



PROPOSED AGENDA
REGULAR MEETING OF THE CHARLOTTE CITY COUNCIL
111 E. Lawrence Ave, Charlotte, MI 48813 (517) 543-2750
7:00 P.M. Monday, August 21, 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/83327257902>
One tap mobile: +16465588656,,83327257902#
Telephone: (312) 626-6799 Webinar ID: 833 2725 7902

- 1. Call to Order**
- 2. Roll Call**
- 3. Invocation – Chuck Jensen, West Carmel Church**
- 4. Pledge of Allegiance**
- 5. Approval of Minutes**
 - a. August 7, 2023 Regular Council Meeting
 - b. August 14, 2023 Special Meeting
- 6. Absence of Council Members**
- 7. Public Hearing**
 - a. Ordinance 2023-06 to amend Chapter 15, Article IV Marihuana Establishments to establish a commercial cannabis licensing program, and Ordinance 2023-05 amending Chapter 82, to add Article XXV Commercial Cannabis Overlay District
 - i. Correspondence from Mr. Sovey
- 8. Public Comment - Limit presentation to five (5) minutes**
- 9. Approval of Agenda**
- 10. Special Presentation**
 - a. Special Tribute from State of Michigan to the outgoing City Manager
- 11. Communications and Committee Reports**

- a. City Attorney Report
- b. City Manager Report
- c. CPD July 2023 Report
- d. Councilmember Committee Reports

12. Consent Agenda

- a. Approval of Claims and Expenditures totaling \$1,187,662.67
- b. Resolution 2023-39 To approve Independent Bank signature changes
- c. Appoint Police Chief Brentar as Acting City Manager
- d. Authorize Mayor and City Attorney to complete a Part Time Employment Agreement with Erin LaPere
- e. Confirm appointment of Kevin Christiansen as Fire Chief
- f. Authorize attendance and confirm Duweck to be the voting delegate and Chin the alternate delegate at the MML Annual Meeting
- g. Resolution 2023-40 to extend participation in LIHWAP for additional six months
- h. Approve outfitting of two new police vehicles by Chrouch

13. Business Agenda

- a. Second reading and approval of Ordinance 2023-06 amending Chapter 15, Article IV Marihuana Establishments to establish a commercial cannabis licensing program
- b. Second reading and approval of Ordinance 2023-05 amending Chapter 82, to add Article XXV Commercial Cannabis Overlay District
- c. Approval of Personnel Manual Updates
- d. Approval of updates to IT Services Contract
- e. Approval of purchase of three replacement vehicles for DPW
- f. Approval of Council Policy 2023-02 Armory Use Policy
- g. Authorize administration to work with IAFF on creation of Fire Marshal position

14. Public Comment

15. Mayor and Council Comments

16. 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
August 07, 2023

CALL TO ORDER:

By Council member Dyer on Monday August 07, 2023, 7:00 p.m.

ROLL CALL:

Council members Chin, Rodriguez, Van Langevelde, Duweck and Dyer. Mayor Armitage and Mayor Pro-Tem Weissenborn were absent. A quorum was met.

City staff in attendance; City Manager LaPere, City Clerk LaRocque and in the audience Fire Captain/Fire Inspector Dan Daly.

INVOCATION:

Jack Conklin – Lawrence Ave. Methodist Church - unavailable

PLEDGE OF ALLEGIANCE:

Led by Dyer

APPROVAL OF MINUTES:

- a. July 17, 2023 Regular Council Meeting Minutes

Motion by Chin supported by Duweck to approve the July 17, 2023 regular meeting minutes. Carried; Yea 5; Nay 0; Absent 2

- b. July 31, 2023 Special Council Meeting Minutes

Motion by Chin supported by Duweck to approve the July 31, 2023 special meeting minutes. Carried; Yea 5; Nay 0; Absent 2

ABSENCE OF COUNCIL MEMBERS:

Motion by Van Langevelde supported by Chin to approve the absence of Mayor Armitage and Mayor Pro-Tem Weissenborn. Carried; Yea 5; Nay 0; Absent 2

PUBLIC COMMENT:

Dan Barnett – resident – Inquired about idling police cars and requested follow up

APPROVAL OF AGENDA:

Motion by Duweck supported by Van Langevelde to approve the meeting agenda. Carried; Yea 5; Nay 0; Absent 2

COMMUNICATIONS AND COMMITTEE REPORTS:

- a. City Attorney report was received
- b. City Manager report was received

LaPere answered council's questions about the Charlotte Plaza, sidewalk construction, and police recruitment efforts. Council appreciates the department reports.

- c. Monthly FD Report – July 2023
- d. Council member committee reports

Van Langevelde – Parks Board is meeting tomorrow night and invited the public to attend.

Dyer – EATRAN is looking into restarting the connector route from the City of Charlotte to Delta Township.

CONSENT AGENDA:

- a. ~~Approval of Claims and Expenditures totaling \$652,092.77~~
- b. Approval of fireworks display for Frontier Days in September
- c. Resolution 2023-35 to approve contract with MDOT for railroad work for Safe routes to school's project

~~d. Resolution 2023-36 to confirm appointment for Finance Director/Treasurer~~

~~e. Resolution 2023-37 approval of street closure for Sheldon row block party~~

~~f. Approval of permanent easement for consumers utility at DPW facility, 301 Tirrell Hwy~~

g. Approval of change order for police vehicle purchase

Consent agenda items a and d moved to business by Chin and e and f by Rodriguez

Motion by Van Langevelde supported by Chin to approve moving items a, d, e and f to the business agenda and approving items b, c, and g. Carried; Yea 5; Nay 0; Absent 2

BUSINESS AGENDA:

a. Approval of Claims and Expenditures totaling \$652,092.77

Motion by Van Langevelde supported by Duweck to approve claims and expenditures totaling \$652,092.77. Carried by roll call vote; Yea – Chin, Rodriguez, Dyer, Van Langevelde, Duweck; Nay 0; Absent 2

b. Resolution 2023-36 to confirm appointment for Finance Director/Treasurer

Motion by Van Langevelde supported by Duweck to confirm appointment for Finance Director/Treasurer. Carried; Yea 5; Nay 0; Absent 2

c. Resolution 2023-37 approval of street closure for Sheldon row block party

Motion by Van Langevelde supported by Duweck to approve Resolution 2023-37. Carried; Yea 5; Nay 0; Absent 2

d. Approval of permanent easement for Consumers Energy at DPW facility, 301 Tirrell Hwy

Motion by Chin supported by Duweck to approve Consumers Energy permanent easement at 301 Tirrell Hwy. Carried; Yea 5; Nay 0; Absent 2

e. Approval of contract for replacement of overhead doors at the Downtown Fire Station

Motion by Chin supported by Dyer to approve the overhead door bid contract to Doors Unlimited, Inc. for \$78,612. Carried; Yea 5; Nay 0; Absent 2

f. Second reading and approval of Ordinance 2023-07 amending chapter 68, to add Article V, Groundwater Protection to add regulations for certain parcels in the city.

Motion by Van Langevelde supported by Chin to approve Ordinance 2023-07. Carried; Yea 5; Nay 0; Absent 2

PUBLIC COMMENT:

No comments

MAYOR AND COUNCIL COMMENTS:

Van Langevelde – Addressed 1st public comment speaker's concerns regarding police cars idling.

Rodriguez – No comment

Chin – Attended the Airport Advisory meeting this morning and reported the fuel tanks require repair; hangar roof project is ready to begin and an arbitration meeting (for airport easements) is scheduled for this Wednesday.

Duweck – The Planning Commission master plan committee is on schedule and is moving forward. Public comments received during the marijuana zoning district ordinance were focused

largely on whether (allowing commercial marijuana licenses) is a good idea or not

Dyer – Next week's August 16th workshop meeting was canceled and replaced with a special meeting on Monday the 14th to review and discuss an interim city manager

ADJOURN:

Motion by Van Langevelde supported by Chin to adjourn the meeting at 7:52 p.m. Carried; Yea 5; Nay 0; Absent 2

Mayor Michael Armitage

Mary LaRocque, City Clerk

CITY OF CHARLOTTE COUNCIL PROCEEDINGS
111 E. Lawrence Ave., Charlotte, MI 48813 (517) 543-2750
Special Meeting
August 14, 2023

CALL TO ORDER:

By Mayor Armitage on Monday August 14, 2023 at 7:09 p.m.

ROLL CALL:

Council members in attendance; Mayor Armitage, Mayor Pro-Tem Weissenborn, Duweck, Dyer, Chin, Van Langevelde, and Rodriguez. A quorum was met.

City staff in attendance; City Manager LaPere, City Clerk LaRocque, Community Development Director Myrkle and via Zoom (Lansing, MI) Attorney Hitch.

PLEDGE OF ALLEGIANCE:

Led by Mayor Armitage

ABSENCE OF COUNCIL MEMBERS:

All present

PUBLIC COMMENT:

No comment

APPROVE AGENDA:

Motion by Chin supported by Van Langevelde to approve the agenda. Carried; Yea 7, Nay 0, Absent 0

BUSINESS AGENDA:

- a. Resolution 2023-38 to approve settlement agreement for airport easement acquisition

Motion by Chin supported by Weissenborn to approve Resolution 2023-38 settlement agreement for airport easement acquisition. Carried by roll call vote; Yea Weissenborn, Chin, Armitage, Rodriguez, Dyer, Van Langevelde and Duweck; Nay 0; Absent 0

- b. Review and consider approval of recruitment firm for executive search for recruitment of the City Manager

Motion by Duweck and supported by Van Langevelde to waive the bid process for professional services and authorize City Manager LaPere to execute the agreement with Walsh Municipal Services to provide executive search services for recruitment of the City Manager position. Carried; Yea 7; Nay 0; Absent 0.

