree, that trying to make these changes occur simultaneously remains a very daunting task. The problem is that terms of a sitting Councilmember cannot be shortened. In converting to an even-year election, MCL 168.664(g) provides that the term of a Councilmember may be lengthened beyond the term set forth in the Charter in order to make an orderly transition to the even election year.

It is my opinion that it is simply too difficult to try to manage simultaneously the elimination of wards and implementing a conversion to even-year elections. As discussed with Erin LaPere, the dollar savings for the City will begin immediately upon the elimination of the last odd-year election in 2023. Between eliminating wards and the odd-year elections, the savings would be immediate, because at present, all of the State and Federal elections are on an even year, the City is now conducting elections annually. With that change, even-year elections only will bring a cost savings as on the odd years, there will be no election.

The other immediate benefit is that this does not require approval by the Governor, as this not a Charter amendment. Making this change by resolution greatly simplifies what the City is required to do to bring about this cost saving to the City.

If the Council desires to convert to even-year elections, it must comply with the provisions of MCL 168.642. As provided at Subsection 7, the resolution is valid only if the City Council adopts it in compliance with the subsections, which read as follows:

A resolution permitted under this section or section 642a is valid only if a city council adopts the resolution in compliance with all of the following:

- (a) The resolution is adopted before 1 of the following:
 - (i) If the resolution is permitted under subsection (2), (3), or (4), January 1, 2005.
 - (ii) If the resolution is permitted under section 642a(1), (2), or (4), January 1 of the year in which the change in the date of the election takes effect.
- (b) Before adopting the resolution, the council holds at least 1 public hearing on the resolution. The public hearing may be held on the same day and immediately before considering the adoption of the resolution.
- (c) The council gives notice of each public hearing on the resolution in a manner designed to reach the largest number of the jurisdiction's qualified electors in a timely fashion.
- (d) The council votes on the resolution and, on a record roll call vote, a majority of the council's board members, elected or appointed, and serving, adopt the resolution.
- (e) The council files the resolution with the secretary of state.

I have prepared a resolution for your review and use if Council desires to proceed in this matter. In discussing this with the City Manager, the change needs to occur no later than the last Council meeting in April.

TMH:cf

CITY OF CHARLOTTE
EATON COUNTY, MICHIGAN

RESOLUTION NO. _____

A RESOLUTION ESTABLISHING REGULAR ELECTIONS
IN NOVEMBER OF EACH EVEN YEAR COMMENCING
WITH THE CITY ELECTION OF NOVEMBER 2026

Moved by _____, supported by _____, to adopt the following:

WHEREAS, the City of Charlotte regularly conducts its City elections in November of each odd-numbered year pursuant to Section 13.1 of Chapter 13 of the City Charter; and

WHEREAS, at each regular City odd-year November election the Mayor of the City is now elected for a four-year term and three Councilmembers are elected for a four-year staggered terms; and

WHEREAS, the Michigan Election Code, at MCL § 168.642(a)(4), authorizes a home rule city that holds elections for city officers at the odd-year November election to change its regular election schedule for future years to even-year city November elections by the adoption of a resolution in compliance with the requirements of MCL § 168.642, provided that the terms of the City's elected officers elected hereto for and at the last odd-year November city election in November, 2023 are not shortened and that those terms of previously elected city officers continue until their successors are elected and qualified at the next regular city election.

WHEREAS, the City Council has held a public hearing regarding this resolution pursuant to the published notice of the public hearing.

NOW, THEREFORE, BE IT RESOLVED that:

1. The date of the regular city election is changed from the first Tuesday after the first Monday in November of each odd-numbered year to the first Tuesday after the first Monday in November of each even-numbered year commencing with the regular city election in November 2026 resulting in the last city regular odd-year November election being held on November 7, 2023.
2. A primary election shall be held, if provided for by the applicable charter provision of the current charter, at the August primary for each year in which there is a city regular November election.
3. The term of the Mayor and three (3) Councilmembers duly elected at the odd-year November election this year (2023) which would otherwise expire in November

2027 shall continue until their successors are elected and qualified in November 2028.

4. The terms of the three (3) Councilmembers duly elected at the odd-year November election in 2021 which would otherwise expire in November 2025 shall continue until their successors are elected and qualified in November 2026. Provided, however, for purposes of this resolution, this provision shall apply to the two (2) Councilmembers appointed to fill vacancies by the City Council and who are up for election on November 7, 2023 pursuant to Section 3.13 of the City Charter.
5. The City Clerk is hereby instructed to file this resolution with the County Clerk of Eaton County, and the elections division of the Secretary of State of the State of Michigan.

AYES: _____

NAYES: _____

ABSENT: _____

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)

:SS.

COUNTY OF EATON)

I, the undersigned, the duly qualified and acting Clerk of the City of Charlotte, County of Eaton, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Charlotte at a regularly scheduled meeting held on Monday, _____, 2023, relevant to the Michigan Open Meetings Act, the original of which is on file in my office as part of the council minutes.

IN WITNESS WHEREOF, I have hereunto set my official signature, this _____ day of _____ 2023.

Mary LaRocque, City Clerk
City of Charlotte
Eaton County, Michigan

Approved as to Form:

Thomas M. Hitch (P25558)
Charlotte City Attorney



Memo

To: Honorable Mayor Armitage; City Council
From: City Clerk, Mary LaRocque
Date: March 31, 2023
Re: Odd to Even Year Election

At the March 20th Council meeting, a resolution to change city elections from odd to even years was presented for discussion. Council asked for election data and projected expenses. This memo is in response to that request.

This chart shows a comparison of voter turnout for the November general elections of the years 2019 through 2022.

Election Data November General	2019	2020	2021	2022
TOTAL REGISTERED VOTERS	6357	6858	6858	6971
Voter Turnout	1144	4617	1030	3691
% of all registered voters	18%	68%	15%	53%
In-person	256	2065	152	2111
% of In-person	22%	45%	15%	57%
AV Ballot	888	2552	878	1580
% of AV	78%	55%	85%	43%

When looking at projected election expenses in relation to labor costs, it is important to take into consideration some unanswered questions that are still being worked out at the State level.

- Will a separate AVCB (absent voter counting board) be required to run consecutively with the 9-day early voting or will they meet once for counting on election day only? Can I eliminate the separate AVCB and have absentee ballots processed in precinct during the 9-day early voting? (I account for a separate AVCB running election day only)
- Will the current combined precinct active voter limit of 5,000 be lifted to allow the city to combine all four precincts for the 9-day early voting period, or even more broadly, for multi-jurisdictional collaboration involving neighboring townships. (I account for no change to the limit and thus allowing for the combining of 2 precincts for the 9-day early voting)
- How many hours of additional training will be required for election inspectors. (I do not include additional hours).
- How many additional hours will I need election inspectors above the 8 hours of open polling for each day of the 9-day early voting period. (I account for 8 hours).

- Will a Receiving Board be required to meet to verify the processes of the 9-day early voting in addition to election day and will that be for each day of early voting or once at the end of early voting and once on election day? (I account for one Receiving Board meeting on election day)
- Will City and other local elections be exempt from the 9-day early voting requirement (I account for the 9-day early voting in all elections)
- How many additional hours will the Clerk's office staff have to commit to overtime (I used historic overtime numbers)
- How many extra hours will election inspectors be needed in the Clerk's office (I did not account for this expense)
- Wages for State and Federal elections are calculated with all precincts operating on election day

PROJECTED EXPENSES		City Election	State Election	Federal Election
Materials and Supplies		\$ 3,543.25	\$ 7,347.49	\$ 7,347.49
Postage (return postage is reimbursable)		\$ 3,612.00	\$ 6,732.00	\$ 6,732.00
Printing & Publishing		\$ 311.00	\$ 311.00	\$ 311.00
Contractual		\$ 400.00	\$ 1,000.00	\$ 1,000.00
Wages		\$ 17,636.25	\$ 20,300.25	\$ 20,300.25
Mileage		\$ 18.00	\$ 18.00	\$ 18.00
Miscellaneous		\$ 270.00	\$ 480.00	\$ 480.00
SUB TOTAL		\$ 25,790.50	\$ 36,188.74	\$ 36,188.74
PROJECTED REIMBURSEMENTS				
Return postage (applications and voted ballots)		\$ (1,716.00)	\$ (3,036.00)	\$ (3,036.00)
Federal election reimbursement		0	0	\$ (33,152.74)
EXPENSE LESS REIMURSEMENT		\$ 24,074.50	\$ 33,152.74	\$ (0.00)

One concern Council mentioned was that the city election offices on the ballot would be moved to the second page on a larger State or Federal ballot and may not receive the attention it may otherwise receive if it were a single city election ballot. You will be happy to know that election inspectors instruct in-person voters about special circumstances on the ballot being voted on, including to remind them to vote on both sides and absentee ballot mailings include instructions on how to vote the ballot. I believe moving from odd to even year elections will not only help to ease the demands on the budget and the office of the Clerk, but just as importantly, the voters will benefit in as much as more voters participate in the State and Federal elections, so a larger electorate will be participating in the local election as well.

I will be working to ensure that our voters are informed and educated about all the changes taking place utilizing our website, Facebook page, the local paper, direct mailings and other resources.

Respectfully submitted,

Mary LaRocque

Odd to Even Year Elections - Public Hearing

1 message

Richard Deer <~~richdeer@att.net~~>

Fri, Mar 24, 2023 at 5:37 PM

To: "clerk@charlottemi.org" <clerk@charlottemi.org>

To: Charlotte City Council Members

RE: Odd to Even Year Elections

I object to this proposed change in our local elections. Moving our nonpartisan council elections and other ballot proposals to even numbered years will reduce their visibility against state and federal ballot matters that are always much higher profile. The move also runs the risk that our nonpartisan candidates and issues could become tied to partisan issues which tend to be very divisive and counterproductive.

The transition detail including extension to five year terms for the mayor and some council members is also a concern, especially for the office of mayor. I voted against extending the mayor's term to four years as it has been shown the position can be abused as evidenced by the recent debacle with the volunteer fire fighters.

Having given these objections I would add it is my understanding that the move to even numbered years for elections would save the city money by reducing or eliminating stand-alone elections that the city has to pay for. If that is true and IF the money saved is used to fix my street then I would withdraw my objections. Since my street - 4th Street - has never been paved in the 52 years I've lived on it, I doubt that will happen so my objections stand.

Thank you for your time and consideration.

Richard Deer
Charlotte City Resident
richdeer@att.net

— THE CITY OF —
CHARLOTTE
— MICHIGAN —

Memo

To: Honorable Mayor Armitage, City Council
From: Mary LaRocque, City Clerk
Date: March 29, 2023
Re: Claims and Expenditures for Council approval on April 03, 2023

Background

Section 7.7(B) of the City Charter requires Council approval for the expenditure of city funds.

Recommendation

A report of claims is provided to council for review on the Wednesday preceding a council meeting at which the claims are approved. Questions about these claims should be directed to the Finance Director and answers resolved by the Friday preceding said council meeting. Claims and expenditures are budgeted items and/or larger purchases pre-approved by Council. While review is recommended, approval should not be hindered.

Financial Impacts

Insurance claims week of March 20, 2023	\$ 805.23
Insurance claims week of March 27, 2023	\$ 4,127.90
Payroll paid Friday March 24, 2023	\$ 88,810.26
Invoiced claims as of March 15, 2023	<u>\$872,935.81</u>
Total	<u>\$966,679.20</u>

Suggested Motion

City Council approves Claims and Expenditures in the amount of **\$966,679.20**

03/29/2023 03:10 PM
User: CKOENIG
DB: Charlotte

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF CHARLOTTE
INVOICE ENTRY DATES 03/16/2023 - 03/29/2023
BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID
BANK CODE: POOL

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Vendor Code	Vendor Name	Invoice	Description	Amount
01678	ADVANCE AUTO PARTS	5565308237653	SYNTHEIC OIL	44.60
TOTAL FOR: ADVANCE AUTO PARTS				44.60
01764	AMAZON CAPITAL SERVICES	13J1-NMHD-1DHX	PRINTER MAINTENANACE KIT FOR MIKAYLAS PRINTER	357.00
		16Y1-4M77-NQKN	COPY PAPER, INK CARTRIDGES	281.13
		19W3-DGPC-KLMM	SUPPLIES	68.16
		1G99-XTG4-6G7L	SIMPLE GREEN CLEANER	10.98
		1Y4Y-VDNR-N1MG	DPW SECRETARY SUPPLIES	1,069.93
TOTAL FOR: AMAZON CAPITAL SERVICES				1,787.20
01665	AMBS MESSAGE CENTER INC.	230211288	ANSWERING SERVICE	131.07
TOTAL FOR: AMBS MESSAGE CENTER INC.				131.07
02035	ARROWHEAD UPFITTERS, INC	7139	OUTFIT 319 WITH LIGHTS	9,343.00
TOTAL FOR: ARROWHEAD UPFITTERS, INC				9,343.00
01637	ASSOCIATED BAG	G202723	SHIPPING FROM INVOICE	50.40
TOTAL FOR: ASSOCIATED BAG				50.40
01635	AT&T LONG DISTANCE	517543228803	AIRPORT MODEM LINE	163.47
		517543887403	DPW CALLOUT	51.14
TOTAL FOR: AT&T LONG DISTANCE				214.61
01608	BARYAMES CLEANERS	BN161503.16.2023	DRY CLEANING (FIRE)	222.45
		BN1616-03.16.202	DRYCLEANING (POLICE)	135.52
TOTAL FOR: BARYAMES CLEANERS				357.97
01584	BIOTECH AGRONOMICS	3311	SLUDGE HALL	27,676.00
TOTAL FOR: BIOTECH AGRONOMICS				27,676.00
01581	BLUE CARE NETWORK	230660026838	MEDICAL COVERAGE (RETIRED) 03.01.2023 - 04.30.20263	4,760.35
		230660029660	MEDICAL COVERAGE 04.01.2023 - 04.30.2023	53,496.57
TOTAL FOR: BLUE CARE NETWORK				58,256.92
01555	BYRUM ACE HARDWARE	264370	PACKOUT TOOL BOX	69.99
		264458	PACKOUT STORAGE ORGANIZER,BIN SET, FASTENERS	60.48
		264485	RETURN BIN SET INVOICE #264458	(15.99)
		265304	FASTENERS	12.95
		265870	DRUM,LINER, CONTRACTOR BAGS,KEYKRAFTER BRASS KEY	43.67
		266245	MISC HARDWARE	11.00
		266403	SIMPLE GREEN	25.98
		267000	BALL VALVE	83.97
		267185	DRIL BIT BLOCK, DRILL BIT	22.98
		BYRUM	DRILL/DRIVER, SCREW EXTRACTOR	164.98
TOTAL FOR: BYRUM ACE HARDWARE				480.01