RECESS TO CLOSED SESSION:

- a. Pursuant to section 15.268(f) to review applicants for Interim City Manager

Motion by Chin supported by Weissenborn to recess into closed session at 8:05 p.m. pursuant to section 15.268(f) to review applicants for Interim City Manager. Carried unanimously; Yea 7; Nay 0; Absent 0

RECONVENE OPEN SESSION:

- a. Approve dates and times for scheduling interviews for Interim City Manager

Motion by Chin supported by Weissenborn to reconvene open session at 8:45 p.m.

Motion by Weissenborn supported by Duweck to schedule a Special Council Meeting for the purpose of interim city manager interviews for applicants A, B, and C on Wednesday August 23, 2023 at 6:00 p.m. with an alternate date of Monday August 28, 2023 at 6:00 p.m.

PUBLIC COMMENT:

No comments

MAYOR AND COUNCIL COMMENTS:

No comments

ADJOURNMENT:

Motion by Dyer supported by Weissenborn to adjourn at 8:46 p.m. Carried. Yea 7; Nay 0; Absent 0

Michael Armitage, Mayor

Mary LaRocque, City Clerk



Memo

To: Honorable Mayor Armitage; City Council
From: Bryan Myrkle, Community Development Director
Date: August 4, 2023
Re: Planning Commission – Public Hearing and Recommendation – Commercial Cannabis Overlay Zoning Districts

Background

As required, the City of Charlotte Planning Commission conducted a public hearing on August 1 to hear from residents regarding the proposed Commercial Cannabis Overlay Zoning Districts. **Following the public hearing and discussion, the Planning Commission voted 7 to 1 to recommend these proposed ordinance and district maps be adopted as presented.**

During the hearing, the Planning Commission heard from approximately a half-dozen residents. Some of these residents expressed dissatisfaction with the ordinance process, saying that it is moving too fast and that the community has not been well informed about the issue. They urged the Planning Commission to withhold or delay action on the ordinance, rather than making a recommendation to Council. Some indicated their general opposition to the idea of allowing commercial marijuana businesses into the City altogether. Others expressed support for the ordinance saying it represents a legal business opportunity that should not be kept out of Charlotte.

During its discussion, Planning Commission members questioned City Attorney David Revore about various aspects of the ordinance, and also the general regulations of commercial cannabis. One Planning Commissioner suggested the reduction in size of Cannabis District 1 and the elimination of Cannabis District 2, but there was no support for this motion.

Again, the final vote was 7 to 1 to recommend adoption of the ordinance and the districts as currently proposed.

ARTICLE XXV. Commercial Cannabis Overlay District

The City of Charlotte hereby Ordains this Ordinance that shall be known as the “*City of Charlotte Commercial Cannabis Zoning Overlay District Ordinance*”.

§ 82-517 Title; Commercial Cannabis Overlay Districts Established.

This section shall be known as the “*City of Charlotte Commercial Cannabis Overlay Districts*”. The overlay districts, designated as Commercial Cannabis Overlay District # 1, Commercial Cannabis Overlay District # 2, Commercial Cannabis Overlay District # 3 (North) and Commercial Cannabis Overlay District # 3 (South) are hereby established.

§ 82-518 Purpose and Objectives.

The purposes of the Commercial Cannabis Overlay Districts are to:

- A) Accommodate the processing, retail sale, testing, and secure transportation of cannabis / marijuana products within certain districts within the city limits of the City of Charlotte under the Medical Marihuana Facilities Licensing Act, PA 281 of 2016 (“MMFLA”) as amended, and the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018 (“MRTMA”), as amended.
- B) Require concentration of processing, retail sale, testing, and secure transportation of cannabis / marijuana products within a smaller geographic area that may reduce noise, odor, vehicle traffic congestion, excessive parking needs, and security, fire, and police response.
- C) Promote that neighborhood character is preserved, commercial activities developed and increased, employment opportunities expanded, and positive planned land use developed.

§ 82-519 Definitions.

See *Definitions* contained in the Charlotte Commercial Cannabis / Marijuana Ordinance used where applicable and are hereby incorporated.

§ 82-520 Limits on marihuana operations licenses and locations; other requirements.

- A) The concentration of any specific use within a smaller geographic area can be burdensome for reasons of noise, odor, vehicle traffic congestion, excessive parking needs, security, fire, and police response. It the intent of this ordinance to ensure that quality of life is not impaired, neighborhood character is preserved, commercial activities developed and increased, employment opportunities expanded, and positive planned land use developed.
- B) The City Council and Planning Commission are prohibited from waiving any portion of this ordinance, except where amended by City ordinance.
- C) The maximum number of each type of marihuana operation and establishment type under the MMFLA and MRTMA permitted in the City is governed by the applicable zoning district and zoning regulations or as set forth in the table below and the zoning ordinance. Marihuana operations, facilities and establishments not specifically authorized in the table are prohibited.

Provisions of this section do not apply to the medical use of marihuana in compliance with the Michigan Medical Marihuana Act (MMMA).

D) Table of marihuana establishments:

Type of Marihuana/Cannabis Operations and Establishments	Unlimited number of Permitted Licenses within Cannabis Overlay Districts as designated below.
Marihuana Retailer / Provisioning Center	Restricted to Cannabis Overlay Districts 2-3 (North and South)
Marihuana Safety Compliance Facility	Restricted to Cannabis Overlay District 1
Marihuana Secure Transporter	Restricted to Cannabis Overlay Districts 1-3
Marihuana Processor	Restricted to Cannabis Overlay Districts 1-3 (North and South)
Marihuana Grower	Not Permitted
Excess Marihuana Grower License	Not Permitted
Marihuana Microbusinesses	Not Permitted
Designated Consumption Establishment	Not Permitted
Marihuana Related Temporary Event	Not Permitted
No other marihuana/cannabis licenses permitted	Not Permitted

E) Cannabis operations and establishment license designations permitted under this ordinance are governed by type, under section D), and additional requirements as established under the *City of Charlotte Commercial Cannabis Ordinance*".

- 1) The operations at a licensed cannabis facility shall be conducted in compliance with the MMFLA and the MRTMA, and any rules promulgated pursuant to other laws, rules, and regulations of the state of Michigan and the City of Charlotte.
- 2) Cannabis facilities and establishments shall be subject to City ordinance and the City Zoning Ordinance, where applicable.
- 3) *Marihuana [cannabis] retail establishment license and Provisioning Center (collectively, "retail")*. Cannabis retail establishments shall comply with all of the provisions of the MMFLA and MRTMA and applicable LARA rules and regulations and City ordinance, as amended.
- 4) *Marihuana [cannabis] processor license*. Cannabis processor shall comply with all of the provisions of the MMFLA and MRTMA and applicable LARA rules and regulations and City ordinance. The city will restrict locations and only one cannabis processor licensee under the MMFLA and MRTMA shall be permitted on one continuous property.
 - a. All processor operations must be within an enclosed, secured structure.
 - b. The location of this establishment shall be permitted up to, but not beyond, any applicable lot coverage limitations set forth in the City of Charlotte Zoning Ordinance.
 - c. An approved security plan.
 - d. Enter all transactions, current inventory, and other information as required by the MRTMA, LARA rules, the Marihuana Tracking Act, and all other applicable laws and regulations.

- e. Transfer cannabis and cannabis-infused products only by means of a secure transporter, or in compliance with LARA rules.
 - f. Processor shall not produce any products other than useable cannabis products intended for human consumption.
 - g. Odor control. Cannabis operations shall be subject to the provisions of this ordinance and city resolution.
- 5) *Marihuana secure transporter license.* Marihuana secure transporter shall comply with all of the provisions of the MMFLA, MRTMA, and applicable LARA rules and regulations and City ordinance.
- 6) *Marihuana safety compliance facility license.* Marihuana safety compliance facility shall comply with all of the provisions of the MMFLA and MRTMA and applicable LARA rules and regulations and City ordinance.
- F) *Zoning districts permitted for cannabis operations and geographic boundaries.* Special regulations of cannabis operations have been deemed necessary to limit the intensity and density of this use. Processor, retail establishments, safety compliance facility, and secure transporter licensees, shall be a special land use and restricted to and only permitted within the following city cannabis zoning districts within the permitted geographic boundaries, identified by legal descriptions and zoning maps, that may be amended as necessary by city resolution.
- 1) Cannabis Overlay District #1,
 - 2) Cannabis Overlay District #2,
 - 3) Cannabis Overlay District # 3 (North)
 - 4) Cannabis Overlay District # 3 (South)

(*See, Attachment A: Cannabis Overlay District Maps, sketches, and legal descriptions.)