03/29/2023 03:10 PM
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BANK CODE: POOL

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Vendor Code	Vendor Name	Invoice	Description	Amount
01553	C&C LANDFILL	5007-000019463	STREET SWEEPINGS	2,321.23
TOTAL FOR: C&C LANDFILL				2,321.23
01547	CANON FINANCIAL SERVICES, IN	30148672	CONTRACT CHARGE 03.01.2023 - 03.31.2023	253.73
TOTAL FOR: CANON FINANCIAL SERVICES, IN				253.73
01489	CMP DISTRIBUTORS INC	75081	VORTEX THREAT LEVEL II BALLISTIC VEST (KEN EVERTS)	920.00
		75082	VORTEX THREAT LEVEL II TACTICAL VEST (JEFF LEACH)	920.00
		75149	FIRST TACTICAL MEN'S V2 PANT	69.95
TOTAL FOR: CMP DISTRIBUTORS INC				1,909.95
01486	CONSULTANTS ON CALL, LLC	2022-23218	MANAGED SERVICE FEES	187.50
TOTAL FOR: CONSULTANTS ON CALL, LLC				187.50
01838	CULLIGAN WATER CONDITIONING	4356TM	SOFTENER SALT (WEST SIDE)	50.88
TOTAL FOR: CULLIGAN WATER CONDITIONING				50.88
01439	D & K TRUCK COMPANY	UY0887	2024 FREIGHTLINER 108SD CHASIS	104,991.00
TOTAL FOR: D & K TRUCK COMPANY				104,991.00
01862	DELTA CHARTER TWP.	0000009337	CLASS FOR- CURTIS,DALY,VIANE	750.00
TOTAL FOR: DELTA CHARTER TWP.				750.00
01428	DELTA DENTAL PLAN OF MICHIGAN	RIS0004791310	DENTAL PREMIUMS 04.01.2023 - 04.30.2023	4,104.44
TOTAL FOR: DELTA DENTAL PLAN OF MICHIGAN				4,104.44
01396	EATON CO. DRAIN COMMISSIONER	DR065-23	CUMMINGS DRAIN- ISLAND HWY	521,825.65
TOTAL FOR: EATON CO. DRAIN COMMISSIONER				521,825.65
01384	EATON TOWNSHIP TREASURER	03.20.2023	DECEMBER/FEBRUARY REVENUE SHARING	4,971.00
TOTAL FOR: EATON TOWNSHIP TREASURER				4,971.00
01380	EDWARDS INDUSTRIAL SALES	3373430	TRICKING FILTER VFD ISSUES	250.00
TOTAL FOR: EDWARDS INDUSTRIAL SALES				250.00
01375	ELHORN ENGINEERING COMPANY	296422	PHOSPHATE FOR WELLS	4,390.00
		296423	CHLORINE FOR WELLS	3,840.00
		296539	HYPOCHLORITE - WWTP	775.00
TOTAL FOR: ELHORN ENGINEERING COMPANY				9,005.00

03/29/2023 03:10 PM
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Vendor Code	Vendor Name	Invoice	Description	Amount
01371	ENERCO CORPORATION	158463	CHEMICAL WATER TREATMENT AND SERVICES FOR BOILER SYSTEM	1,700.00
TOTAL FOR: ENERCO CORPORATION				1,700.00
01370	ENGINEERING SUPPLY AND IMAGING	123026	MATTE BLACK, YELLOW, PHOTO BLACK GRAY	451.64
TOTAL FOR: ENGINEERING SUPPLY AND IMAGING				451.64
00932	ERIC ROGERS LLC	30178	FINAL PAYMENT FOR SNOW REMOVAL	1,180.00
TOTAL FOR: ERIC ROGERS LLC				1,180.00
01365	ETNA SUPPLY	S104098708.002	3/4 IPERL	8,120.00
		S104710114.003	PARTS	240.00
		S104912503.001	HOT WATER PUMP-DIGESTER	498.00
		S104912503.002	HOT WATER PUMP-DIGESTER	380.00
		S104961634.001	SECONDARY SLUDGE	803.25
		S104962973.005	PARTS	49.00
		S104969364.001	SECONDARY SLUDGE	476.34
		S105011125.001	PART	920.00
		S105011553.001	PART	120.00
		S105011669.001	PART	130.50
		S105013250.001	PART	3,252.00
		S105013439.001	PART	345.00
		S105022218.002	PUMP REPAIR	385.00
TOTAL FOR: ETNA SUPPLY				15,719.09
01113	FERGUSON WATER WORKS FKA	0162505-1	PARTS	1,030.20
		0169079	3/4 MTRXDP M-STYLE INSETTER	2,460.00
TOTAL FOR: FERGUSON WATER WORKS FKA				3,490.20
01330	FISHBECK, THOMPSON, CARR	421461	CHARLOTTE/DWAM	11,432.40
TOTAL FOR: FISHBECK, THOMPSON, CARR				11,432.40
01711	FLEET SERVICES INC.	2797	EGR KIT, SENSOR, GASKET	2,247.99
TOTAL FOR: FLEET SERVICES INC.				2,247.99
01308	GRAINGER PRODUCTS	9623901312	EXHAUST FAN	164.78
		9627109417	SWIVEL, 3/8 IN FNPT INLET	84.20
TOTAL FOR: GRAINGER PRODUCTS				248.98
01438	HASSEL FREE FUELS	CFSI-8743	FUEL (DPW-WWTP)	2,761.85
		CFSI-8789	FUEL (FIRE)	655.22
TOTAL FOR: HASSEL FREE FUELS				3,417.07
01252	INDEPENDENT BANK	586703.14.2023	MARCH 2023	5,713.20
TOTAL FOR: INDEPENDENT BANK				5,713.20

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Vendor Code	Vendor Name	Invoice	Description	Amount
00838	IRON HORSE EXCAVATION LLC.			
		22-725	908 PEARL ST	2,515.50
		22-736	504 HIGH ST	3,073.02
		22-737	440 HIGH ST	3,002.02
		22-738	532 AMITY, MOVE HYD	6,390.49
		22-740	810 PEARL ST	3,744.18
TOTAL FOR: IRON HORSE EXCAVATION LLC.				18,725.21
01937	JW2 FIRE CONSULTANTS			
		677	SAFER GRANT ASSISSTANCE	3,000.00
TOTAL FOR: JW2 FIRE CONSULTANTS				3,000.00
01215	KANE'S HEATING INC.			
		86878	REPAIR GAS UNIT BEHING TERMINAL BUILDING	140.00
TOTAL FOR: KANE'S HEATING INC.				140.00
01209	KENDALL ELECTRIC INC.			
		S112720038.001	FUSES	813.63
TOTAL FOR: KENDALL ELECTRIC INC.				813.63
01199	KIMBALL MIDWEST			
		100856066	OPENER, FUSE TAP, WASHER	68.33
TOTAL FOR: KIMBALL MIDWEST				68.33
01195	KONICA MINOLTA BUSINESS			
		1107768	BILLING PERIOD 03.17.2023 - 04.16.2023	50.40
		285922557	BILLING PERIOD OF 02.17.2023 - 03.16.2023	113.39
TOTAL FOR: KONICA MINOLTA BUSINESS				163.79
01408	KSB DUBRIC, INC			
		12068	GRIT SYSTEM CONCRETE REHAB	17,426.00
TOTAL FOR: KSB DUBRIC, INC				17,426.00
01182	LANSING UNIFORM CO.			
		96765-A	CHAPLIN UNIFORMS	542.20
		96954-A	BREAST BADGE	159.95
		97018-A	UNIFORM SHIRT, ALTERATIONS	164.90
TOTAL FOR: LANSING UNIFORM CO.				867.05
MISC	LG COUNTRY CLUB			
		03.23.2023	REFUND RENTAL REGISTRATION FOR OVERPAYMENT	100.00
TOTAL FOR: LG COUNTRY CLUB				100.00
01926	LOOMIS, EWERT, PARSLEY, DAVIS & GOT			
		200456	SERVICES RENDERED THROUGH 03/15/2023	1,498.50
TOTAL FOR: LOOMIS, EWERT, PARSLEY, DAVIS & GOT				1,498.50
02016	MACQUEEN EMERGENCY			
		P12800	FIRELINE TAPE/FLARES	254.50
		P12985	HELMET PARTS	49.98
		P13178	HELMET PARTS	75.91
TOTAL FOR: MACQUEEN EMERGENCY				380.39
00295	MICHIGAN ECONOMIC DEVELOPERS			
		15610	2023 MEMBERSHIP	325.00
TOTAL FOR: MICHIGAN ECONOMIC DEVELOPERS				325.00

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Vendor Code	Vendor Name	Invoice	Description	Amount
01082	MICHIGAN NETWORK CONSULTANTS	2022-23217	IT SERVICES- 2ND HALF OF MONTH	3,175.00
TOTAL FOR: MICHIGAN NETWORK CONSULTANTS				3,175.00
01071	MMLLPP C/O MEADOWBROOK	05.01.2022-2.28.	RESTITUTION PAYMENTS MAY 2022 THRU FEB 2023	3,000.00
TOTAL FOR: MMLLPP C/O MEADOWBROOK				3,000.00
01021	NORTHERN SAFETY CO., INC.	905332710/102735	ORANGE NITRILE GLOVES, COATED GLOVES	379.42
TOTAL FOR: NORTHERN SAFETY CO., INC.				379.42
01007	O'REILLY AUTOMOTIVE INC	4651-381917	MOTOR OIL FOR TRUCK 317	11.98
TOTAL FOR: O'REILLY AUTOMOTIVE INC				11.98
02034	PACE SYSTEMS, INC	IN00048923	PACE-SCHEDULER	1,600.00
TOTAL FOR: PACE SYSTEMS, INC				1,600.00
02009	PRECISE EXCAVATING, INC	23-2170	809 PEARL	3,004.43
		23-2173	774 W SEMINARY	3,654.00
TOTAL FOR: PRECISE EXCAVATING, INC				6,658.43
01234	RANDY JEWELL	2023-03	ASSESSING SERVICES- MARCH 28TH	3,262.00
TOTAL FOR: RANDY JEWELL				3,262.00
MISC	STALLONE, HEATHER	03/24/2023	UB Receipt Refund for Account #: 01919. *UB Receipt Refund for Account #: 01919. Receipt #: R23-055315	167.59
TOTAL FOR: STALLONE, HEATHER				167.59
00861	STANDARD LIFE INSURANCE CO	00 646882 0001	LIFE INSURANCE APRIL 2023	1,386.77
		00.646882.0001	LIFE INSURANCE POLICY- MARCH 2023	1,386.77
TOTAL FOR: STANDARD LIFE INSURANCE CO				2,773.54
02021	STAPLES	3532688959	COPY PAPER, MULTIFOLD TOWELS	259.68
TOTAL FOR: STAPLES				259.68
00847	SWANSON ELECTRIC	1548.43	DISCONNECTED OLD PHONE LINE IN BASEMENT	125.00
TOTAL FOR: SWANSON ELECTRIC				125.00
00843	SYSTEMS SPECIALTIES	58393	TER FILTER #6 REPLACEMENT VALVE	3,072.00
TOTAL FOR: SYSTEMS SPECIALTIES				3,072.00

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Vendor Code	Vendor Name	Description	Amount
Invoice			
01465	THE COUNTY JOURNAL		
260301	NOTICE OF PUBLIC HEARING SITE PLAN REVIEW		118.70
	(SHYFT GROUP)		
TOTAL FOR: THE COUNTY JOURNAL			118.70
01536	THE PARTS PLACE		
246723	AIR FILTER		26.66
246895	OIL FILTERS		26.64
TOTAL FOR: THE PARTS PLACE			53.30
00872	THE SHYFT GROUP, INC		
SVA0001501	ANNUAL TRUCK MAINTENANCE		327.81
TOTAL FOR: THE SHYFT GROUP, INC			327.81
00820	TRACE ANALYTICAL LABORATORIES		
3030796	ANNUAL MONITORING		861.25
3030797	ANNUAL MONITORING		845.25
TOTAL FOR: TRACE ANALYTICAL LABORATORIES			1,706.50
01898	TRUPAY CORPORATION		
0000078956	OCTOBER 2022		3.00
0000080779	NOVEMBER 2022 -KRONOS		141.00
0000082539	DECEMBER 2022		141.00
0000084429	JANUARY2023		141.00
0000086020	FEBRUARY 2023		102.00
TOTAL FOR: TRUPAY CORPORATION			528.00
00808	TSC TRACTOR SUPPLY		
571209	SPARE TIRE MOUNT,TIRE		304.98
TOTAL FOR: TSC TRACTOR SUPPLY			304.98
00804	ULINE		
160958780	SITE PLAN FILING PROJECT		1,584.09
TOTAL FOR: ULINE			1,584.09
00791	USA BLUE BOOK		
299580	TOOL STORAGE		273.95
TOTAL FOR: USA BLUE BOOK			273.95
00785	VERIZON WIRELESS		
9929642484	FEB 10 - MARCH 09		(14.99)
TOTAL FOR: VERIZON WIRELESS			(14.99)
00778	VISION SERVICE PLAN		
817480817	VISION SERVICE- SAFETY		437.24
817480837	2023 APRIL		709.66
TOTAL FOR: VISION SERVICE PLAN			1,146.90
01798	WEILER EXCAVATION LLC		
2280	505 W THIRD ST		2,199.00
2281	902 PEARL ST		2,050.00
TOTAL FOR: WEILER EXCAVATION LLC			4,249.00
00753	WOLVERINE PEST SERVICE		
127429	SPRAY TO PREVENT ANTS		50.00
TOTAL FOR: WOLVERINE PEST SERVICE			50.00