- G) *Separation distance measurements.* The distances described in this subsection shall be computed by measuring a straight line from the nearest property line of the parcel used for the purposes stated in this subsection to the nearest property line of the parcel used as a cannabis operations facility.
- H) *Applicability.* The location and co-location of authorized cannabis operations shall be determined as follows:
- 1) The following minimum-distancing regulations shall apply to cannabis operations. Processor and Retail licensees shall not be located within:

- a. Five Hundred feet of a childcare center or a school.
- 2) Minimum-distancing regulations do not include secure transporters or safety compliance facilities.
- 3) A cannabis operations licensee shall not operate at any place in the city other than the address provided in the application on file with the City Clerk.
- 4) *Co-location and stacked licenses.* There may be only one state operating license per parcel, except co-location of one retail license and one processor license are permitted per parcel.
- 5) *Zoning application requirements.* Each zoning application shall be accompanied by a detailed site plan and any information necessary to describe the proposed use or change of use. Each request shall be considered a new application, including those for class change, stacking, expansion, transfers or other modifications that require planning department review or special land use approval. If more than one use is being requested for a parcel at the same time (e.g., co-location) only one application shall be processed. Only one application shall be processed per parcel at a time; once a zoning application is submitted, any other zoning applications for the same parcel will be rejected until the first zoning application is decided. All items must be satisfactorily completed for a zoning application to be considered eligible for review.
 - a. *Verification.* A signed statement by the applicant indicating the proposed cannabis operations type, including if the proposed type involves co-location and the number of licenses.
 - b. *Consent.* A notarized statement by the property owner that acknowledges use of the property for a cannabis operations facility and agreement to indemnify, defend and hold harmless the City, its officers, elected officials, employees, and insurers, against all liability, claims or demands arising out of, or in connection to, the operation of a cannabis operations facility. Written consent shall also include approval of the owner and operator for the city to inspect the facility at any time during normal business hours to ensure compliance with applicable laws and regulations.
 - c. *LARA.* A copy of official paperwork issued by LARA indicating that the applicant has successfully completed the prequalification step of the application for the state operating license associated with the proposed land use, or proof that the applicant has filed such application for the prequalification step with LARA, including all necessary application fees.
 - d. *Required LARA Cannabis facility plans, and security plans shall be submitted.* Copies of all documents submitted to LARA in connection with the initial license application, subsequent renewal applications, or investigations conducted by LARA shall be made available upon request when such information is necessary and reasonably related to the application review.
- 6) A comprehensive operation plan for the cannabis establishment which shall comply with the requirement set forth under the *City of Charlotte Commercial Cannabis Ordinance*.
- 7) *Site plan.* Existing and proposed site changes must be submitted that demonstrate compliance with this ordinance and city ordinances and codes.
- 8) *Sign and lighting plan.* A sign and lighting plan for the exterior of the building and any interior signs that will be visible to the public from the public right-of-way shall be submitted with sizes, lighting, and locations. All lighting fixtures visible to the public shall be identified by location, type, and intensity.
- 9) *Radius.* A map, drawn to scale, containing all childcare centers, and schools.

§ 82-521 Odor control.

- A) No person, tenant, occupant, or property owner, who cultivates, grows, processes, or uses cannabis for any purpose shall propagate or permit the emission of objectionable odors that may cause or result in a nuisance to the public or that endanger the health, safety and welfare of the public, to emanate from any source on the property to result in such detectable odors that leave the premises upon which they originated.
- B) An odor is per se objectionable if odor is detectable in the ambient air that is greater than a 7/1 dilution threshold (D/T) for two samples not less than 15 minutes apart during a one-hour period measured by a field olfactometer device at the boundaries of the property as determined at the street right-of-way, or property line.
- C) A processor shall install and maintain in operable condition a system which precludes the emission of objectionable cannabis odor emanating from the premises.
- D) Ventilation, by-product and waste disposal, and water management (supply and disposal) for the facility shall not produce contamination of air, water, or soil; or reduce the expected life of the building due to heat and mold; or create other hazards that may negatively impact the structure and/or surrounding properties.
- E) Air contaminants must be controlled and eliminated by the following methods:
 - 1) The building must be equipped with an activated air scrubbing and carbon filtration system that eliminates all air contaminants prior to leaving the building.
 - 2) Fan(s) must be sized for cubic feet per minute (CFM) equivalent to the volume of the building (length multiplied by width multiplied by height) divided by three.
 - 3) The filter(s) shall be rated for the applicable CFM.
 - 4) An air scrubbing and filtration system must be maintained in working order and must be in use at all times. Filters must be changed per manufacturers' recommendation to ensure optimal performance.
 - 5) Doors and windows must remain closed, except for the minimum time length needed to allow people to ingress or egress the building.
 - 6) A variance may be granted for an alternative odor control system, in accordance with the Michigan Mechanical Code, if a mechanical engineer licensed in the State of Michigan submits a report that sufficiently demonstrates the alternative system will be equal to or better than the air scrubbing and carbon filtration system otherwise required.
- F) For purposes of this section, "air contaminants" means stationary local sources producing air-borne particulates, heat, odors, fumes, spray, vapors, smoke or gases in such quantities as to be irritating or injurious to health.
- G) A cannabis operation shall not be granted a municipal operating license until the findings and approvals of this section are completed.
- H) Prosecution for violation; civil penalty.
 - 1) Any person or entity failing to comply with this ordinance shall be responsible for a municipal civil infraction or district court citation and shall be subject to a civil fine as follows: \$100.00 initial violation, \$250.00 second violation, and \$500.00 third (or any subsequent) violation. Municipal civil infraction violations are made payable at the city municipal ordinance violation bureau. Repeat violations are determined based on the date of the commission of the violation. Each day that a violation continues shall be deemed to be a separate offense.
 - 2) In addition to the remedies described above, the city may institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation, including injunctive relief.
 - 3) Jurisdiction for district court citations and legal action to enforce this ordinance, the City Code, and state law, vest in the state courts of Eaton County.

§ 82-522 Prohibited acts.

It shall be unlawful for any cannabis business, entity, or person, to operate within the city's jurisdiction in violation of this ordinance, MMMA, MMFLA MRTMA, LARA rules and regulations.

§ 82-523 Compliance with law, environmental; other laws remain applicable.

The cannabis facility shall be compliant and subject to all relevant state law and federal environmental laws and regulations, and city ordinances and codes that may be adopted and enforced.

To the extent the State of Michigan adopts in the future recodification of the MMFLA and MRTMA, any additional or stricter law or regulation governing the sale or distribution of marihuana, cannabis, the recodification, additional or stricter regulation shall control the cannabis operation of any cannabis commercial entity in the city. Compliance with any applicable state law or regulation shall be deemed an additional requirement for issuance or denial of any license under this ordinance, and noncompliance with any applicable state law or regulation shall be grounds for revocation or suspension of any license issued hereunder

§ 82-524 Violations and penalties.

- A) In addition to the possible denial, suspension, revocation or nonrenewal of a license under the provisions of this ordinance, any person or cannabis operation, including, but not limited to, any licensee, manager or employee of a cannabis commercial entity, who violates any of the provisions of this ordinance, shall be responsible for a municipal civil infraction and a fine of \$500.00, or as permitted by law, as established by resolution.
- B) In addition, any person, including any person, customer or member of the public, who violates the provisions of section 4 of the MRTMA, MCL 333.27954, and who acts in a manner contrary to the acts prohibited therein, except as may be otherwise provided in MCL 333.27965, shall be guilty of a misdemeanor.
- C) Notwithstanding the above, to the extent any violation or penalty set forth herein may be deemed inconsistent with any state law, or inconsistent with any rule or penalty which is promulgated by the department, now or hereafter, including but not limited to those promulgated pursuant to MCL 333.27958, then the state law or department rule or penalty shall govern over the provisions of this ordinance, as determined by state preemption.
- D) A violation of this ordinance is deemed to be a nuisance, per se. In addition to any remedies available at law, the city may bring an action for an injunction or other process against any person to restrain, prevent or abate any violation of this ordinance and such other relief as may be provided by law.
- E) Each day on which any violation of this ordinance occurs or continues constitutes a separate offense, subject to separate sanctions. The paying of a fine or sanctions under this ordinance shall not exempt the offender from meeting the requirements of this ordinance.
- F) This ordinance shall be administered and enforced by the city or by such other person(s) as designated by the city.

§ 82-525 Severability.

It is the legislative intent of the City by adopting this Ordinance that all provisions hereof shall be liberally construed to protect the public health, safety and general welfare of the residents of the City and all other persons affected by this Ordinance. Consequently, should any provision of this Ordinance be held to be unconstitutional, invalid or of no effect, such holding shall not be construed as affecting the validity of any of the remaining provisions of this Ordinance or Zoning Code, it being the intent of the City Council that this Ordinance shall stand and remain in effect, notwithstanding the invalidity of any provision hereof. If any section, paragraph, clause, phrase or part of this Ordinance is held invalid by any court of competent jurisdiction or any agency, department or commission empowered by statute for such purposes, such decision shall not affect the validity of the remaining provisions of this Ordinance, and the application of those provisions to any person or circumstance shall not be affected thereby.

§ 82-526 Code Edits.

The editors of the Charlotte City Code are hereby authorized, subject to approval of the City Manager, or designee, to update and revise code section numbers to effectuate the provisions of this ordinance.

§ 82-527 Section Headings.

The section headings used in this ordinance are for convenience only and are not a part of this ordinance.

§ 82-528 Publication.

This ordinance shall be published in the County Journal, a newspaper of general circulation in the City of Charlotte qualified under state law to publish legal notices, within thirty (30) days after its adoption. This Ordinance shall be recorded in the Ordinance Book and such recording shall be authenticated by the signature of the Mayor and the City Clerk.

§ 82-529 Effective.

This Ordinance be effective publication upon the expiration of 30 days after publication.

Introduced by the Charlotte City Council this 5th day of July, 2023.

Adopted by the Charlotte City Council this ____ day of _____, ____.