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Vendor Code	Vendor Name		Amount
	Invoice	Description	
02013	WOW! BUSINESS		
	020130258	CREDIT (GARAGE)	(35.00)
TOTAL FOR: WOW! BUSINESS			(35.00)
00750	WYRICK COMPANY		
	004039	MOPHEAD & BRUSH	87.30
TOTAL FOR: WYRICK COMPANY			87.30
TOTAL - ALL VENDORS			872,935.81
PAYMENT TYPE TOTAL			
Paper Check			800,726.20
EFT Transfer			72,209.61

COMMERCIAL CREDIT CARD STATEMENT 2023

March, 2023

	DATE	VENDOR	DESCRIPTION	ACCOUNT #	AMOUNT
Perry, S	3/13/2023	Amsoil	oil for drives and stock	510-631-731-000	\$ 1,931.28
			Subtotal		\$ 1,931.28
Fullerton, T	2/28/2023	Wrangler	Tax Credit	206-350.000-733.000	\$ (23.34)
	3/1/2023	Conwav Shield	Tax Credit	206-350.000-733.000	\$ (4.92)
	3/6/2023	Wrangler	Tax Credit	206-350.000-733.000	\$ (23.34)
	3/7/2023	Wrangler	Return order	206-350.000-733.000	\$ (388.96)
	2/14/2023	Paypal	MFIS Membership	206-350.000-735.000	\$ 31.25
	2/19/2023	United Uniform	Derrick's Boots	206-350.000-733.000	\$ 138.94
	2/20/2023	Wrangler	Uniform Pants	206-350.000-733.000	\$ 412.30
	2/25/2023	Wrangler	Uniform Pants	206-350.000-733.000	\$ 412.30
	3/1/2023	Active911	Annual Subscription	666-228.000-865.000	\$ 735.00
	3/2/2023	NFPA	Fire Investigation Books- Daly	206-350.000-748.000	\$ 183.45
			Subtotal		\$ 1,472.68
Griffith, M	2/22/2023	Municipal Wastewater	Chris Miller Wastewater Exam	510-661.000-748.000	\$ 71.40
	2/22/2023	Egle	Chris Miller Water Exam	510-631.000-748.000	\$ 70.00
	3/1/2023	MWEA	Biosolids Annual Conference	510-610.000-748.000	\$ 650.00
	3/1/2023	Michigan Rural Water Assoc.	Limited Treatment Water Training	510-661.000-748.000	\$ 340.00
	3/9/2023	MWEA	MWEA Asset Mngt. Seminar	510-610.000-748.000	\$ 160.00
			Subtotal		\$ 1,291.40
Brentar, P	2/22/2023	ZOOM	Annual Subscription	101-300.000-749.000	\$ 158.89
	3/1/2023	City Limits	Training Lunch	101-300.000-731.000	\$ 47.25
	3/2/2023	Subway	Annual Training Lunch	240-302.000-748.302	\$ 31.59
			Subtotal		\$ 237.73
Smith, E	2/16/2023	Cubicle Keys	Connie's Desk key	101-220.000-731.000	\$ 11.65
			Subtotal		\$ 11.65
Lapere, E	3/1/2023	Google	Domain Renewal	666-228.000-749.000	\$ 17.14
	3/9/2023	MML	CapCon+MWIG Lunch - Lapere	101-160.000-748.00	\$ 390.00
	3/9/2023	MML	CapCon- Chin	101-100.000-748.000	\$ 325.00
			Subtotal		\$ 732.14
Antcliff, R	2/28/2023	Subway	Annual Training Lunch	101-300.000-731.000	\$ 36.32
			Subtotal		\$ 36.32
			Total		\$ 5,713.20



Memo

To: Honorable Mayor Armitage; City Council
From: City Manager LaPere, MPAP
Date: March 31, 2023
Re: Extension on Assessor Contract

Background

The City of Charlotte has utilized a hybrid model for fulfilling its obligation and responsibilities for assessing services by contract since 1997. Prior to that, Randy Jewell served as the City Assessor as a regular staff member for ten years. After almost 40 years of service to the City, Randy has notified the City of his intent to retire from his role at the end of June 2024; however, the current contract term expires in June 2023. We are requesting Council amend the current contract to extend it for one year to provide sufficient time to secure the services of a new City Assessor and ensure a smooth transition for this key role. We anticipate preparing a request for proposals late 2023 to early 2024. I have also included a copy of the contract from 2019 that would be extended by this requested amendment.

Recommendation

City Council approves the amendment to extend the contract for one year.

Financial Impacts

None. The proposed amendment would not modify current rate of compensation.

Suggested Motion

City Council approves the amendment to the Assessor Contract dated April 3, 2023 to extend services for a term to end June 30, 2024, and authorizes the Mayor and City Clerk to sign the amendment.

eel

attachments

AMENDMENT TO ASSESSOR CONTRACT

THIS AMENDMENT, entered into on the 3th day of April, 2023, by and between the CITY OF CHARLOTTE (Charlotte) and RANDY JEWELL, (City Assessor);

WITNESSETH:

WHEREAS, Charlotte and the City Assessor previously entered into an agreement dated June 23, 2014, which provided for the services of City Assessor to be provided by Randy Jewell until June 30, 2023; and

WHEREAS, the parties desire to extend the term of the agreement as set forth hereinafter;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

1. Section 5.02 of the agreement shall be amended to read as follows:

21. Term and Expiration of Agreement: The term of the agreement shall be extended twelve months from the prior date of expiration, hereafter expiring June 30, 2024.

2. Notwithstanding the foregoing, all other terms of the lease shall remain in full force and effect.

3. This amendment shall be attached to the Assessor Contract and shall become a part of that agreement as if originally included in it.

IN WITNESS WHEREOF, the parties have caused this amendment to be executed in Charlotte, Michigan, County of Eaton, State of Michigan, on the date first above written.

CITY OF CHARLOTTE

CITY ASSESSOR

By _____
Mayor, Michael Armitage

By _____
Randy Jewell

By _____
City Clerk, Mary LaRocque

ASSESSOR CONTRACT

SECTION 1 – BASIC SERVICES OF THE ASSESSOR

1.01 Assessment Roll Preparation:

The assessor shall annually prepare the assessment roll as required in the General Property Tax Act

1.02 Board of Review:

The assessor shall annually prepare the agenda items for the July and December Board of Review meetings and schedule those meetings as required.

The assessor shall also schedule and organize the March Board of Review meetings.

The assessor shall cause to be published any notices required by law as it relates to the Board of Review meetings.

The assessor is not required to attend the Board of Review meetings but agrees to attend when and if necessary.

1.03 General Maintenance of the Assessing Records:

The assessor shall maintain all records as required in General Property Tax Act. This includes but is not limited to the following; Annually inspect and value all new construction and add it to the assessment roll; update all items relating to principal residence exemptions, property transfers, address changes, ownership changes, building details, land details, prepare ECF analysis, land value analysis, as well as any other related items.

General Maintenance does not include any type of annual re-inspection or reappraisal programs.

1.04 Assessor Certification:

The assessor shall maintain the appropriate certification level from the State of Michigan at all times at his own expense.

1.05 Defense of Appeals:

The assessor shall defend up to 5 residential small claims appeals to the Michigan Tax Tribunal per year. The assessor shall be compensated \$250 each for any residential appeal in excess of 5. Commercial, Industrial, Personal, Utility or Special assessment appeals shall be handled by the city attorney or other designated

parties with the full cooperation of the assessor. The assessor shall not defend any assessments that were not certified by this assessor.

1.06 Forms and Filings:

The assessor shall file all necessary forms with the State and County as required.

1.07 Personal Property Canvas:

The assessor shall conduct a personal property canvas to insure to the best of his ability that all businesses have been identified and personal property notices are mailed. The assessor is not required to conduct personal property audits.

1.08 Public Relations:

The assessor shall work with and advise property owners in the ad valorem taxation system in an attempt to eliminate adversarial situations and establish good public relations.

1.09 Transportation:

The assessor shall provide his own transportation and fuel.

1.10 Insurance:

The assessor shall be responsible for his own workers compensation, disability and general liability insurance.

1.11 Office Hours:

The assessor shall perform his duties during regular business hours 2 days per week. He shall be required to work no more than 46 weeks per year. The assessor shall not be required to make up for holidays that may fall on the days when the assessor would otherwise be scheduled to be in the office.

SECTION 2 – CITY RESPONSIBILITIES

2.01 Basic Data:

The city/township shall provide the assessor with the current and historical record cards and assessing software containing initial information such as property tax number, tax description, owner and address information, property improvement information as well as all other data which the city/township may possess concerning real and personal property.

2.02 Computer Software:

The city/township shall provide and maintain computers and software necessary to perform the assessing function. This shall include at minimum, the BSA Equalizer software, Apex software, Microsoft Office and any other software that would be necessary. These items must be maintained and annually updated and/or replaced if necessary.

2.03 Legal Counsel:

The city/township shall be required to provide legal counsel at their expense should the need arise for assessing related matters.

2.04 Supplies:

The city/township shall provide all items necessary for the daily operations of the assessing office. This includes but is not limited to; equipment, furniture, paper, printer cartridges, postage, binders etc.

SECTION 3 – REAPPRAISAL & OTHER NON-BASIC SERVICES

3.01 Assessor's Recommendations:

The assessor shall offer recommendations and conclusions regarding the current state of the assessment roll with specific recommendations concerning actions which, in the opinion of the assessor, should be taken in order to achieve maximum equity in the assessment rolls and compliance with all State Tax Commission rules, regulations and guidelines.

The parties acknowledge that it shall be the sole responsibility of the city/township to consider any recommendations made by the assessor. The city/township assumes responsibility for the defense of any claim, cause of action or other proceeding which may be instituted by the Michigan State Tax Commission, or other entity, arising from any failure, or alleged failure, to implement such recommendations.

3.02 Re-inspection Program:

The State Tax Commission is now verifying that each unit of government is visiting 20% of all properties each year. The purpose of this process is to maintain accurate and up to date records.

The cost for this service is \$10.00 per parcel inspected. The annual estimated cost is 724 parcels times \$10.00 or \$7,240.00 and shall be a separate billing to the City as inspections are completed.

SECTION 4 – MISCELLANEOUS

4.01 Assignability:

It is agreed that the assessor's duties and obligations hereunder may be assigned, transferred or conveyed with the advance written approval of the city/township.

4.02 Attorney's Fees:

In the event of a material breach of this agreement by either party it is agreed that the non-defaulting party shall be permitted to recover, in addition to any other remedies as may be available, all reasonable attorney's fees and costs incurred as a direct result or consequence of such breach.

SECTION 5 – TERM OF AGREEMENT

5.01 Amendment/Renegotiation:

Nothing herein contained shall be construed to limit nor abrogate the rights of the parties to modify or amend this agreement at any time hereafter, provided however, that no such amendment or modification shall be effective unless in writing and duly executed by both parties hereto, through their authorized representatives.

5.02 Contract Period:

The assessor shall commence performance of the services herein on July 1, 2014. This agreement shall terminate, by its own terms, on June 30, 2019, unless notification is made in accordance with Section 5.03.

5.03 Mutual Right of Termination:

Either party may cancel this agreement upon 360 days written notice to the other. This right of cancellation is specifically exercisable at the sole discretion of either party, and requires no just cause nor other reason or justification for the exercise thereof. The effective date of such cancellation under the provisions of this party shall be 365 days from the date of mailing or such notice by certified mail, return receipt requested. The assessor presently has the assistance of a full-time Deputy City Assessor. If that position is abolished or the hours of the deputy reduced, the assessor shall have the right to terminate this contract with 60 days notice.

5.04 Termination for Cause/Breach:

The provisions of this part shall not preclude, limit, nor abrogate, the right of either party to immediately terminate this agreement in the event of a material breach by the other, nor shall it be construed to limit, nor abrogate the right of

either party to seek such remedies as shall be available, in the even of such material breach.

SECTION 6 – PAYMENT FOR SERVICES

6.01 Billing/Time of Payment:

Payment for Basic Services shall be made in 12 equal monthly installments payable at the 1st council meeting of each month.

6.02 Fee – Basic Services:

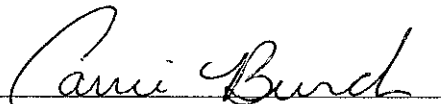
The fee for Basic Assessing Services shall be 34,968 annually (\$2,914.00 monthly) for the first year. Each subsequent year shall include an inflationary adjustment equal to the Consumer Price Index published in the previous year. This CPI shall be the same as used to annually calculate the increase in taxable value.

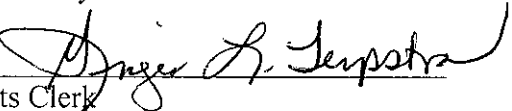
IN WITNESS WHEREOF, the undersigned hereby execute this contract on this 23 day of June, 2014.

WITNESSES:




CITY OF CHARLOTTE

By: 
Its Mayor

By: 
Its Clerk


Randy Jewell, Assessor



Memo

To: Honorable Mayor Armitage; City Council
From: Amy E. Gilson, PE - Director of Public Works
Date: March 30, 2023
Re: Staff report on Right-of-Way Dedications

Background

As part of the Hall/ Washington/ McClure reconstruction project, it became apparent that there were easements needed from the City for two pieces of property that we own. After closer inspection, it was decided that instead of an easement, it would be beneficial to the city to dedicate portions of these parcels as street right-of-way.

The Hall Street parcel is an orphan parcel that is attached to the CARA property description, but is bisected by the road. Three sides of the small piece of property are bordered by streets, and the fourth side is bounded by a railroad. The property is not buildable.

The Spring Street right-of-way is currently only 30 feet wide. A typical street right-of-way is 66 feet. By widening this street right-of-way, it puts the actual road within the right-of-way, not on adjacent city property. Additionally, the 11.75-acre parcel north of Spring Street is only accessible by the 30' right-of-way which limits the potential for its development.