Motion by
Second by

Ayes:

Nays:

Absent:

Approved:

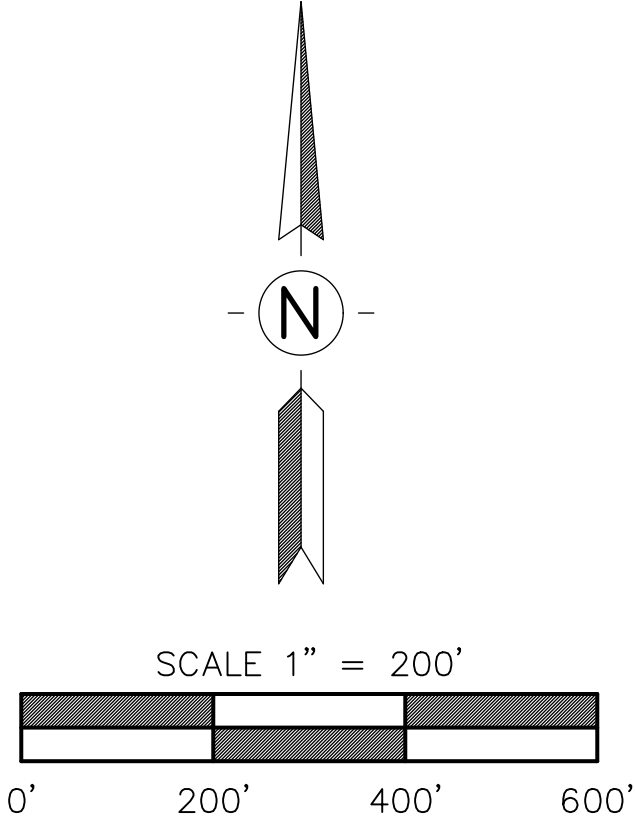
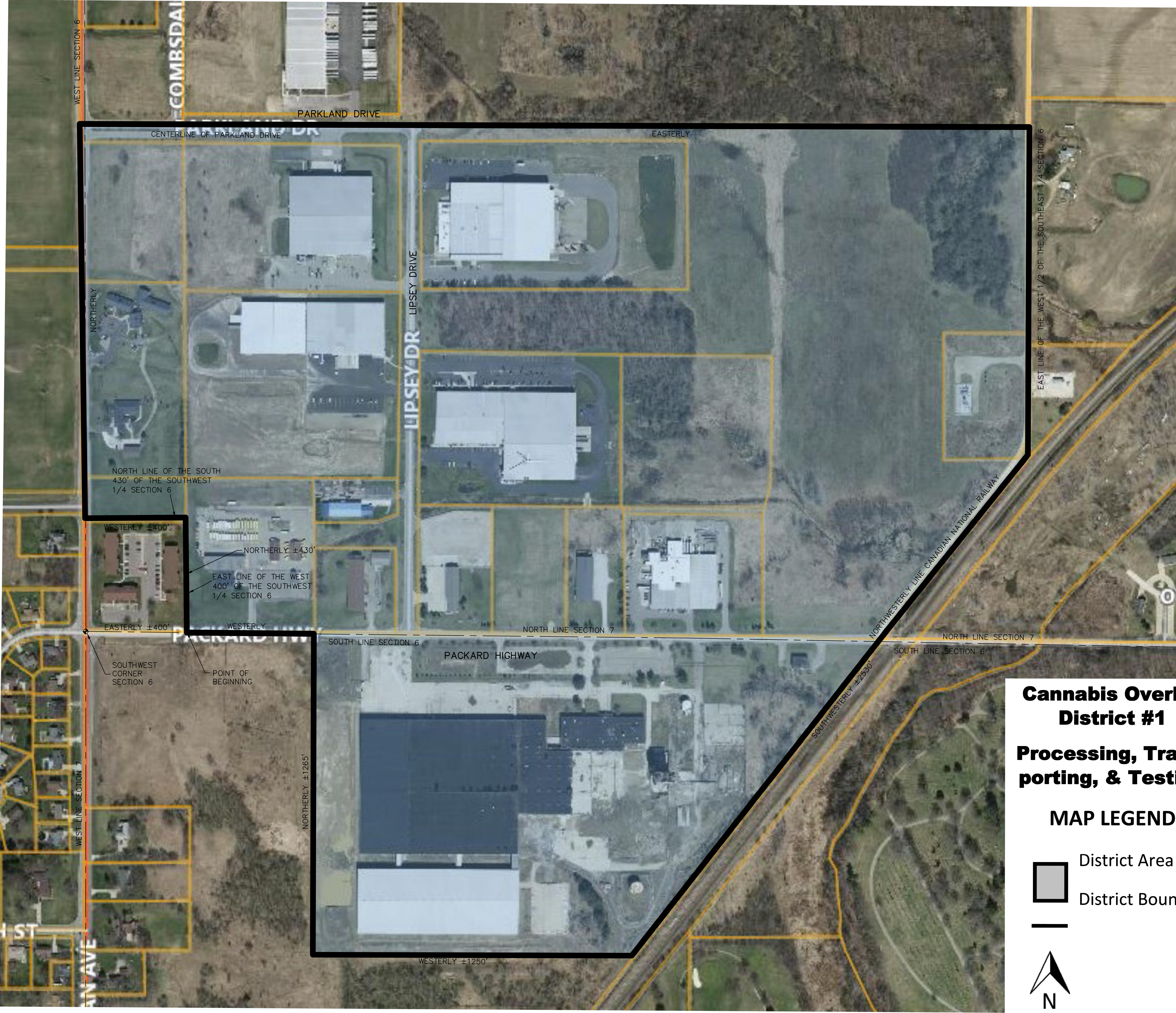
Michael Armitage, Mayor

I, Mary LaRocque, Clerk of the City of Charlotte, hereby certify that the foregoing Ordinance was adopted on the ____ day of _____, 2023 and published on the ____ day of _____, 2023 as provided by law.

Mary LaRocque, Clerk

SKETCH OF DESCRIPTION

“PROPOSED CANNABIS DISTRICT #1, CHARLOTTE, MI 48813”



SURVEYOR'S NOTES:

1. NO ON-THE-GROUND SURVEY WAS COMPLETED FOR THE PROPERTIES DEFINED HEREIN. BEARINGS AND DISTANCES ARE A COMPILATION OF RECORD BEARINGS/DISTANCES WITH ANY SURVEYED DATA FROM KEBS, INC. RECORDS OR FROM SCALED MEASUREMENTS WHEN NECESSARY TO PROVIDE THE MOST DETAILED BOUNDARY AVAILABLE WITHOUT FIELD MEASUREMENTS.
2. EASEMENTS NOT SHOWN.

Cannabis Overlay District #1

Processing, Trans- porting, & Testing

MAP LEGEND

- District Area
- District Boundary



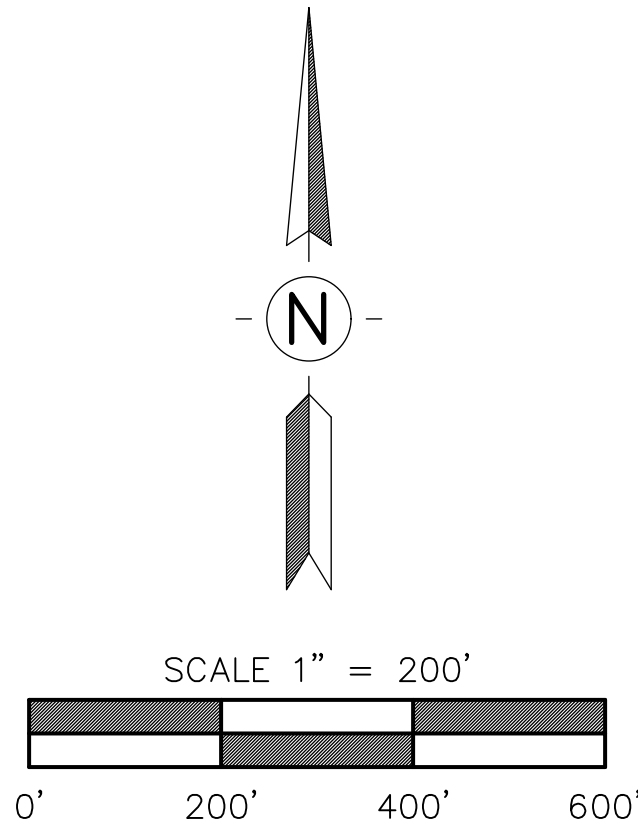
Legal Description:
An area of land in the Southwest 1/4 and Southeast 1/4 of Section 6 and the Northwest 1/4 and Northeast 1/4 of Section 7, T2N, R4W, City of Charlotte, Eaton County, Michigan, the limits of said area described as: Commencing at the Southwest corner of said Section 6; thence Easterly along the South line of said Section 6 approximately 400 feet to the East line of the West 400 feet of said Southwest 1/4 and the point of beginning of this description; thence Northerly along said West line approximately 430 feet; thence Westerly along the North line of the South 430 feet of said Southwest 1/4 approximately 400 feet to the West line of said Section 6; thence Northerly along said West line to the centerline of Parkland Drive extended from the East; thence Easterly along said centerline and its Westerly and Easterly extensions to the East line of the West 1/2 of said Southeast 1/4; thence Southerly along said East line to the Northwestern line of Canadian National Railway; thence Southwesterly along said Northwestern line approximately 2530 feet; thence Westerly parallel with the North line of said Section 7 approximately 1250 feet; thence Northerly parallel with the West line of said Section 7 approximately 1265 feet to said North line; thence Westerly along said North line to the point of beginning.