Recommendation

Staff is recommending the approval of both road right-of-way dedications.

Financial Impacts

The only cost associated with this is the recording fees at the County Register of Deeds.

Suggested Motion

City Council approves the dedications of public street rights-of-way that have been prepared by the City Attorney.

CITY OF CHARLOTTE
EATON COUNTY, MICHIGAN

RESOLUTION 2023-08

**DEDICATION OF PUBLIC RIGHT-OF-WAY
FOR SPRING STREET**

The City of Charlotte, a Michigan Home Rule City, being owner of the real estate described in EXHIBIT A and shown in EXHIBIT B attached hereto, ("Real Estate") does hereby declare and dedicate the Real Estate for use as a right-of-way for public road purposes and construction and maintenance of public utilities thereon.

IN WITNESS WHEREOF, the undersigned acting for and on behalf of the City of Charlotte and, with full corporate authority to do so, has hereunto set their hands and seal this 3rd day of April, 2023.

CITY OF CHARLOTTE

By: _____
Michael Armitage, Mayor

By: _____
Mary LaRocque, Clerk

The foregoing Resolution was moved for adoption by Council Member _____ and seconded by Council Member _____ and declared adopted by the following vote:

AYES:

NAYES:

ABSENT:

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)

:ss.

COUNTY OF EATON)

I, the undersigned, the duly qualified and acting Clerk of the City of Charlotte, County of Eaton, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Charlotte at a regularly scheduled meeting held on Monday, April 3, 2023, relevant to the Michigan Open Meetings Act, the original of which is on file in my office as part of the council minutes.

IN WITNESS WHEREOF, I have hereunto set my official signature, this 3RD day of

APRIL 2023.

Mary LaRocque, City Clerk
City of Charlotte
Eaton County, Michigan

Notary Public Jackson, County, Michigan
acting in the County of Eaton, Michigan
My Commission Expires: 10/17/2024

Drafted by:

Thomas M. Hitch (P25558)
City Attorney
3410 Belle Chase Way, Ste 600
Lansing, MI 48911

When Recorded Return To:

Mary LaRocque
City of Charlotte
111 E. Lawrence Ave.
Charlotte, MI 48813

EXHIBIT A

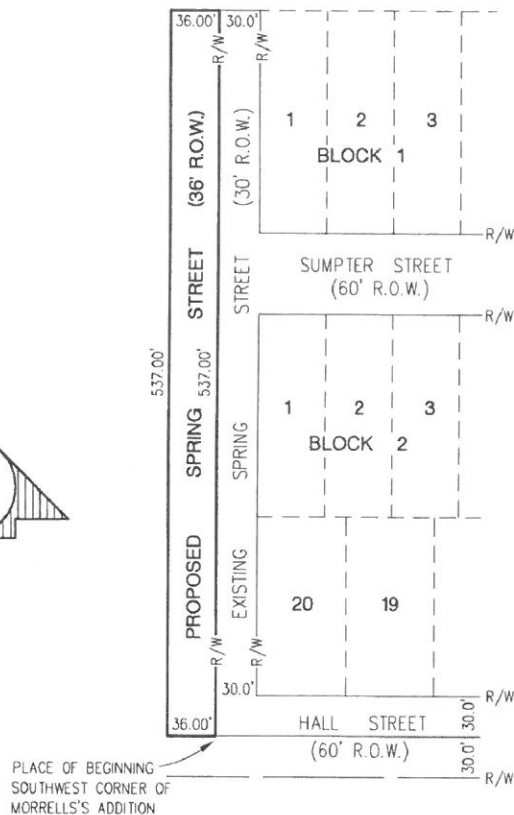
PART OF THE SOUTHWEST 1/4 OF SECTION 7, T02N, R04W, CITY OF CHARLOTTE, EATON COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT THE SOUTHWEST CORNER OF MORRELL'S ADDITION, AS RECORDED IN LIBER 2 OF PLATS, ON PAGE 1, EATON COUNTY RECORDS; THENCE NORTH ALONG THE WEST LINE OF SAID PLAT 537.00 FEET TO THE NORTHWEST CORNER OF SAID PLAT; THENCE WEST PARALLEL WITH THE SOUTH LINE OF SAID PLAT 36.00 FEET; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID PLAT 537.00 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID PLAT 36.00 FEET TO THE PLACE OF BEGINNING

EXHIBIT B

DRAWING AND DESCRIPTION OF PROPOSED ADDITIONAL SPRING STREET RIGHT OF WAY

ADDITIONAL PROPERTY FOR SPRING STREET TO MAKE THE RIGHT OF WAY 66.00 FEET WIDE:

PART OF THE SOUTHWEST 1/4 OF SECTION 7, T02N, R04W, CITY OF CHARLOTTE, EATON COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT THE SOUTHWEST CORNER OF MORRELL'S ADDITION, AS RECORDED IN LIBER 2 OF PLATS, ON PAGE 1, EATON COUNTY RECORDS; THENCE NORTH ALONG THE WEST LINE OF SAID PLAT 537.00 FEET TO THE NORTHWEST CORNER OF SAID PLAT; THENCE WEST ALONG THE EXTENDED NORTH LINE OF SAID PLAT 36.00 FEET; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID PLAT 537.00 FEET; THENCE EAST ALONG THE EXTENDED SOUTH LINE OF SAID PLAT 36.00 FEET TO THE PLACE OF BEGINNING.



CITY OF CHARLOTTE

SECTION 7 T02N - R04W CITY OF CHARLOTTE
EATON COUNTY, MICHIGAN



**ROWE PROFESSIONAL
SERVICES COMPANY**

6009 N. Kings Highway
Myrtle Beach, SC 29577

O: (843) 444-1020
F: (843) 448-3936
www.rowepsc.com

FIELD: N/A

DRAWN: WEG

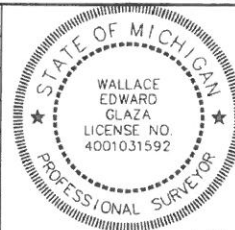
CHECKED:

DATE: 10/24/2022

REVISED:

SHEET: 1 OF 1

SCALE: 1"=100



Wallace E. Glaza
JOB NO: 21W0064

CITY OF CHARLOTTE
EATON COUNTY, MICHIGAN

RESOLUTION 2023-09

**DEDICATION OF PUBLIC RIGHT-OF-WAY
FOR HALL STREET**

The City of Charlotte, a Michigan Home Rule City, being owner of the real estate described in EXHIBIT A and shown in EXHIBIT B attached hereto, ("Real Estate") does hereby declare and dedicate the Real Estate for use as a right-of-way for public road purposes and construction and maintenance of public utilities thereon.

IN WITNESS WHEREOF, the undersigned acting for and on behalf of the City of Charlotte and, with full corporate authority to do so, has hereunto set their hands and seal this 3rd day of April, 2023.

CITY OF CHARLOTTE

By: _____
Michael Armitage, Mayor

By: _____
Mary LaRocque, Clerk

The foregoing Resolution was moved for adoption by Council Member _____ and seconded by Council Member _____ and declared adopted by the following vote:

AYES:

NAYES:

ABSENT:

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)

:ss.

COUNTY OF EATON)

I, the undersigned, the duly qualified and acting Clerk of the City of Charlotte, County of Eaton, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Charlotte at a regularly scheduled meeting held on Monday, April 3, 2023, relevant to the Michigan Open Meetings Act, the original of which is on file in my office as part of the council minutes.

IN WITNESS WHEREOF, I have hereunto set my official signature, this 3rd day of

April 2023.

Mary LaRocque, City Clerk
City of Charlotte
Eaton County, Michigan

Notary Public Jackson, County, Michigan
Acting in the county of Eaton, Michigan

My Commission Expires: 10/17/2024

Drafted by:

Thomas M. Hitch (P25558)
City Attorney
3410 Belle Chase Way, Ste 600
Lansing, MI 48911

When Recorded Return To:

Mary LaRocque
City of Charlotte
111 E. Lawrence Ave.
Charlotte, MI 48813

EXHIBIT A

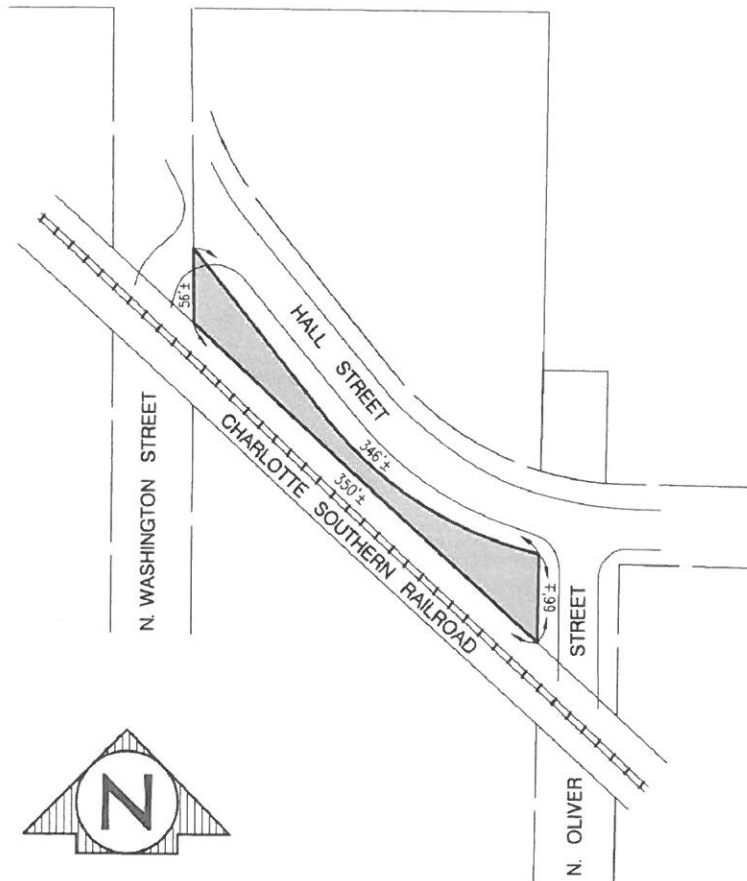
THAT PART OF SOUTHWEST 1/4 OF SECTION 7 AND THAT PART OF THE NORTHWEST 1/4 OF SECTION 18, T02N, R04W, CITY OF CHARLOTTE, EATON COUNTY, MICHIGAN, LYING WEST OF THE WEST LINE OF OLIVER STREET AND SOUTHWESTERLY OF THE SOUTHERLY LINE OF HALL STREET AND EAST OF THE EAST LINE OF WASHINGTON STREET AND NORTHEASTERLY OF THE RAILROAD RIGHT OF WAY

EXHIBIT B

DRAWING AND DESCRIPTION OF PROPOSED ADDITIONAL HALL STREET RIGHT OF WAY

PROPOSED ADDITIONAL RIGHT OF WAY FOR HALL STREET (SHADED AREA):

THAT PART OF SOUTHWEST 1/4 OF SECTION 7 AND THAT PART OF THE NORTHWEST 1/4 OF SECTION 18, T02N, R04W, CITY OF CHARLOTTE, EATON COUNTY, MICHIGAN, LYING WEST OF THE WEST LINE OF OLIVER STREET AND SOUTHWESTERLY OF THE SOUTHERLY LINE OF HALL STREET AND EAST OF THE EAST LINE OF WASHINGTON STREET AND NORTHEASTERLY OF THE RAILROAD RIGHT OF WAY.



CITY OF CHARLOTTE

SECTION 7 T02N - R04W CITY OF CHARLOTTE
EATON COUNTY, MICHIGAN



**ROWE PROFESSIONAL
SERVICES COMPANY**

4345 44th Street SE, Suite A
Kentwood, MI 49512

O: (616) 272-7125
F: (800) 974-1704
www.rowepsc.com

FIELD: N.A.

DRAWN: WEG

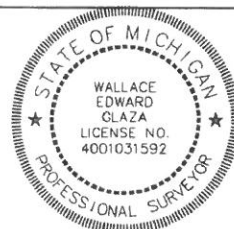
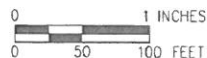
CHECKED:

DATE: 10/25/2022

REVISED:

SHEET: 1 OF 1

SCALE: 1"=100'



JOB NO: 21W0064



Memo

To: Honorable Mayor Armitage; City Council
From: City Manager LaPere, MPAP
Date: March 30, 2023
Re: Staff report on Resolution 2023-06

Background

At the meeting held February 21, 2023 City Council approved a resolution to authorize the sale of property at Combs Industrial Park. Pursuant to City Charter, that resolution has been available for public comment/review for 25-days and is unchanged and ready for final approval.

In that time, the City Attorney and counsel for the purchaser have discussed the details of the purchase agreement. They have prepared a minor modification to the purchase agreement including to clarify the city does not pay taxes, and correct a typographical error wherein a sentence was incomplete. A copy of that purchase agreement is included for final approval.

Recommendation

Staff is recommending the final approval of the sale of property.

Suggested Motion

City Council approves Resolution 2023-06 and authorizes the Mayor to sign the purchase agreement.

RESOLUTION NO. 2023-06

A RESOLUTION TO APPROVE A PURCHASE AGREEMENT BETWEEN THE CITY OF CHARLOTTE AND CHARLOTTE ANODIZING, LLC FOR THE SALE OF APPROXIMATELY 24 ACRES IN THE COMBS INDUSTRIAL PARK

WHEREAS, the City owns a parcel of property located in the Combs Industrial Park (No. 200-006-300-200-20), which it desires to subdivide and sell portions thereof; and

WHEREAS, the City has received an offer to purchase an approximately 24-acres portion of that parcel described in, and attached to this resolution as, Exhibit A; and

WHEREAS, the offer received from Charlotte Anodizing, LLC, attached to this resolution as “Purchase Agreement,” is to purchase the described property for approximately \$200,000, with a final purchase amount to be determined based on a survey of the property that will identify those portions of the site that are not useable due to Eaton County drainage easements; and

WHEREAS, as detailed in the proposed purchase agreement, the final purchase price will be adjusted, up or down, by \$10,000 per acre, if the unusable area is 0.1 acre, more or less, than the 4 acres estimated to be included in the drainage easement; and

WHEREAS, the City of Charlotte will work in good faith with the Eaton County Drain Commission to make any necessary adjustments to easements, including vacating existing easements and dedicating new easements, as may be necessary to ensure the area incorporated in these easements follow the actual, physical course of the drain as it currently exists; and

WHEREAS, the City finds that the property is not needed for corporate or public purposes; and

WHEREAS, the City Attorney has reviewed the proposed purchase agreement and has approved it as to form;

THEREFORE, BE IT RESOLVED that the City Council does hereby authorize the execution of the proposed purchase agreement and such other actions as are necessary to complete the sale of the approximately 24 acres of Combs Industrial Park property described in Exhibit A in accordance with its provisions and authorizes Mayor Michael Armitage and City Clerk Mary LaRocque to execute the purchase agreement and any other necessary documents on behalf of the City.

The foregoing resolution was presented by Chin and supported by Weissenborn for approval. Carried. Yea (7); Nay (0); Absent (0).

CERTIFICATION

I, Mary LaRocque, City Clerk for the City of Charlotte, County of Eaton, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution duly adopted by the City Council of the City of Charlotte during its regular meeting held on February 21, 2023, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being 1976 P.A. 267, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Mary LaRocque, City Clerk

PURCHASE AGREEMENT

Date: March 28, 2023.

1. BUYER'S OFFER: The undersigned, Charlotte Anodizing, LLC, hereinafter called the "Buyer", hereby offers to buy the property located in the City of Charlotte, County Eaton, State of Michigan, more commonly known as the east side of Parcel Number 200-006-300-200-20 in the Combs Industrial Park subject to zoning ordinances and to use restrictions and easements of record, if any, for the sum of two hundred thousand dollars. The property being purchased is the east and south side of the parcel listed above and is approximately 24 acres¹ in size. The parcel boarder includes Benton Road on the east and Packard Road on the south. The exact boarders and the number of actual acres shall be determined by survey and subdivided from the west side of the currently existing parcel.

2. THE TERMS OF PURCHASE: The full purchase price shall be paid at closing and upon the execution and delivery of warranty deed conveying marketable title.

3. ANY AND ALL IMPROVEMENTS AND APPURTENANCES ARE INCLUDED in the purchase price, including all oil and mineral rights owned by Seller.

4. RISK OF LOSS: Seller shall be responsible for any damage or loss to the property until sale is closed.

5. SURVEY: The City has commissioned a Survey to subdivide its existing 111+/- acre parcel to create the 24+/- acre parcel being purchased. Seller is responsible for all costs associated with the subdivision. Buyer will pay for the portion of the survey needed to properly identify any existing drainage easements and to quantify the portions of the purchased parcel that are unusable due to drainage easements or existing streams and drainage features. If the unusable area is .1 acre more or less than 4 acres the purchase price will be adjusted up to down to \$10,000.00 per useable acre of land being purchased.

6. PROPERTY TAXES: Seller represents that the property is not subject to property taxes or tax assessments while owed by Seller. Buyer will be responsible to pay all property taxes and assessments properly assessed after transfer of title.

7. TITLE INSURANCE: Seller shall provide to Buyer, at Seller's expense, an owner's policy of title insurance with standard exceptions in the amount of the sales price. Seller will apply for a commitment for title insurance within 10 days after the Buyer has waived all other contingencies contained in this Agreement and Seller has obtained whatever approvals are required for this sale. Upon a receipt of commitment, Buyer shall have 10 days to provide Seller with written notice of any objections. Seller will then have 30 days after receiving written notice to remedy the claimed defects. If Seller is unable to remedy the defects within 30 days, this Agreement shall terminate, and any deposit shall be refunded to Buyer.

¹ Approximately 4 acres of the property being purchased can not be developed due to drainage easements and drainage features.

8. SALE TO BE CLOSED on or before thirty days after final approval(s) is granted by the City of Charlotte City Council and any other required government approvals are obtained for the sale. If closing is delayed by reasons of

(1) delays in title work or (2) by title defects which can be readily corrected, or (3) the Seller needs more time to procure governing approvals and to subdivide the property then an extension of 60 days shall be allowed for closing unless otherwise agreed in writing between Buyer and Seller.

9. POSSESSION TO BE GIVEN at closing.

10. All inspections, testing, etc. conducted by Buyer shall be secured and paid for by Buyer unless otherwise provided for in this Agreement. Buyer shall have 60 days from the acceptance of this offer to conduct inspections and to terminate this agreement for any reason.

11. Time for Required Approvals: For valuable consideration, Buyer gives Seller until April 30, 2023 to accept this offer and agrees this offer, when properly executed by Seller, will constitute a binding agreement between Buyer and Seller.

12. INSPECTIONS: PROPERTY AND LEAD-BASED PAINT PROPERTY: It is recommended the Buyer select a qualified professional(s) to inspect and investigate the Property as well as to conduct tests for possible environmental hazards. An inspection of the premises may be obtained by Buyer at Buyer's expense, within ten (10) days of acceptance of this offer. If the Buyer is not satisfied with the results of the inspection, upon written notice from Buyer to Seller within this ten (10) day period, this contract shall terminate and any Deposit shall be returned to Buyer. If the Buyer fails to obtain an inspection or fails to notify Seller in writing that Buyer is not satisfied with the results of the inspection within this ten (10) day period, this contingency shall be deemed waived. Subject to Buyer's right to inspect contained in this paragraph, Buyer accepts the premises in its AS IS present condition and agrees that there are no additional written or oral understandings except as otherwise provided in this Agreement.

BUYER ACKNOWLEDGES THAT NO REPRESENTATION OR WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, HAVE BEEN MADE TO BUYER ABOUT THE PROPERTY OR ITS CONDITION OR AS TO THE LOCATION OF LOT LINES, BY SELLER OR ANYONE ACTING ON BEHALF OF SELLER, SELLER EXPRESSLY DISCLAIMS ANY SUCH REPRESENTATIONS, EXCEPT AS EXPRESSLY PROVIDED IN THE SELLER'S DISCLOSURE FORM.

13. THIS AGREEMENT SHALL BE BINDING UPON and shall inure to the benefit of the personal representatives, successors and assigns of the parties hereto.

14. The parties agree there are no other written or oral agreements between them affecting this transaction and this Agreement shall not be modified except by a written agreement signed by both parties. Buyer and Seller further agree this Agreement supersedes any and all prior agreements, understandings or representations made by the parties or their agents.

15. TIME IS OF THE ESSENCE in this Agreement except as otherwise provided in paragraph 10. Any waiver by Seller must be in writing and delivered to Buyer or Buyer's Agent.

16. ANY NOTICE OR NOTIFICATION FROM THE Buyer to the Seller shall be in writing.

17. LAND DIVISION ACT (for unplatted land only): Seller and Buyer agree the following statements shall be included in the deed at the time of delivery.

- a) The grantor grants to the grantee the right to make all division(s) under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967 as applicable to the property being purchased.
- b) This property may be located within the vicinity of farm land or a farm operation. Generally accepted agricultural and management practices which generate noise, dust, odors and other associated conditions may be used and are protected by the Michigan Right To Farm Act.

CAUTION: If the space contained on paragraph a. above is left blank, the deed will NOT grant Buyer the right to any divisions.

18. CLOSING COSTS: Unless otherwise provided in this Agreement, SELLER TO PAY FOR: Transfer tax on deed; all costs required and necessary to clear title; accumulated interest on any existing indebtedness and the remaining balance thereof; Owner's Title Insurance Policy; their portion of the title company closing fee; Preparation of Deed, Land Contract, Bill of Sale, and/or other documents necessary to convey clear title, if required. BUYER TO PAY FOR: Preparation of Mortgage, Note, or any other security instruments except Land Contract; Mortgage Title Insurance Policy; Mortgage Survey Report, if required; Recording of Deed and/or Security Instruments; Attorney's Opinion and/or services on behalf of the Buyer; Mortgage closing cost as required by mortgage including, appraisal. Transfer fee on Mortgage Assumption. Buyer to pay portion of closing fee. ADDITIONS OR EXCEPTIONS SHOULD BE NOTED BELOW.

19. ARBITRATION: Any claim or demand of Seller or Purchaser arising out of this Agreement or arising out of or related to the physical condition of any property covered by this agreement, including without limitation, claims or fraud, misrepresentation, warranty and negligence, shall be settled in accordance with the rules, then in effect, adopted by the American Arbitration Association. This is a voluntary agreement between the Buyer and Seller. This Agreement is specifically made subject to and incorporates the provisions of Michigan law governing arbitrations MCL 600.5001: MSA 27A.500 as amended, and the applicable court rules MCR 3.602, as amended. This Agreement is enforceable as to all parties who have agreed to arbitrate as acknowledged by their signatures below. The terms of this provision shall survive the closing.

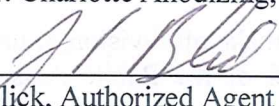
20. ENTIRE AGREEMENT: We hereby acknowledge that this offer constitutes the entire Agreement between the parties and that there are no representations or warranties, express or implied by the Seller upon which the Buyer or Seller are relying, except those written herein.

21. COUNTERPARTS: This Agreement may be signed in any number of counterparts with the same effect as if the signature of each counterpart were upon the same instrument.

22. OTHER PROVISIONS OR EXCEPTIONS: This agreement is contingent upon all legally required approvals of the sale being granted.

23. BUYER'S EXECUTION OF OFFER:

Buyer: Charlotte Anodizing, LLC



Jim Blick, Authorized Agent
Charlotte Anodizing, LLC
591 E. Packard Highway
Charlotte, MI 48813
Phone: Jim Blick: 989-463-2112 ext 1343
March 28, 2023.

24. SELLER'S ACCEPTANCE: THE ABOVE AGREEMENT is hereby accepted:
City of Charlotte Michigan

By: Michael Armitage, Mayor
Date: _____

25. RECEIPT IS ACKNOWLEDGE by Seller of a copy of this Agreement.

City of Charlotte Michigan

By: Michael Armitage, Mayor
Date: _____

26. BUYER'S RECEIPT OF ACCEPTANCE: Receipt is hereby acknowledged by Buyer of the Seller's acceptance of Buyer's Agreement. In the event the acceptance was subject to changes as hereon before set forth, as in Paragraph 26, from Buyer's Agreement, the Buyer agrees to accept said changes, all other terms and conditions remaining unchanged.

Buyer: Charlotte Anodizing, LLC

Jim Blick, Authorized Agent
Date: _____

Introduced: March 20, 2023

Adopted:

Effective:

**CITY OF CHARLOTTE
ORDINANCE NO. 2023-03**

**AN ORDINANCE TO AMEND CHAPTER 64 TAX
EXEMPTION DIVISION 3 TO CORRECT THE NAME OF THE
OWNER OF THE PROJECT AT 535 LANSING STREET,
COMMONLY KNOWN AS BUTTERNUT CREEK
APARTMENTS**

Councilmember _____ moved that the following ordinance be adopted,

THE CITY OF CHARLOTTE ORDAINS;

SECTION 1. PURPOSE. The City is authorized by State law to levy a service charge in lieu of property taxes for certain housing developments for individuals with low and moderate incomes. This ordinance amends City Code to correct ownership name to Butternut Creek MI Limited Dividend Housing Association Limited Partnership.

SECTION 2. Chapter 64, Division 3, is hereby amended as follows:

Section 64-21 IN GENERAL. This division shall be known and cited as the “City of Charlotte Tax Exemption Ordinance for the Butternut Creek MI Limited Dividend Housing Association Limited Partnership family housing development at 535 Lansing Street”.

Section 64-23 DEFINITIONS. Sponsor. Butternut Creek MI Limited Dividend Housing Association Limited Partnership.

Section 64-24 CLASS OF HOUSING DEVELOPMENT. Sentence 2 shall read “It is further determined that the proposed Sponsor project at this location is of this class”.

SECTION 3. EFFECTIVE DATE. This ordinance shall become upon adoption.

Second by _____ . Motion Carried. Yea (); Nay (); Absent ().

IN WITNESS WHEREOF, We have hereunto set our official signature this 3rd day of April 2023

Michael Armitage, Mayor

Mary LaRocque, City Clerk

CITY OF CHARLOTTE

COUNCIL POLICY

SUBJECT	POLICY NO.	APP. DATE	PAGE
PAYMENT IN LIEU OF TAXES	2023-01	04/03/2023	1 of 2

1. PURPOSE

The purpose of this policy is to establish annual service charge base to guide potential developers and property owners (Sponsor) who are interested in developing new or redeveloping existing housing and utilizing a payment in lieu of taxes (PILOT) as authorized in accordance with the State Housing Development Authority Act of 1966 (1966) Public Act 346 of 1966, being M.C.L.A. §§ 125.1401 *et seq.*, as amended.

2. AUTHORITY

This policy is adopted pursuant to the provisions of PA 346 of 1966.

3. BACKGROUND

It is acknowledged that it is a proper public purpose of the State of Michigan and its political subdivisions to provide housing for its citizens of low to moderate income and to encourage the development of such housing by providing for a service charge in lieu of property taxes in accordance with the State Housing Development Authority Act of 1966 (1966) Public Act 346 of 1966, being M.C.L.A. §§ 125.1401 *et seq.*, as amended. The city is authorized by this Act to establish or change the service charge to be paid in lieu of taxes by any or all classes of housing exempt from taxation under this Act at any amount it chooses not to exceed the taxes that would be paid but for this Act. It is further acknowledged that such housing is a public necessity, and as the city will be benefitted and improved by such housing, the encouragement of the same by providing certain real estate tax exemption for such housing is a valid public purpose; further, that the continuance of the provision of the chapter, for tax exemption and the service charge in lieu of taxes during the period contemplated in this chapter are essential to the determination of economic feasibility of housing developments which are constructed, rehabilitated and financed in reliance on such tax exemption.