REVISIONS	COMMENTS	 KEBS, INC. ENGINEERING AND LAND SURVEYING	
06/30/2023	ORIGINAL	2116 HASLETT ROAD, HASLETT, MI 48840 PH. 517-339-1014 FAX 517-339-8047 WWW.KEBS.COM	
		Marshall Office — Ph. 269-781-9800	
		DRAWN BY SF/AN	SECTION 6&7, T2N, R4W
		FIELD WORK BY ---	JOB NUMBER:
		SHEET 1 OF 1	101463.PLT

SKETCH OF DESCRIPTION

FOR: CITY OF CHARLOTTE

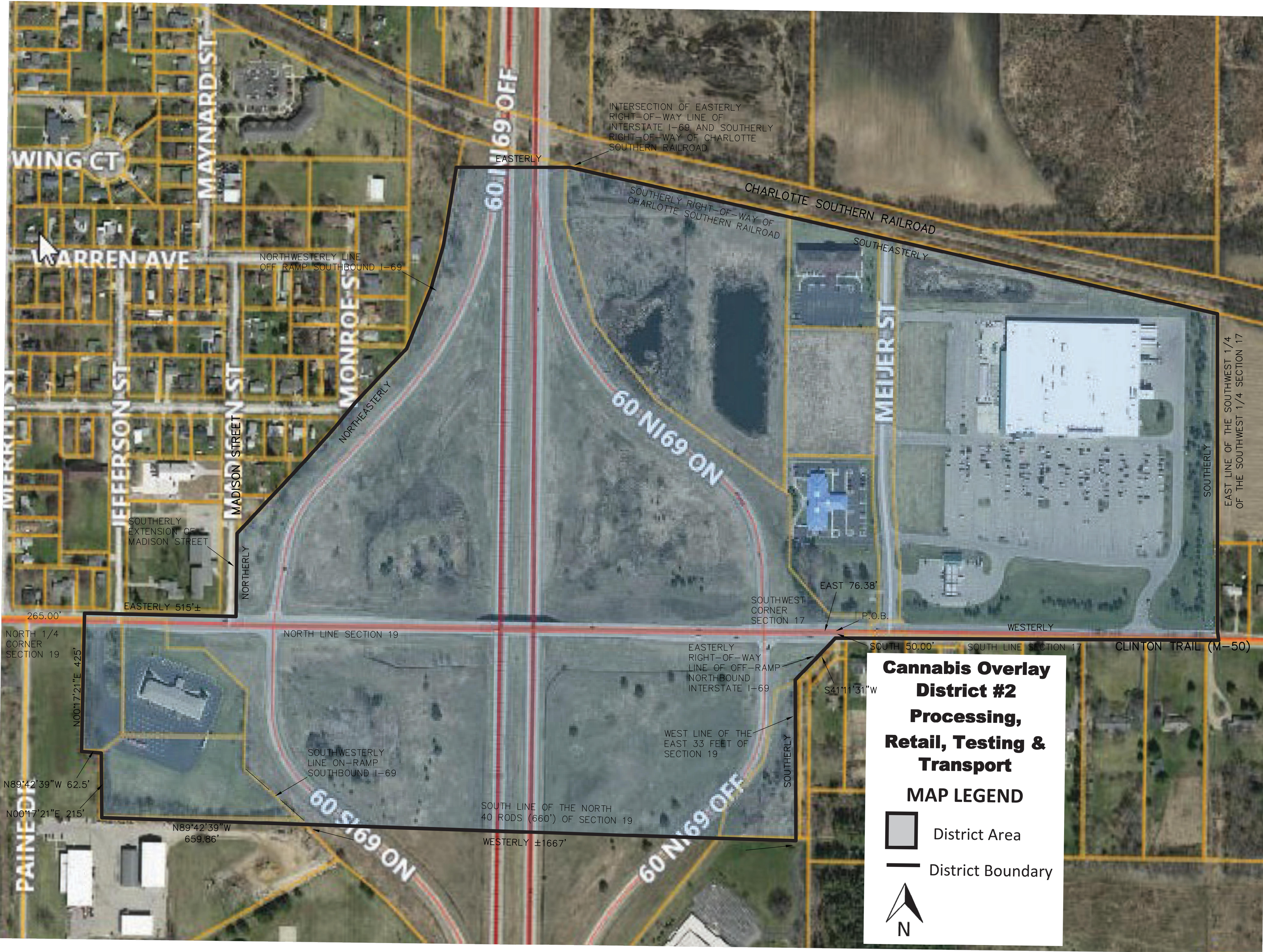
“PROPOSED CANNABIS DISTRICT #2, CHARLOTTE, MI 48813”



Legal Description:
An area of land in the Southwest 1/4 of Section 17, the Southeast 1/4 of Section 18, the Northeast 1/4 of Section 19, and the Northwest 1/4 of Section 20, T2N, R4W, City of Charlotte and Eaton Township, Eaton County, Michigan, the limits of said area described as: Commencing at the Southwest corner of said Section 17; thence East along the South line of said Section 17 a distance of 76.38 feet to the point of beginning of this description; thence South 50.00 feet to the Easterly right-of-way line of the off-ramp of Northbound Interstate I-69; thence S41°11'31"W along said Southeasterly line to the West line of the East 33 feet of Section 19; thence Southerly along said West line to the South line of the North 40 rods (660.00 feet) of said Northeast 1/4 of Section 19; thence Westerly approximately 1667' to the Southwesterly right-of-way line of on-ramp of Southbound Interstate I-69; thence N89°42'39"W 659.86 feet; thence N00°17'21"E 215 feet; thence N89°42'39"W 62.5 feet; thence N00°17'21"E 425 feet to the North line of said Section 19 at a point 265.00 feet Easterly from the North 1/4 corner of said Section 19; thence Easterly along said North line approximately 515 feet to the Southerly extension of the East line of Madison Street and the Northwesterly right-of-way line of off-ramp of Southbound Interstate I-69; thence Northerly and Northeasterly along said right-of-way line to a point due West of the intersection of the Easterly right-of-way line of Interstate I-69 with the Southerly right-of-way of Charlotte Southern Railroad; thence due East to said intersection of the Easterly right-of-way of Interstate I-69 with the Southerly right-of-way of Charlotte Southern Railroad; thence Southeasterly along said Southerly right-of-way line to the East line of the Southwest 1/4 of the Southwest 1/4 of said Section 17; thence Southerly along said East line to the South line of said Section 17; thence Westerly along said South line to the point of beginning.

SURVEYOR'S NOTES:

- 1. NO ON-THE-GROUND SURVEY WAS COMPLETED FOR THE PROPERTIES DEFINED HEREIN. BEARINGS AND DISTANCES ARE A COMPILATION OF RECORD BEARINGS/DISTANCES WITH ANY SURVEYED DATA FROM KEBS, INC. RECORDS OR FROM SCALED MEASUREMENTS WHEN NECESSARY TO PROVIDE THE MOST DETAILED BOUNDARY AVAILABLE WITHOUT FIELD MEASUREMENTS.
- 2. EASEMENTS NOT SHOWN.



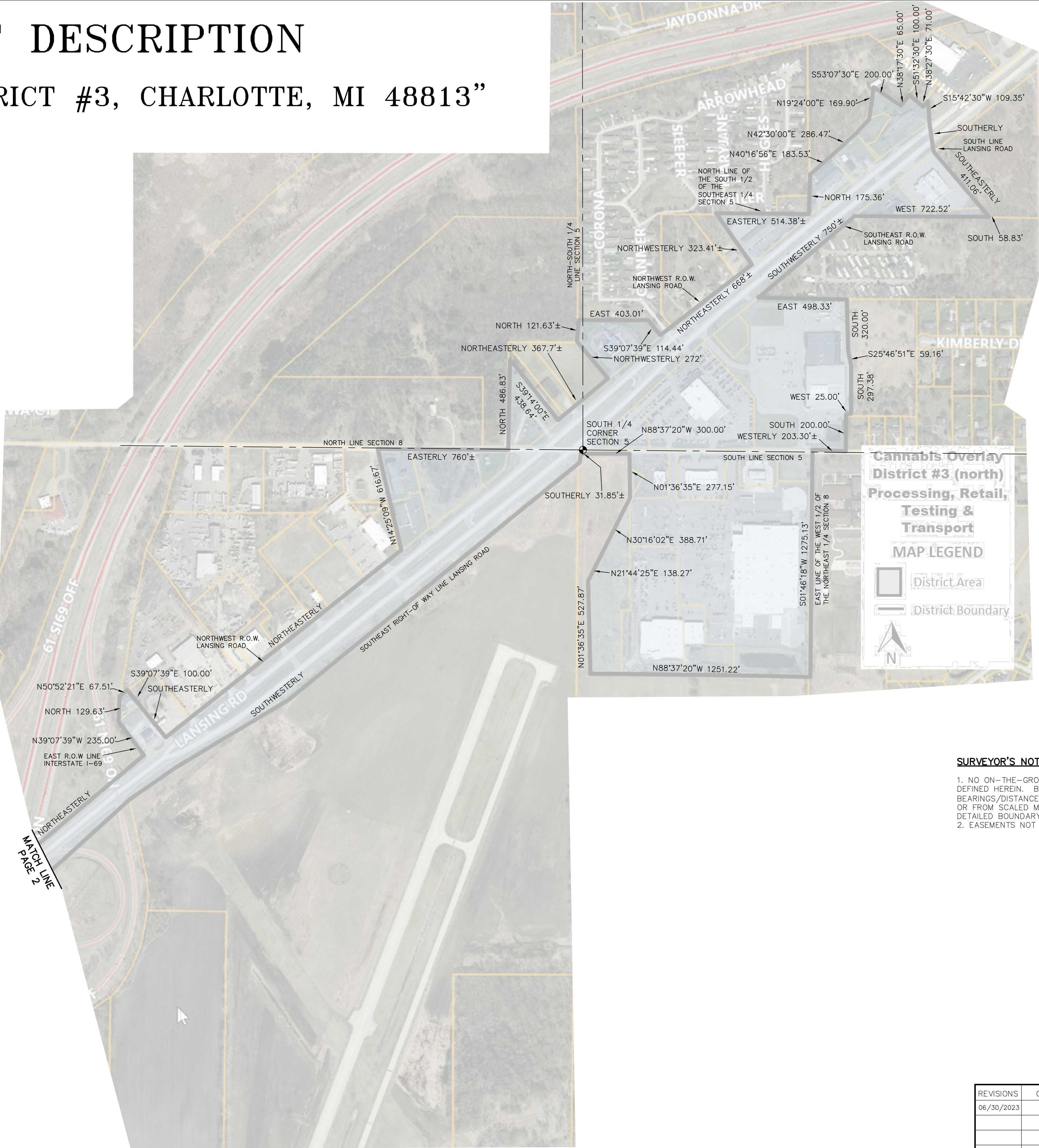
REVISIONS	COMMENTS	KEBS, INC. ENGINEERING AND LAND SURVEYING 2116 HASLETT ROAD, HASLETT, MI 48840 PH. 517-339-1014 FAX 517-339-8047 WWW.KEBS.COM Marshall Office — Ph. 269-781-9800	
06/30/2023	ORIGINAL	DRAWN BY	SF/AN
		SECTION	17/18/19/20, T2N, R4W
		FIELD WORK BY	---
		JOB NUMBER:	101464.PLT
		SHEET	1 OF 1

SKETCH OF DESCRIPTION

“PROPOSED CANNABIS DISTRICT #3, CHARLOTTE, MI 48813”

FOR: CITY OF CHARLOTTE

An area of land in the Southwest 1/4 and the Southeast 1/4 of Section 5, the Northeast 1/4, the Southeast 1/4, and the Southwest 1/4 of Section 7, the Northwest 1/4 and the Northeast 1/4 of Section 8, and the Northwest 1/4 of Section 18, T2N, R4W, City of Charlotte, Eaton County, Michigan, the limits of said area described as: Commencing at the South 1/4 corner of said Section 5; thence Southerly 31.85 feet, more or less to the Southeast right-of-way line of Lansing Road; thence Southwesterly along said Southeast right-of-way line to the West line of Interstate I-69; thence along said West line the following three courses: S01°30'31"W 287.22 feet; S09°30'11"W 580.81 feet; and S04°19'18"W 111.91 feet to the South line of the Northeast 1/4 of said Southeast 1/4 of Section 7; thence Westerly along said South line approximately 217 feet; thence S35°02'52"W 663.12 feet; thence S54°07'04"E 391.34 feet; thence Southerly approximately 152.60 feet to the North line of the South 396 feet of the Southwest 1/4 of said Southeast 1/4 of Section 7; thence Westerly along said North line approximately 912.48 feet to the East line of the West 414.5 feet of the South 396 feet of the Southwest 1/4 of said Southeast 1/4 of Section 7; thence South along said East line 174.50 feet; thence West 41.50 feet; thence Southwesterly 258.09 feet, more or less to the South line of said Section 7; thence Westerly along said South line 191.50 feet to the centerline of The Pike; thence South along said centerline of The Pike 851.50 feet to the South line of Lot 7 and said line extended Easterly, Church Addition, City of Charlotte, Eaton County, Michigan, as recorded in Liber 2 of Plats, Page 7, Eaton County Records; thence Westerly along said South line and its extension approximately 331.4 feet to the Southeast line of Church Street; thence Northwesterly perpendicular to said East line of Church Street 60.00 feet to the West line of Church Street; thence Southwesterly along said West line of Church Street to the Northeast Line of Gale Street; thence Northwesterly to the Southeast corner of Lot 2, Sunrise Addition, City of Charlotte, Eaton County, Michigan, as recorded in Liber 2 of Plats, Page 23, Eaton County Records; thence Westerly along the South line of said Lot 2 a distance of 189.43 feet to a point 30.15 feet Easterly from the Southwest corner of said Lot 2; thence Northwesterly 23.33 feet to the Northwest line of said Lot 2 at a point 19 feet Northeastly from said Southwest corner of said Lot 2; thence Northwesterly to the Northwest line of Lansing Road; thence Northeastly along said Northwest line to the South corner of Lot 7, Robinson's Addition, City of Charlotte, Eaton County, Michigan, as recorded in Liber 1 of Plats, Page 75, Eaton County Records; thence Northwesterly along the Southwest line of said Lot 7 a distance of 231.00 feet to the West corner of said Lot 7; thence Northeastly along the Northwest line of said Lot 7 approximately 126 feet to the Northwest corner of said Lot 7; thence Northerly to the South line of Lot 16, said Robinson's Addition; thence Easterly to the Northwest corner Lot 9, said Robinson's Addition; thence Southeastly along the Northeast line of said Lot 9 approximately 69 feet; thence Northwesterly to the intersection of the South line of Hall Street with the West line of the East 138.67 feet of Lot 16, said Robinson's Addition; thence Westerly along said South line to the centerline of Railroad Street; thence Southerly along said centerline approximately 236.06 feet to the the North line of the South 60 feet of Lot 20 extended, said Robinson's Addition; thence Westerly along said North line 289 feet to the West line of said Lot 20; thence South along said West line and the West line of Lot 19, said Robinson's Addition, to the Northeast right-of-way line of Charlotte Southern Railroad; thence Northwesterly along said Northeast right-of-way line to the West line of Oliver Street; thence Northerly to a point 380.84 feet North of the South line of said Section 7; thence Easterly to the West line of the East 1/2 of the Southwest 1/4 of Section 7; thence Southerly to the North right-of-way line of said Hall Street; thence Easterly along said North right-of-way line to the Southwest corner of Lot 15, Morrell's Addition, City of Charlotte, Eaton County, Michigan, as recorded in Liber 2 of Plats, Page 1, Eaton County Records; thence Northerly along the West line of said Lot 15 a distance of 132.00 feet to the North line of said Lot 15; thence Easterly along said North line and the North line of Lot 14, said Morrell's Addition, 68.00 feet to the Southwest corner of Lot 8, said Morrell's Addition; thence Northerly along the West line of said Lot 8 a distance of 150.00 feet to the Northwest corner of said Lot 8; thence Northeastly to a point on the Northeast right-of-way line of Sumpter Street that is N00°54'42"E 214.45 feet and N54°10'49"W 235.72 feet from the South 1/4 corner of Section 7; thence N33°33'31"E 62.08 feet; thence N52°58'06"W 35.74 feet; thence N36°51'49"E 102.23 feet; thence N54°30'00"W approximately 53.55 feet; thence N35°30'00"E approximately 110 feet; thence N54°06'46"W 30.00 feet; thence N35°53'14"E 180.00 feet; thence S54°06'46"E 30.00 feet; thence N35°30'00"E 10.30 feet to the North-South 1/4 line of said Section 7; thence Northerly along said North-South 1/4 line approximately 1051 feet to a point approximately 811 feet South of the North 1/4 corner of said Section 7; thence S54°08'29"E 506.31 feet; thence N35°51'31"E 16.00 feet; thence S54°08'29"E 395.60 feet to the Northwest right-of-way line of Lansing Road; thence Northeastly along said Northwest line approximately 906 feet to a point that is S00°53'30"W 353.65 feet and N89°06'30"W 1194.23 feet and S35°49'29"W 287.98 feet from the East 1/4 corner of said Section 7; thence N54°10'31"W 174.5 feet; thence N12°32'31"W 12.04 feet; thence N35°49'29"E 79.00 feet; thence N54°10'31"W 50.00 feet; thence N35°49'29"E 99.50 feet; thence N54°10'31"W 195.50 feet; thence N35°49'29"E 101.48 feet; thence Northeastly 121.11 feet; thence East 165.00 feet to the West right-of-way line of Interstate I-69; thence along said West line the following three courses: Southeasterly, Northeastly, and Southeasterly to said Northwest right-of-way line of Lansing Road; thence Northwesterly along said Northwest line to its intersection with the East right-of-way line of Interstate I-69; thence along said East right-of-way line the following two courses: N39°07'39"W 235.00 feet; and North 129.63 feet; thence N50°52'21"E 67.51 feet; thence S39°07'39"E 100.00 feet; thence Southeasterly to said Northwest right-of-way line of Lansing Road; thence Northeastly along said Northwest line to a point that is N89°48'09"W 264 feet and S50°52'21"W 941.60 feet from the North 1/4 of Section 8; thence N14°25'09"W 616.67 feet to the North line of Section 8; thence Easterly along said North line approximately 760 feet; thence North 486.83 feet; thence S39°14'00"E approximately 438.64 feet to said Northwest right-of-way line of Lansing Road; thence Northeastly along said Northwest line approximately 367.7 feet; thence Northwesterly 272 feet to the North-South 1/4 line of Section 5; thence North along said North-South 1/4 line approximately 121.63 feet; thence East 403.01 feet; thence S39°07'39"E 114.44 feet to said Northwest right-of-way line of Lansing Road; thence Northeastly along said Northwest line approximately 668 feet to a point 400 feet Southwesterly from the intersection of said right-of-way line with the North line of the South 1/2 of said Southeast 1/4 of Section 5; thence Northwesterly approximately 323.41 feet to said North line; thence Easterly along said North line 514.38 feet to said Northwest right-of-way line of Lansing Road; thence North 175.36 feet; thence N40°16'56"E 183.53 feet; thence N42°30'00"E 286.47 feet; thence N19°24'E 169.90 feet; thence S53°07'30"E 200 feet; thence N38°17'30"E 65 feet; thence S51°32'30"E 100 feet; thence N38°27'30"E 71 feet; thence S15°42'30"W 109.35 feet to said Northwest right-of-way line of Lansing Road; thence Southerly to the South line of Lansing Road at a point Northeastly 597.1 feet from the South line of the Northeast 1/4 of the Southeast 1/4 of Section 5; thence Southeasterly 411.06 feet; thence South 58.83 feet to said North line of the South 1/2 of said Southeast 1/4 of Section 5; thence West along said North line 722.52 feet to said Southeast right-of-way line of Lansing Road; thence Southwesterly along said Southeast line approximately 750 feet to a point 870.6 feet North and 1828.5 feet West of the Southeast corner of said Section 5; thence East 498.33 feet; thence South 320.00 feet; thence S25°46'51"E 59.16 feet; thence South 297.38 feet; thence West 25.00 feet; thence South 200.00 feet to the South line of Section 5; thence Westerly along said South line approximately 203.30 feet to the East line of the West 1/2 of said Northeast 1/4 of Section 8; thence S01°46'18"W along said East line 1275.13 feet; thence N88°37'20"W 1251.22 feet; thence N01°36'35"E 527.87 feet; thence N21°44'25"E 138.27 feet; thence N30°16'02"E 388.71 feet; thence N01°36'35"E 527.87 feet to the North line of said Section 8; thence N88°37'20"W along said North line 300.00 feet to the point of beginning.