4. ANNUAL SERVICE CHARGE

The City acknowledges that the Sponsor, as defined in the adopting Ordinance, is a limited dividend housing association limited partnership and has offered, subject to receipt of an allocation under the Low Income Housing Tax Credit (LIHTC) Program and a Housing Assistance Payment Contract with the Federal Department of Housing and Urban Development to rehabilitate, own and operate the proposed Housing Rehabilitation Project to serve Low Income Persons, as defined therein, and that the Sponsor has offered to pay the City on account of this Housing Rehabilitation an annual service charge for public services in lieu of all ad valorem property taxes.

- (A) Subject to the provisions of the adopting Ordinance, the Housing Rehabilitation Project and the Housing Rehabilitation Location shall be exempt from all property

CITY OF CHARLOTTE

COUNCIL POLICY

SUBJECT	POLICY NO.	APP. DATE	PAGE
PAYMENT IN LIEU OF TAXES	2023-01	04/03/2023	2 of 2

taxes for the period specified therein. The City acknowledges that the Sponsor and the Authority have established the economic feasibility of the Housing Rehabilitation Project in reliance upon the enactment and continuing effect of this Agreement and qualification of the Housing Rehabilitation Project for the exemption from all property taxes and a payment in lieu of taxes as established in this division. Therefore, in consideration of the Sponsor's offer to rehabilitate, own and operate the Housing Rehabilitation Project, the City has agreed to accept payment of an annual Service Charge, as defined below, for public services in lieu of all ad valorem property taxes as provided for in Section (C) provided the Sponsor furnishes proof, on an annual basis upon request by the City, that the number of qualified low income units in the Housing Rehabilitation Project have not increased, decreased, or been altered in any material form unless the City has otherwise amended the provisions of this division.

- (B) The Sponsor of the Housing Rehabilitation Project eligible for exemption, or the City as appropriate and necessary, shall file with the local assessing officer a certified notification of the exemption, which shall be in an affidavit form by either the Authority, the city and/or the Sponsor as appropriate. The completed affidavit form first shall be submitted to the Authority for certification by the Authority that the Housing Development Project is eligible for the exemption. The Sponsor and/or the City shall file or cause to be filed the certified notification of the exemption with the local assessing officer as soon as practically possible.
- (C) The annual service charge shall be equal to ten percent (10%) of the difference between the Annual Shelter Rent actually collected and Utilities (the "Service Charge.")

5. MODIFICATIONS TO ANNUAL SERVICE CHARGE

The Sponsor may request a modification to the annual service charge. Such requests are subject to the approval of City Council at their discretion. Approval of any such modification shall be based upon the unique circumstances which apply to the Housing Rehabilitation Project that, in the opinion of the City Council, necessitate such modification.

6. POLICIES REPLACED.

None.

7. EFFECTIVE DATE

This policy shall become effective upon its approval by the City Council.

CITY OF CHARLOTTE

COUNCIL POLICY

SUBJECT	POLICY NO.	APP. DATE	PAGE
POLICY FOR RETIRMENT SYSTEM FUNDING	2023-02	04/03/2023	1 of 2

1. PURPOSE

The purpose of this policy is to establish a formal Policy for the City’s retirement funds invested in the Municipal Employee’ Retirement System of Michigan (MERS) that promotes responsible financial management by adhering to best practices. By maintaining sufficient funding levels of its retirement system liabilities, the city will be well positioned to provide financial security and continued delivery of services, withstand economic downturns and other financial stressors such as a natural disaster or emergency, promote stable tax rates and fees, protect the city’s credit worthiness and bond rating, respond to opportunities, and consider long-term financial needs.

Public Act 202 of 2017 requires a minimum of 40% funding for OPEB and minimum of 60% funding for pension systems. Additionally, the municipality’s annual required contributions cannot exceed 12% of general fund operating revenues for OPEB and 10% of general fund operating revenues for pensions.

2. AUTHORITY

This policy is adopted pursuant to Section 2.1 (B) of the Charter of the City of Charlotte.

3. RETIRMENT FUNDING POLICY

4.1 Annual Actuarial Valuation. The Annual Actuarial Valuation Report prepared by MERS will be used to determine the City’s liabilities and funding rates. The Municipal Employees’ Retirement Act, PA 427 of 1984 and the MERS’ Plan Document Article VI Sec. 71 (1)(d), provides the MERS Board with the authority to set actuarial assumptions and methods after consultation with the actuary. The Michigan Department of Treasury provides required assumptions to be used for purposes of Public Act 202 reporting.

4.2 Establishing Minimum Liability Funding. In addition to compliance with PA 202 of 2017, the annual accrued liability for all divisions within the City’s retirement system will be not less than 80% funded in total.

4.4 Replenishing Balances. When the annual accrued liability is underfunded, meaning percent funded is below the target threshold established in Section 4.2, a replenishment plan of three to five years, or as soon as fiscally feasible should be adopted.

CITY OF CHARLOTTE

COUNCIL POLICY

SUBJECT	POLICY NO.	APP. DATE	PAGE
POLICY FOR RETIRMENT SYSTEM FUNDING	2023-02	04/03/2023	2 of 2

4.7 Fully Funded Status. This policy should be fully enacted with target fund balance reserves achieved over a period of five to ten years, or sooner if fiscally feasible.

5. POLICY REPLACED

None.

6. EFFECTIVE DATE

This policy shall be effective immediately following its approval.

Introduced:
Adopted:
Effective:

CITY OF CHARLOTTE

ORDINANCE NO. ____

AN ORDINANCE TO AMEND CHAPTER 30 - FIRE PREVENTION AND PROTECTION - OF THE CODE OF THE CITY OF CHARLOTTE BY AMENDING THE TITLE TO ARTICLE II, AND BY AMENDING SECTIONS 30-26 AND 30-27 THEREOF IN ORDER TO ADOPT THE NFPA 2018 FIRE CODE, BY REFERENCE TO REPLACE THE INTERNATIONAL FIRE CODE, 2000 EDITION, AND TO MAKE LOCAL CHANGES THERETO, AND TO ADD SECTIONS 30-28, 30-29, 30-30 AND 30-31, AND TO AMEND SECTIONS 30-51, 30-53, 30-54, 30-57, 30-59, 30-61 THROUGH 30-66 TO MAKE CONSISTENT WITH THE ADOPTED CODE.

Councilmember _____ moved the following:

THE CITY OF CHARLOTTE ORDAINS:

SECTION 1. THE TITLE OF ARTICLE II, AND THE TITLE TO SECTION 30-27 ARE AMENDED, AND THE TITLES TO SECTIONS 30-28 AND 30-29, AND SHALL READ AS FOLLOWS:

Article I. In General

30-1 – 30-25 Reserved

Article II. Fire Code (National Fire Protection Association)

30-26 Repeal of existing Code and adoption of Code by reference

30-27 Changes in the NFPA 2018 Fire Code

30-28 Fire Code Violations

30-29 Fire Inspections

30-30 Fire Insurance Escrow Act

30-31 Freestanding Wood Burning Furnace

ARTICLE I. IN GENERAL

§§ 30-1 – 30-25 RESERVED.

SECTION 2. SECTIONS 30-26 AND 30-27 ARE AMENDED, AND SECTIONS 30-28 THROUGH 30-31 ARE ADDED AND SHALL READ AS FOLLOWS:

§ 30-26 REPEAL OF EXISTING CODE AND ADOPTION OF CODE BY REFERENCE.

Pursuant to the provisions of Public Act 279 of 1909, § 3(k), being M.C.L.A. § 117.3(k), as amended, and for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, the NFPA 2018 Edition including all documents listed in chapter 2 of NFPA 1 2018 edition is hereby adopted by reference, as modified herein, and as so adopted shall be known as the "Charlotte Fire Prevention Code" and shall replace the existing "Charlotte Fire Prevention Code" previously adopted which is hereby repealed. Whenever the words "authority having jurisdiction" are used in the Fire Prevention Code, it shall mean the Fire Chief and his or her designees. Whenever the words "governing authority" are used, it shall mean the City of Charlotte.

(1993 Code, § 30-26) (Am. Ord. passed 9-22-2003)

§ 30-27 CHANGES IN NFPA 2018 Edition.

The following articles or sections of the NFPA 2018 Edition are hereby added, amended, or deleted as hereinafter set forth. Subsequent article, division, and section numbers used in this § 30-27 shall refer to the like numbered articles, divisions, and sections of the NFPA 1 2018 Edition unless specified otherwise.

(A) 1.7.14 Certification of occupancy

Occupancy of any structure besides one- and two-family dwellings is prohibited until a final certification of occupancy is issued. A certification of occupancy shall be reviewed and approved by the fire chief or his designated agent after meeting the requirements of the code.

(B) 1.12.8 Permits

Permits shall be required as outlined in the City of Charlottes Fee Schedule.

(C) 16.3.4.3 Access for Firefighters

Any structure besides a one- and two-family residence is required to have an access box installed in an area designated by the fire chief or his designee.

All buildings that have an elevator are required to have an elevator key lock box installed in an area designated by the fire chief or his designee.

Access box order forms are available by contacting the Charlotte Fire Department.

(D) 10.10 Open Fires

Open burning should comply with sections 10.10 through 10.10.5.2 of the code. Open burning shall consist of only recreational fires. Under certain conditions, the fire chief or his designee may allow the burning of brush by permit.

(E) 3.2 NFPA Official Definitions

3.3.226 shall be amended to read as follows:

3.3.226 Recreational fire. Fuel used for a recreational fire shall be untreated dry-season wood or charcoal. The total area for the fire shall not exceed 3 FT in diameter and 2 FT in height.

(F) Board of Appeals

The City Council of the City of Charlotte is hereby constituted as the Board of Appeals under this Fire Prevention Code.

30-28 Violation of Fire Code

Any person who shall violate any provision of this code or standard hereby adopted or fail to comply therewith; or who shall violate or fail to comply with any order made thereunder; or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder; or fail to operate in accordance with any certification or permit issued thereunder, and from which no appeal has been taken; or who shall fail to comply with any order as affirmed or modified by a court of competent jurisdiction within the time frame fixed herein, shall severally for each and every such violations and noncompliance, respectively, be guilty of a misdemeanor, punishable by a fine of not less the \$100 nor more the \$500 or by imprisonment for not less than 1 day nor more then 90 days or by both such fine and imprisonment. Those fines and or imprisonment shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy the violation or defects within a reasonable timeframe. Each day the violation continues and prohibited conditions are maintained shall constitute a separate offense.

30-29 Fire Inspections

The Fire Chief is empowered to enter at any and all reasonable times upon and into any premises, building, or structure for the purpose of examining and inspecting the same, to ascertain the conditions with regard to fire hazards, and the condition, size, arrangement, and efficiency of any and all appliances for detection, notification, or fire suppression. The Fire Chief is empowered to appoint members of the regular personnel of the Fire Department to make the inspection, who shall report in writing to the Fire Chief the results of the inspection, and who are empowered to make any written orders for the correction of any hazard or deficiency in detection, notification, or fire suppression appliances as outlined in the code. Every order made by the Fire Chief or by authorized members of the Fire Department shall be promptly complied with.

30-30 Fire Insurance Escrow Act

The City of Charlotte is hereby authorized to participate in the Fire Insurance Withholding Program as set forth in Public Act 495 of the Michigan Public Acts of 1980. The Fire Chief or his or her designee of the Fire Department is hereby designated administrator of the Fire Insurance Withholding Program for the City of Charlotte.

30-31 Free Standing Wood Burning Furnace

Definition: Any device or structure that is:

- (a) Designed, intended, or used to provide heat and/or hot water to any residence or any structure; and
- (b) Operated by the burning of wood or other solid fuel; and
- (c) Not located within the structure for which it is providing heat or hot water.

Excluded from the definition of a freestanding wood-burning furnace is any device which is not designed or used to heat a structure other than the structure in which it is located.

Prohibition: Except as provided below, it shall be unlawful to install, use, maintain or operate a freestanding wood-burning furnace, and to cause or permit the installation or operation of a freestanding wood-burning furnace, within the city of Charlotte.

Separation Requirements: A freestanding wood-burning furnace shall be permitted under the following circumstances:

- (a) Where it is located no closer than 660 feet from any adjoining residential or commercial structure (excluding in this calculation the structure for which it is used to provide heat and/or hot water);
- (b) That the unit be inspected and a boiler permit be obtained, as required under the applicable mechanical code.

§§ 30-50 RESERVED.

SECTION 3. SECTIONS 30-51, 30-53, 30-54, 30-57, 30-59, 30-61 THROUGH 30-66 ARE AMENDED AND SHALL READ AS FOLLOWS:

§ 30-51 AUTHORITY AT FIRES AND OTHER EMERGENCIES.

(A) The fire chief or his designee may be in charge at the scene of a fire or other emergency involving the protection of life or property, are empowered to direct such operations as may be necessary to extinguish or control any suspected or reported fires, gas leaks or other hazardous conditions or situations or of taking any other action necessary in the reasonable performance of their duty.

(B) The fire chief or his designee prohibits any person, vehicle, or object from approaching the scene and may remove or cause to be removed from the scene any person, vehicle, or object which may impede or interfere with the operations of the Fire Department. The fire chief or his designee may remove or cause to be removed any person, vehicle, or object from hazardous areas. All persons ordered to leave hazardous areas shall do so immediately and shall not reenter the area until authorized to do so by the fire chief or his designee.

(1993 Code, § 30-51)

§ 30-53 COMPLIANCE WITH ORDERS.

A person shall not willfully fail or refuse to comply with any lawful order or direction of the fire chief or his designee or to interfere with the compliance attempts of another individual.

(1993 Code, § 30-53)

§ 30-54 VEHICLES CROSSING FIRE HOSE.

A vehicle shall not be driven or propelled over any unprotected fire hose of the Fire Department when laid down on any street, alleyway, private drive, or any other vehicular roadway without the consent of the fire chief or his designee in command of the operation.

(1993 Code, § 30-54)

§ 30-57 OPERATION OF VEHICLES ON APPROACH OF AUTHORIZED EMERGENCY VEHICLES.

Upon the approach of any authorized emergency vehicle, giving an audible and visual signal, the operator of every other vehicle shall immediately drive the vehicle to a position as near as possible and parallel to the right-hand edge or curb of the street or roadway, clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle shall have passed, unless otherwise directed by the fire chief or his designee or a police officer.