SURVEYOR'S NOTES:

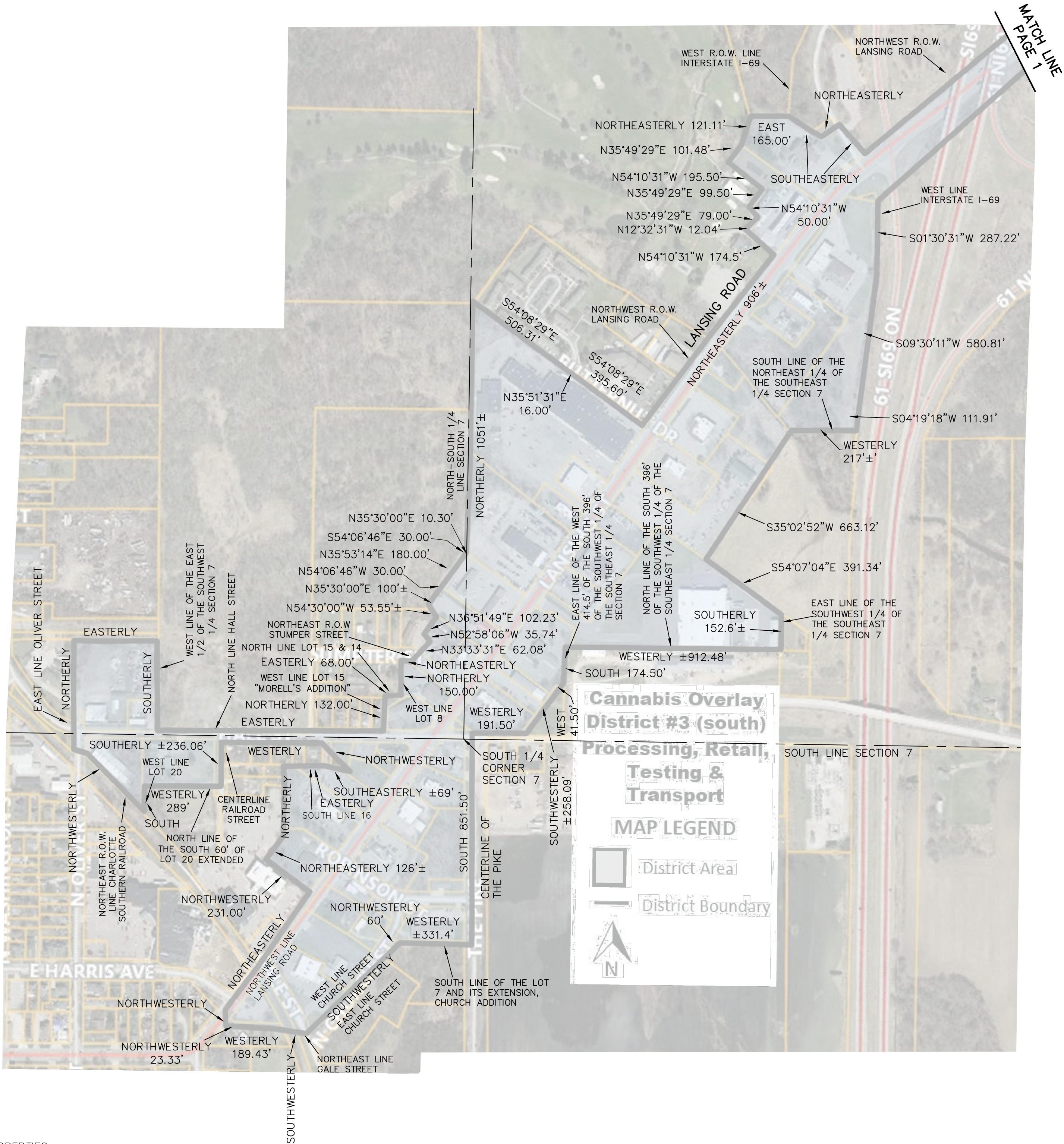
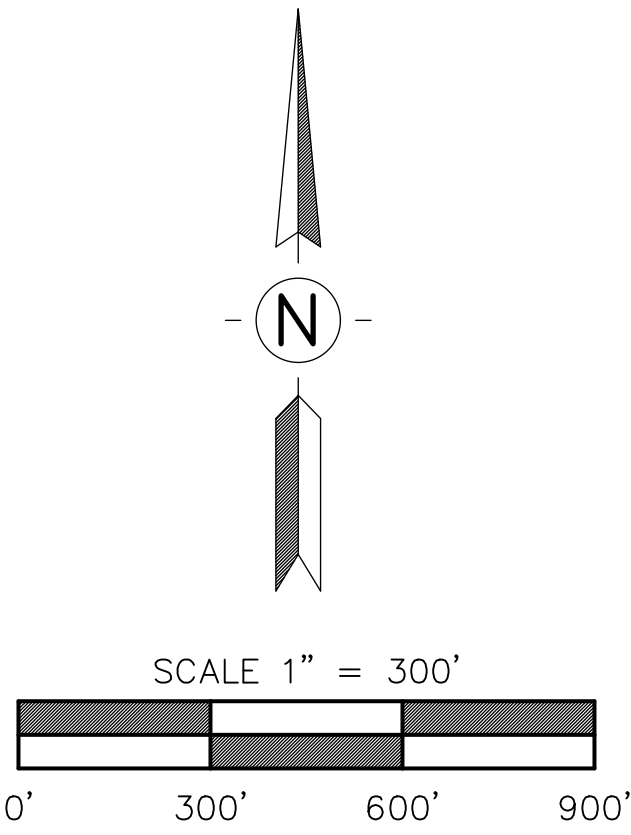
1. NO ON-THE-GROUND SURVEY WAS COMPLETED FOR THE PROPERTIES DEFINED HEREIN. BEARINGS AND DISTANCES ARE A COMPILATION OF RECORD BEARINGS/DISTANCES WITH ANY SURVEYED DATA FROM KEBS, INC. RECORDS OR FROM SCALED MEASUREMENTS WHEN NECESSARY TO PROVIDE THE MOST DETAILED BOUNDARY AVAILABLE WITHOUT FIELD MEASUREMENTS.
2. EASEMENTS NOT SHOWN.

REVISIONS	COMMENTS	 KEBS, INC. ENGINEERING AND LAND SURVEYING	
06/30/2023	ORIGINAL	2116 HASLETT ROAD, HASLETT, MI 48840 PH. 517-339-1014 FAX 517-339-8047 WWW.KEBS.COM	
		Marshall Office -- Ph. 269-781-9800	
		DRAWN BY SF/AN	SECTION 5/7/8, T2N, R4W
		FIELD WORK BY ---	JOB NUMBER:
		SHEET 1 OF 2	101465.PLT