(1993 Code, § 30-57)

§ 30-59 UNLAWFUL BOARDING OR TAMPERING WITH FIRE DEPARTMENT EMERGENCY EQUIPMENT.

A person shall not, without proper authorization from the fire chief or his designee in charge of the Fire Department emergency equipment, cling to, attach himself to, climb upon or into, board, or swing upon any Fire Department emergency vehicle, whether the vehicle is in motion or at rest, or sound the siren, horn, bell or other sound-producing devices thereon, or manipulate or tamper with or attempt to manipulate or tamper with any levers, valves, switches, starting devices, brakes, pumps or any equipment or protective clothing on or a part of any Fire Department emergency vehicle.

(1993 Code, § 30-59)

§ 30-61 BLOCKING FIRE HYDRANTS AND FIRE DEPARTMENT CONNECTIONS.

(A) It shall be unlawful to obscure from view, damage, deface, obstruct, or restrict the access to any fire hydrant or any Fire Department connection for the pressurization of fire suppression systems, including fire hydrants and Fire Department connections that are located on public or private streets and access lanes or on private property.

(B) If upon the expiration of the time mentioned in a notice of violation of this section, the obstructions or enforcements are not removed, the fire chief or his designee shall proceed to remove the obstruction. The cost incurred in the performance of necessary work shall be paid from the City Treasury on a certificate of the fire chief or his designee and with the approval of the City Manager, and the City Attorney shall institute appropriate action for the recovery of such costs.

(1993 Code, § 30-61)

§ 30-62 APPROVAL FOR HYDRANT USE.

A person shall not use or operate any fire hydrant intended for use of the Fire Department for fire suppression purposes unless such person first secures a permit for such use from the fire chief or his designee and the water company having jurisdiction. This section shall not apply to

the use of such hydrants by a person employed by and authorized to make such use by the water company having jurisdiction.

(1993 Code, § 30-62)

§ 30-63 LOCATION OF FIRE HYDRANTS AND WATER MAINS.

The fire chief or his designee shall recommend to the City Manager the location of new fire hydrants or relocation of existing fire hydrants and the placement of water mains or replacement of inadequate water mains located upon public property when deemed necessary to provide an adequate fire flow and distribution pattern. A fire hydrant shall not be placed into or removed from service until approved by the fire chief or his designee.

(1993 Code, § 30-63)

§ 30-64 PRIVATE FIRE HYDRANTS FOR CERTAIN HAZARDOUS OCCUPATIONS.

All shipyards, oil storage plants, lumberyards, amusement or exhibition parks and educational or institutional complexes, and similar occupancies and uses involving high fire hazards or life-threatening hazards and which are located more than 150 feet from a public street or which require quantities of water beyond the capabilities of the public water distribution system shall be provided with properly placed fire hydrants. Such fire hydrants shall be capable of supplying fire flows as required by the Fire Chief or his designee and shall be connected to a water system in accordance with accepted engineering practices. The Fire Chief or his designee shall designate and approve the number and location of fire hydrants. The Fire Chief or his designee may require the installation of sufficient fire hoses and equipment housed in accordance with the approved rules and may require the establishment of a trained fire brigade when the hazard involved requires such measures. Private hydrants shall not be placed into or removed from service until approved by the Fire Chief or his designee.

(1993 Code, § 30-64)

§ 30-65 MAINTENANCE OF FIRE SUPPRESSION EQUIPMENT.

A person shall not obstruct, remove, tamper with, or otherwise disturb any fire hydrant or fire appliance required to be installed or maintained under the provisions of the Fire Prevention Code adopted in this chapter, except for the purpose of extinguishing fire, training, or testing purposes, recharging or making necessary repairs or when permitted by the Fire Chief or his designee. Whenever a fire appliance is removed as permitted in this section, it shall be replaced or reinstalled as soon as the purpose for which it was removed has been accomplished. Defective and nonapproved fire appliances or equipment shall be replaced or repaired as directed by the Fire Chief or his designee.

(1993 Code, § 30-65)

§ 30-66 SALE OF DEFECTIVE FIRE EXTINGUISHERS.

A person shall not sell, trade, loan, or give away any form, type, or kind of fire extinguisher which is not approved by the Fire Chief or his designee or which is not in proper working order or the contents of which do not meet the requirements of the Fire Chief or his designee. The requirements of this section shall not apply to the sale, trade, or exchange of obsolete or damaged equipment for junk when such units are permanently disfigured or marked with a permanent sign identifying the unit as junk.

(1993 Code, § 30-66)

This ordinance shall become effective 20 days after publication and that the above ordinance be passed to a second reading.

Second, _____ () Yeas. () Nays.

Dated: _____, 2023

Michael Armitage, Mayor

Mary LaRocque, Clerk

**CHARLOTTE FIRE DEPARTMENT
& RURAL FIRE ASSOCIATION
111 E. Lawrence Avenue**

**CHARLOTTE
Ph. 517-543-0241**



**MICHIGAN
48813**

March 21st, 2023

Charlotte City Council

Re: Approval to Sell 2011 Ford 650 Charlotte Fire Department

In December of 2022, the Charlotte Fire Department took delivery of a 2022 Fouts mini pumper. This fire truck replaced a 2011 Ford 650 fire truck with a 2003 body. The fire department has been approached by a local dealer inquiring about selling this truck for us. We have received a vehicle broker contract from T-line Emergency Vehicles outlining an agreement to sell this vehicle.

The broker agreement between T-Line Emergency Vehicles and the City of Charlotte will provide a minimum proceed for the sale of the fire truck of \$60,000. If the fire truck sells for more the \$60,000 T-Line Emergency Vehicles will provide two checks to the City of Charlotte. The first check is for \$60,000 dollars and the second check is for any proceeds over \$60,000. For example; if the sale of the fire truck is \$80,000 the City of Charlotte will receive a check for \$60,000 and a second check for \$5,000.

We are requesting the council's approval to enter into this contract with T-line Emergency vehicles to sell our 2011 Ford 650 mini-pumper. As you are aware, this vehicle is owned equally between the City of Charlotte and the Rural Fire Association. With the sale of this fire truck, the proceeds after the T-lines Emergency Vehicles broker fee will be split 50/50 between the City of Charlotte and the Rural Fire Association. The City of Charlotte's portion of the proceeds will remain in an account to be used toward the purchase of a replacement fire truck for 314.

Sincerely,

Dan Daly
Captain / Fire Inspector
Charlotte Fire Department



EMERGENCY VEHICLE BOKER CONTRACT

SELLER: City of Charlotte Fire Department 911 W. Shepard Street Charlotte, MI 48813	BROKER: T-Line Emergency Vehicles PO Box 639 Grand Ledge, MI 48837
--	---

3/21/2023

AGREEMENT TO MARKET, BROKER, and SELL T-Line Emergency Vehicles d/b/a T-Line (referred to as Broker Agent) agrees to market and sell for the City of Charlotte Fire Department (referred to as Seller) agrees to authorize Broker to market and facilitate the sale of the following apparatus per specifications below, which are a part of this contract:

DESCRIPTION OF APPARATUS AND EQUIPMENT PRICE

2011 Ford 4 x 4 / General Mini-Pumper

- Broker will not sell vehicle for less than \$60,000.00 with all proceeds going to the City of Charlotte
- Broker agrees to pay Seller \$250.00 for every \$1,000.00 vehicle sells for over \$60,000.00
- Broker agrees to meet with all customers and isolate Seller from potential buyers as not to interrupt the daily operation of the fire department
- Seller agrees to delegate fire department staff member(s) who can provide access to fire department to display or inspect vehicle with perspective buyers
- When an agreement with a perspective buyer for the sale of Seller's vehicle is made, T-Line shall send a formal offer

AGREEMENT BY BROKER:

T-Line EV
a Michigan limited liability company

Buyer's Registered Name: _____
By: _____ Date: _____

K. Joe Thomas, Vice President / Sales

ACCEPTANCE BY SELLER:

By: _____ Date: _____

**CHARLOTTE FIRE DEPARTMENT
& RURAL FIRE ASSOCIATION
111 E. Lawrence Avenue**

**CHARLOTTE
Ph. 517-543-0241**



**MICHIGAN
48813**

March 30th, 2023

Charlotte City Council

Re: Charlotte Fire Department and Charlotte Police Department AED and LUCAS Purchase

In October of 2022, we received notice that MIOSHA had recently implemented changes to part 74 firefighting general industry safety and health standard. The new standard requires each fire truck to have an automatic external defibrillator (AED). Currently, only 3 of our fire trucks meet this standard.

In April of 2022, the city council approved the Charlotte Fire Department to purchase a LUCAS device using ARPA funds. The addition of this equipment has exceeded our expectations for providing the best possible care to the residents and visitors of Charlotte and the surrounding community. Our LUCAS device is kept on our first responding unit from the West Side station leaving our other responding unit without this piece of equipment.

The Charlotte Fire Department and the Charlotte Police Department have been working together on finding the best pricing to add additional AEDs, 1 additional LUCAS device, and replacing the Charlotte Police Department's current AEDs that are at their end of life and currently not compatible with the fire departments AED or Eaton Area EMS.

We have been contacted by our sales rep at Stryker indicating that a local fire department is getting rid of their 2-year-old equipment and moving to a leasing program. We have been offered the option to purchase some of this equipment at a discounted price. We are requesting approval to purchase \$47,536.06 dollars of equipment from the city ARPA funds. This equipment is will be sent to the supplier and certified before sending to us. The expected life expectancy for both the AEDs and LUCAS is 6-8 years after being certified by the supplier.

With Approval of this expense, we will receive 11 AED each with new batteries, adult and pediatric pads, and a 1-year warranty. 1 Lucas device with a preventative maintenance plan.

The current list price for an AED is \$3,593 and a LUCAS device is \$23,649.69. The certified pre-owned equipment we are requesting to purchase instead of new equipment would provide the city with a savings of \$24,159.74.

With the Council's approval of this expense, our departments would greatly improve officer and firefighter safety, provide a benefit to the community, and allow the fire and police departments to work more effectively together when providing patient care. We are asking that the city council approve this expense of over \$10,000 dollars and waive the sealed bid process due to the unique offer being provided by a vendor whom we have purchased equipment from in the past.

Lifepak 1000 AED	QTY: 11	\$22,000.00
Infant/child AED pads	QTY: 11	\$1,744.60
Lifepak 1000 battery	QTY: 11	\$3,403.40
Adult AED pads	QTY: 11	\$378.95
Lucas 3.1	QTY: 1	\$18,000
Lucas Preventive Maintenance plan	QTY: 1	\$1,764.00
Shipping		\$446.08
Total:		\$47,737.03

Sincerely,

Dan Daly
 Captain / Fire Inspector
 Charlotte Fire Department



Charlotte Police Department

111 E. Lawrence Ave.
Charlotte, Michigan 48813

Chief of Police
Paul M. Brentar

Sergeants
Robert Antcliff
Jeremy Hafner

Emergency Phone 911
Police Department (517) 541-0767
Administration (517) 543-1552
Fax (517) 543-8396

March 27, 2023

Mayor Armitage and City Councilmembers,

Re: Charlotte Fire Department & Charlotte Police Department AED and LUCAS purchase

As part of this year's budget process, the police department was looking into replacing our out-of-date AED's. Our current AED's (2) were purchased in June of 2016 and have now out lived their 8 year life cycle. Also, our current AED's not are compatible with those being used by our EMS providers or the Fire Department. Our current AED's also do not have pediatric pads either. I contacted Captain Daly of the Fire Department as I knew he was looking at replacing/adding to their current inventory to see if we could partner on a purchase.

Standardizing medical life-saving equipment across Police, Fire, and EMS, is crucial to providing the best possible care to the community we serve. As I stated before, our current AED's are **NOT** compatible with the equipment that Fire and EMS currently uses. For example, if we respond to a cardiac arrest and hook up our AED, when the fire department or EMS arrives, we have to then take our pads off of the patient and hook up theirs, thus wasting critical time and reducing the chances of patient survival. Having the same equipment would eliminate this as we would simply unplug our pads from our AED and then plug it back into their monitors.

As outlined in Captain Daly's letter to you, we have the opportunity to replace our current AED's plus add one more to our inventory, add the needed ones the Fire Department needs, along with adding a LUCAS machine, at a cost savings of \$24,159.74 to the city. I'm also requesting that we use ARPA funds to pay for this project.

Respectfully,

A handwritten signature in black ink, appearing to read "P. Brentar".

Paul Brentar, Chief of Police



Charlotte FD- CPO LP1000

Quote Number: 10608607

Version: 1

Prepared For: CHARLOTTE FIRE DEPT

Attn:

Remit to: Stryker Medical

P.O. Box 93308

Chicago, IL 60673-3308

Rep: Maegan Beveridge

Email: maegan.beveridge@stryker.com

Phone Number:

Quote Date: 03/30/2023

Expiration Date: 06/28/2023

Delivery Address		End User - Shipping - Billing		Bill To Account	
Name:	CHARLOTTE FIRE DEPT	Name:	CHARLOTTE FIRE DEPT	Name:	CHARLOTTE FIRE DEPT
Account #:	1325747	Account #:	1325747	Account #:	1325747
Address:	111 E LAWRENCE AVE	Address:	111 E LAWRENCE AVE	Address:	111 E LAWRENCE AVE
	CHARLOTTE		CHARLOTTE		CHARLOTTE
	Michigan 48813-1573		Michigan 48813-1573		Michigan 48813-1573

Equipment Products:

#	Product	Description	Qty	List Price	Sell Price	Total
1.0	99425-000023	LIFEPAK 1000 Graphical Display AED	11	\$3,593.00	\$2,000.00	\$22,000.00
		CERTIFIED PRE-OWNED				
2.0	11101-000017	Infant/Child Reduced Energy Defibrillation Electrode Starter Kit	11	\$244.00	\$158.60	\$1,744.60
		NEW				
3.0	11141-000100	LIFEPAK 1000 Non-Rechargeable Battery	NEW 11	\$476.00	\$309.40	\$3,403.40
4.0	11996-000017	Electrode QUIK-COMBO w/REDI-PAK preconnect	NEW 11	\$53.00	\$34.45	\$378.95
Equipment List Price:						\$48,026.00
Equipment Total:						\$27,526.95

Price Totals:

Estimated Sales Tax (0.000%):	\$0.00
Freight/Shipping:	\$221.08
Grand Total:	\$27,748.03

Comments:

Prices: In effect for 30 days

Terms: Net 30 Days



Charlotte FD- CPO LP1000

Quote Number: 10608607

Version: 1

Prepared For: CHARLOTTE FIRE DEPT

Attn:

Remit to: **Stryker Medical**

P.O. Box 93308

Chicago, IL 60673-3308

Rep: Maegan Beveridge

Email: maegan.beveridge@stryker.com

Phone Number:

Quote Date: 03/30/2023

Expiration Date: 06/28/2023

Contact your local Sales Representative for more information about our flexible payment options.

PENDING APPROVAL

Capital Terms and Conditions:

Deal Consummation: This is a quote and not a commitment. This quote is subject to final credit, pricing, and documentation approval. Legal documentation must be signed before your equipment can be delivered. Documentation will be provided upon completion of our review process and your selection of a payment schedule. Confidentiality Notice: Recipient will not disclose to any third party the terms of this quote or any other information, including any pricing or discounts, offered to be provided by Stryker to Recipient in connection with this quote, without Stryker's prior written approval, except as may be requested by law or by lawful order of any applicable government agency. A copy of Stryker Medical's Acute Care capital terms and conditions can be found at https://techweb.stryker.com/Terms_Conditions/index.html. A copy of Stryker Medical's Emergency Care capital terms and conditions can be found at <https://www.strykeremergencycare.com/terms>.

PENDING APPROVAL



Certified Pre-Owned- LUCAS

Quote Number: 10676105

Version: 1

Prepared For: CHARLOTTE FIRE DEPT

Attn:

Remit to: **Stryker Medical**

P.O. Box 93308

Chicago, IL 60673-3308

Rep: Maegan Beveridge

Email: maegan.beveridge@stryker.com

Phone Number:

Quote Date: 03/23/2023

Expiration Date: 06/21/2023

Delivery Address		End User - Shipping - Billing		Bill To Account	
Name:	CHARLOTTE FIRE DEPT	Name:	CHARLOTTE FIRE DEPT	Name:	CHARLOTTE FIRE DEPT
Account #:	1325747	Account #:	1325747	Account #:	1325747
Address:	111 E LAWRENCE AVE	Address:	111 E LAWRENCE AVE	Address:	111 E LAWRENCE AVE
	CHARLOTTE		CHARLOTTE		CHARLOTTE
	Michigan 48813-1573		Michigan 48813-1573		Michigan 48813-1573

Equipment Products:

#	Product	Description	Qty	Sell Price	Total
1.0	99576-000063	CERTIFIED PRE-OWNED- LUCAS 3, v3.1 Chest Compression System, Includes All Accessories needed	1	\$18,000.00	\$18,000.00
Equipment Total:					\$18,000.00

ProCare Products:

#	Product	Description	Years	Qty	Sell Price	Total
2.1	78000700	ProCare LUCAS Preventive Maintenance: Annual onsite preventive maintenance inspection for LUCAS 3, v3.1 Chest Compression System, Includes Hard Shell Case, Slim Back Plate, (2) Patient Straps, (1) Stabilization Strap, (2) Suction Cups, (1) Rechargeable Battery and Instructions for use With Each Device	4	1	\$1,764.00	\$1,764.00
			Warranty: 2023-2024 Service: 2024-2028			
				ProCare Total:	\$1,764.00	

Price Totals:

Estimated Sales Tax (0.000%):	\$0.00
Freight/Shipping:	\$225.00
Grand Total:	\$19,989.00

Comments:



Certified Pre-Owned- LUCAS

Quote Number: 10676105

Version: 1

Prepared For: CHARLOTTE FIRE DEPT

Attn:

Remit to: **Stryker Medical**

P.O. Box 93308

Chicago, IL 60673-3308

Rep: Maegan Beveridge

Email: maegan.beveridge@stryker.com

Phone Number:

Quote Date: 03/23/2023

Expiration Date: 06/21/2023

Prices: In effect for 30 days

Terms: Net 30 Days

Contact your local Sales Representative for more information about our flexible payment options.



Capital Terms and Conditions:

Deal Consummation: This is a quote and not a commitment. This quote is subject to final credit, pricing, and documentation approval. Legal documentation must be signed before your equipment can be delivered. Documentation will be provided upon completion of our review process and your selection of a payment schedule. Confidentiality Notice: Recipient will not disclose to any third party the terms of this quote or any other information, including any pricing or discounts, offered to be provided by Stryker to Recipient in connection with this quote, without Stryker's prior written approval, except as may be requested by law or by lawful order of any applicable government agency. A copy of Stryker Medical's Acute Care capital terms and conditions can be found at https://techweb.stryker.com/Terms_Conditions/index.html. A copy of Stryker Medical's Emergency Care capital terms and conditions can be found at <https://www.strykeremergencycare.com/terms>.



Memo

To: Honorable Mayor Armitage; City Council
From: City Manager LaPere, MPAP
Date: March 31, 2023
Re: City Attorney Retainer Agreement

Background

In February 2023, City Council discussed its contract with the City Attorney for services, and the addition of Attorney Revore to the firm representing the city. The City has worked with the Attorney's office to create a retainer agreement to replace the existing contract that will outline the scope of work and provide a consistent fee schedule for the general counsel and prosecution work. At the meeting, the Council requested the addition of regular contract review date. This agreement calls for an annual review. A copy of the agreement has been provided to Council for review.

Recommendation

I recommend City Council approve the agreement.

Financial Impacts

This agreement is based upon a review of the past two years' service hours and provides a flat retainer amount for 90 hours per month of service at the same hourly rate.

Suggested Motion

City Council approves the retainer agreement dated April 3, 2023 and authorizes the Mayor and City Manager to execute the agreement.

MEMORANDUM

TO: Charlotte City Council

FROM: Thomas M. Hitch, City Attorney

RE: **CITY ATTORNEY REPORT**

DATE: March 28, 2023

The following is my report to the City Council on issues in which our office has been engaged since the last Council meeting:

1. Ordinance Drafting - Updating Fire Code. The City Manager forwarded to me proposed changes to the fire code currently being enforced in the City. The City has been operating under the International Fire Code, 2000 edition, and the Fire Department has proposed going to the National Fire Protection Association 2018 fire code. I have put into ordinance form the necessary changes to put that into effect and incorporated the changes from the Fire Department. It may be introduced for first reading at this Council meeting.

2. Dedication of Rights-of-Way for Spring Street and Hall Street. As the Council may be aware, the City is engaged in repairing the rights-of-way on these two streets, and Amy Gilson has forwarded to me the legal descriptions in order to recognize the City's right to use the land currently owned by the City as rights-of-way for the public. I have prepared a Dedication of Public Right-of-Way for both streets, which needs to be approved by the City Council and recorded by the City Clerk to meet the requirements of MDOT funding for the project. This may be taken up at this meeting.

3. Purchase Agreement of Industrial Park Property by Charlotte Anodizing. I have been in conversations with Jim Blick, the owner of Charlotte Anodizing, and have agreed on the terms of a Purchase Agreement. It appears that the City will be working with Charlotte Anodizing regarding a survey adequate for purposes of determining the exact amount of property being purchased.

4. Charlotte Estates, LLC. Bryan Myrkle has provided me with the documents necessary to review issues regarding the removal of the trees. I am in the process of studying these extensive documents relating to the airport and will be preparing a report in moving forward in my discussions with the attorneys for Charlotte Estates and The Meadows.

5. Conversations with the City Manager. From time to time, I continue to have conversations with the City Manager regarding a variety of City matters.

TMH:cf



Manager's Report April 3rd 2023 Council Meeting

April Communications

The April editions of City Beat and Charlotte Chronicles are available online now! Interested persons can find more details on the proposed city election changes, construction activity scheduled for 2023, keeping of backyard chickens, spring community events, and more!

- April Charlotte Chronicles can be found here: <http://www.charlottemi.org/wp-content/uploads/2023/03/April-2023.pdf>
- April City Beat can be found here: <http://www.charlottemi.org/wp-content/uploads/2023/03/City-Beat-2023-April.pdf>

Archived issues are available here: <https://www.charlottemi.org/charlotte-chronicles/> and here: <https://www.charlottemi.org/about/city-beat/>.

Backyard Chickens

The City permits residents to keep up to 6 egg-laying chickens (No roosters!) in a coop and fenced enclosure after getting a permit from the City Clerk's Office. The permit costs \$50 and is good for two years, after which it can be renewed for no charge. The permit is easy to obtain and the rules are easy to follow. This regulation only covers chickens, however; it cannot be extended to other fowl, like ducks or geese, and it does not allow for the keeping of other farm animals such as rabbits or goats. If interested, call (517) 543-8853 for more information and a copy of the application.

Downtown Parking Permits

Parking permits expire on April 30th, please make sure to complete an application online at www.charlottemi.org to get your updated 6m permit (May through October). Please call 517-543-1552 with any questions on parking permits.

Lead Service Line Replacements

The City of Charlotte Department of Public Works (DPW) is verifying the material of water service lines throughout the City as a requirement of the 2018 Michigan Lead and Copper Rule. EGLE is requiring a complete inventory of the water service lines by January 1, 2025. The inventory must include material verification at 3 locations along the service line, including inside the home where the water service comes into the house. The City received a Grant from EGLE to help with the material verification. The City has hired Fishbeck to help complete the in-

home inspections.

We ask that you contact Fishbeck at (517) 882-0383 or by filling out this form <https://forms.gle/JbbSFVnGsGU74SJC9> to set up an appointment for the material identification. The inspections require Fishbeck or DPW staff to enter your home for a brief period to identify water service material where your water service enters your home. All personnel associated with the verification will have identification verifying they are either a Fishbeck or DPW employee.

In place of an in-home inspection, an online survey is available to residents to complete which includes taking a picture of the water service line at the in-home water meter. Scan the QR code below to complete the self-survey of your home's water service.



2023 Construction Updates

The City is gearing up for three major projects this construction season. Safe Routes to Schools program will install sidewalks through \$1.8mill grant funding in partnership with Charlotte Public Schools; Hall/Washington/McClure streets will be completely reconstructed, including underground utilities; and Island Hwy will be reconstructed in partnership with the Eaton County Drain Commissioner's Office. Want to keep up-to-date on the latest construction news? Check out the city's website here: www.charlottemi.org/construction-updates-2023/

Safe Routes to School – The City has sent notices to affected property owners for the Safe Routes to Schools program. The City will be doing tree removal work this month and we are required to complete tree removal by end of March. Tentative start date for construction is end of May to early June. We will continue to post information as we finalize those details. Interested persons can sign up for email alerts by sending a request to webmaster@charlottemi.org with "SRTS" as subject line.

Hall/Washington/McClure – The City has bid out the project to reconstruct Hall, Washington, and McClure streets. This project will include replacement and repairs to underground water and sewer utilities. We have been in communication with affected property owners during the planning stages, and will be mailing out notices to all property owners along the construction

route with more details about the project. Construction will tentatively commence in mid-May; and we will publish the construction dates once we confirm the schedule. Interested persons can sign up for email alerts by sending a request to webmaster@charlottemi.org with “Hall Street Project” as subject line.

Island Hwy – This project is being managed by Eaton County Drain Commissioner’s Office. They have bid the work and are in progress for finalizing details, including construction dates. We will update as we get information from their Office on the project but we expect construction to commence later this spring.

City Projects Update

Website Redesign – The website redesign project is reaching the final stages. The developer anticipates having development completed by end of March for internal review, and we have targeted mid-April to launch the newly redesigned site. We will be advertising a photo contest for persons to share their favorite images of Charlotte on the new website soon. I will keep Council updated as we get closer to the launch date.

Keyless Entry Project – The vendor is still delayed in delivery of the hardware required to complete installation, they no longer are expecting it to be available in April and are looking at alternative options.

FY 23/24 Budget – The City Administration commenced work on the draft FY23/24 budget in January. Pursuant to City Charter, the draft document will be provided to City Council at the April 3rd meeting, and we will have a workshop meeting on April 12th to discuss the budget.

Email Utility Billing Feature Now Available

Interested persons can now sign up for emailed billing of their quarterly utility bill. Please complete the form on the backside of your utility bill and return it to City Hall, in-person or drop-box, or you can sign up online at www.charlottemi.org/email-utility-bill-form/. Any person with questions or who needs to update their utility billing account, please contact UB Clerk Mikayla by phone at 517-543-8841 or email mdensmore@charlottemi.org.

General information about utility billing can be found on the city’s website here: <http://www.charlottemi.org/serviceadministration/finance/utility-information/> and you can check your utility billing information anytime online here: www.bsaonline.com

RAVE Alerts – Water Utility Bill Notification Feature

The City participates in RAVE Alerts which provides alert notifications to participants via voice, email, text, and posts to social media. We have expanded the service options to include targeted text and email messaging for quarterly utility billing. We will send out a notice to registered users when we send out the bills for their cycle area. This alert will notify them the

bill has been mailed and provide other billing related information. If you're already registered for alerts, make sure your address information is up-to-date. There are several ways to register: Text CHARLOTTE to 67283; Download the Smart911 app; or Register for a free and secure safety profile online at Smart911.com.

Volunteer Opportunities

The City has open opportunities for citizens to participate in their local government. We are seeking volunteers to serve on the Camp Frances Board (1 vacancy), Downtown Development Authority (3 vacancies), and the Board of Review (2 vacancies).

Interested persons can fill out an application to serve here:

<https://www.charlottemi.org/councilboards/boards-commissions/board-and-commission-application/>

Assistance Programs

For persons who may be facing financial difficulties with utilities, mortgage/rent, or other hardships, there are a number of assistance programs available. More information can be found on the city's website: <https://www.charlottemi.org/assistance-programs-available/>

Persons who are struggling can also dial 9-8-8 for crises and mental health support counseling services.