SKETCH OF DESCRIPTION

PROPOSED CANNABIS DISTRICT #3, CHARLOTTE, MI 48813

FOR: CITY OF CHARLOTTE



Legal Description:
An area of land in the Southwest 1/4 and the Southeast 1/4 of Section 5, the Northeast 1/4, the Southeast 1/4, and the Southwest 1/4 of Section 7, the Northwest 1/4 and the Northeast 1/4 of Section 8, and the Northwest 1/4 of Section 18, T2N, R4W, City of Charlotte, Eaton County, Michigan, the limits of said area described as: Commencing at the South 1/4 corner of said Section 5; thence Southerly 31.85 feet, more or less to the Southeast right-of-way line of Lansing Road; thence Southwesterly along said Southeast right-of-way line to the West line of Interstate I-69; thence along said West line the following three courses: S01°30'31"W 287.22 feet; S09°30'11"W 580.81 feet; and S04°19'18"W 111.91 feet to the South line of the Northeast 1/4 of said Southeast 1/4 of Section 7; thence Westerly along said South line approximately 217 feet; thence S35°02'52"W 663.12 feet; thence S54°07'04"E 391.34 feet; thence Southerly approximately 152.60 feet to the North line of the South 396 feet of the Southwest 1/4 of said Southeast 1/4 of Section 7; thence Westerly along said North line approximately 912.48 feet to the East line of the West 414.5 feet of the South 396 feet of the Southwest 1/4 of said Southeast 1/4 of Section 7; thence South along said East line 174.50 feet; thence West 41.50 feet; thence Southwesterly 258.09 feet, more or less to the South line of said Section 7; thence Westerly along said South line 191.50 feet to the centerline of The Pike; thence South along said centerline of The Pike 851.50 feet to the South line of Lot 7 and said line extended Easterly, Church Addition, City of Charlotte, Eaton County, Michigan, as recorded in Liber 2 of Plats, Page 7, Eaton County Records; thence Westerly along said South line and its extension approximately 331.4 feet to the Southeast line of Church Street; thence Northwesterly perpendicular to said East line of Church Street 60.00 feet to the West line of Church Street; thence Southwesterly along said West line of Church Street to the Northeast Line of Gale Street; thence Northwesterly to the Southeast corner of Lot 2, Sunrise Addition, City of Charlotte, Eaton County, Michigan, as recorded in Liber 2 of Plats, Page 23, Eaton County Records; thence Westerly along the South line of said Lot 2 a distance of 189.43 feet to a point 30.15 feet Easterly from the Southwest corner of said Lot 2; thence Northwesterly 23.33 feet to the Northwest line of said Lot 2 at a point 19 feet Northeasterly from said Southwest corner of said Lot 2; thence Northwesterly to the Northwest line of Lansing Road; thence Northeasterly along said Northwest line to the South corner of Lot 7, Robinson's Addition, City of Charlotte, Eaton County, Michigan, as recorded in Liber 1 of Plats, Page 75, Eaton County Records; thence Northwesterly along the Southwest line of said Lot 7 a distance of 231.00 feet to the West corner of said Lot 7; thence Northeasterly along the Northwest line of said Lot 7 approximately 126 feet to the Northwest corner of said Lot 7; thence Northerly to the South line of Lot 16, said Robinson's Addition; thence Easterly to the Northwest corner Lot 9, said Robinson's Addition; thence Southeasterly along the Northeast line of said Lot 9 approximately 69 feet; thence Northwesterly to the intersection of the South line of Hall Street with the West line of the East 138.67 feet of Lot 16, said Robinson's Addition; thence Westerly along said South line to the centerline of Railroad Street; thence Southerly along said centerline approximately 236.06 feet to the North line of the South 60 feet of Lot 20 extended, said Robinson's Addition; thence Westerly along said North line 289 feet to the West line of said Lot 20; thence South along said West line and the West line of Lot 19, said Robinson's Addition, to the Northeast right-of-way line of Charlotte Southern Railroad; thence Northwesterly along said Northeast right-of-way line to the West line of Oliver Street; thence Northerly to a point 380.84 feet North of the South line of said Section 7; thence Easterly to the West line of the East 1/2 of the Southwest 1/4 of Section 7; thence Southerly to the North right-of-way line of said Hall Street; thence Easterly along said North right-of-way line to the Southwest corner of Lot 15, Morrell's Addition, City of Charlotte, Eaton County, Michigan, as recorded in Liber 2 of Plats, Page 1, Eaton County Records; thence Northerly along the West line of said Lot 15 a distance of 132.00 feet to the North line of said Lot 15; thence Easterly along said North line and the North line of Lot 14, said Morrell's Addition, 68.00 feet to the Southwest corner of Lot 8, said Morrell's Addition; thence Northerly along the West line of said Lot 8 a distance of 150.00 feet to the Northwest corner of said Lot 8; thence Northeasterly to a point on the Northeast right-of-way line of Sumpter Street that is N00°54'42"E 214.45 feet and N54°10'49"W 235.72 feet from the South 1/4 corner of Section 7; thence N33°33'31"E 62.08 feet; thence N52°58'06"W 35.74 feet; thence N36°51'49"E 102.23 feet; thence N54°30'00"W approximately 53.55 feet; thence N35°30'00"E approximately 110 feet; thence N54°06'46"W 30.00 feet; thence N35°53'14"E 180.00 feet; thence S54°06'46"E 30.00 feet; thence N35°30'00"E 10.30 feet to the North-South 1/4 line of said Section 7; thence Northerly along said North-South 1/4 line approximately 1051 feet to a point approximately 811 feet South of the North 1/4 corner of said Section 7; thence S54°08'29"E 506.31 feet; thence N35°51'31"E 16.00 feet; thence S54°08'29"E 395.60 feet to the Northwest right-of-way line of Lansing Road; thence Northeasterly along said Northwest line approximately 906 feet to a point that is S00°53'30"W 353.65 feet and N89°06'30"W 1194.23 feet and S35°49'29"W 287.98 feet from the East 1/4 corner of said Section 7; thence N54°10'31"W 174.5 feet; thence N12°32'31"W 12.04 feet; thence N35°49'29"E 79.00 feet; thence N54°10'31"W 50.00 feet; thence N35°49'29"E 99.50 feet; thence N54°10'31"W 195.50 feet; thence N35°49'29"E 101.48 feet; thence Northeasterly 121.11 feet; thence East 165.00 feet to the West right-of-way line of Interstate I-69; thence along said West line the following three courses: Southeasterly, Northeasterly, and Southeasterly to said Northwest right-of-way line of Lansing Road; thence Northeasterly along said Northwest line to its intersection with the East right-of-way line of Interstate I-69; thence along said East right-of-way line the following two courses: N39°07'39"W 235.00 feet; and North 129.63 feet; thence N50°52'21"E 67.51 feet; thence S39°07'39"E 100.00 feet; thence Southeasterly to said Northwest right-of-way line of Lansing Road; thence Northeasterly along said Northwest line to a point that is N89°48'09"W 264 feet and S50°52'21"W 941.60 feet from the North 1/4 of Section 8; thence N14°25'09"W 616.67 feet to the North line of Section 8; thence Easterly along said North line approximately 760 feet; thence North 486.83 feet; thence S39°14'00"E approximately 438.64 feet to said Northwest right-of-way line of Lansing Road; thence Northeasterly along said Northwest line approximately 367.7 feet; thence Northwesterly 272 feet to the North-South 1/4 line of Section 5; thence North along said North-South 1/4 line approximately 121.63 feet; thence East 403.01 feet; thence S39°07'39"E 114.44 feet to said Northwest right-of-way line of Lansing Road; thence Northeasterly along said Northwest line approximately 668 feet to a point 400 feet Southwesterly from the intersection of said right-of-way line with the North line of the South 1/2 of said Southeast 1/4 of Section 5; thence Northwesterly approximately 323.41 feet to said North line; thence Easterly along said North line 514.35 feet to said Northwest right-of-way line of Lansing Road; thence North 175.36 feet; thence N40°16'56"E 183.53 feet; thence N42°30'00"E 286.47 feet; thence N19°24'E 169.90 feet; thence S53°07'30"E 200 feet; thence N38°17'E 65 feet; thence S51°32'30"E 100 feet; thence N38°27'30"E 71 feet; thence S15°42'30"W 109.35 feet to said Northwest right-of-way line of Lansing Road; thence Southerly to the South line of Lansing Road at a point Northeasterly 597.1 feet from the South line of the Northeast 1/4 of the Southeast 1/4 of Section 5; thence Southeasterly 411.06 feet; thence South 58.83 feet to said North line of the South 1/2 of said Southeast 1/4 of Section 5; thence West along said North line 722.52 feet to said Southeast right-of-way line of Lansing Road; thence Southwesterly along said Southeast line approximately 750 feet to a point 870.6 feet North and 1828.5 feet West of the Southeast corner of said Section 5; thence East 498.33 feet; thence South 320.00 feet; thence S25°46'51"E 59.16 feet; thence South 297.38 feet; thence West 25.00 feet; thence South 200.00 feet to the South line of Section 5; thence Westerly along said South line approximately 203.30 feet to the East line of the West 1/2 of said Northeast 1/4 of Section 8; thence S01°46'18"W along said East line 1275.13 feet; thence N88°37'20"W 1251.22 feet; thence N01°36'35"E 527.87 feet; thence N21°44'25"E 138.27 feet; thence N30°16'02"E 388.71 feet; thence N01°36'35"E 277.15 feet to the North line of said Section 8; thence N88°37'20"W along said North line 300.00 feet to the point of beginning.

SURVEYOR'S NOTES:

1. NO ON-THE-GROUND SURVEY WAS COMPLETED FOR THE PROPERTIES DEFINED HEREIN. BEARINGS AND DISTANCES ARE A COMPILATION OF RECORD BEARINGS/DISTANCES WITH ANY SURVEYED DATA FROM KEBS, INC. RECORDS OR FROM SCALED MEASUREMENTS WHEN NECESSARY TO PROVIDE THE MOST DETAILED BOUNDARY AVAILABLE WITHOUT FIELD MEASUREMENTS.
2. EASEMENTS NOT SHOWN.

REVISIONS	COMMENTS	 KEBS, INC. ENGINEERING AND LAND SURVEYING	
06/30/2023	ORIGINAL	2116 HASLETT ROAD, HASLETT, MI 48840 PH. 517-339-1014 FAX 517-339-8047 WWW.KEBS.COM	
		Marshall Office -- Ph. 269-781-9800	
		DRAWN BY SF/AN	SECTION 5/7/8, T2N, R4W
		FIELD WORK BY ---	JOB NUMBER:
		SHEET 2 OF 2	101465.PLT

ARTICLE IV. MARIHUANA ESTABLISHMENTS

§ 15-77, et al, COMMERCIAL CANNABIS

The City of Charlotte hereby Ordains this Ordinance that shall be known as the “*City of Charlotte Commercial Cannabis Ordinance*”.

§ 15-77 Title.

This section that shall be known as the “*City of Charlotte Commercial Cannabis Ordinance*”.

§ 15-78 Commercial cannabis / marihuana.

The processing, retail sale, testing, and secure transportation of cannabis / marihuana products are permitted within certain districts within the City limits of the City of Charlotte under The Medical Marihuana Facilities Licensing Act, PA 281 of 2016 (“MMFLA”) as amended, and the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018 (“MRTMA”), as amended. The term “cannabis” shall have the same meaning as “marihuana” as defined in the MRTMA, MCL 333.27953(e), MMFLA, and the MMMA. The term “marihuana” and “cannabis” used herein are interchangeable, and the term “cannabis” shall be used.

§ 15-79 Legislative findings.

Whereas, the City of Charlotte (hereinafter referred to as the “city”), through its elected City Council, recognizes that on November 6, 2018, Michigan voters, including the residents of the city, approved Proposal 18-1, creating the Michigan Regulation and Taxation of Marihuana Act (hereinafter referred to as the “MRTMA” being MCL 333.27951 *et seq.*) and provided for the licensing and regulation of recreational marihuana establishments under the MRTMA.

Whereas, the MRTMA provides that a municipal ordinance may completely prohibit or limit the number of marihuana establishments within its boundaries.

Whereas, the City of Charlotte desires to protect the public health, safety, and welfare of the residents of the city by permitting specific MMFLA and MRTMA state-licensed marihuana establishments as: processor, retail, safety compliance facility and secure transporter licenses within the boundaries and jurisdiction of the city subject to this Ordinance.

Whereas, the City of Charlotte desires to prohibit all other cannabis operations, licenses, establishments, and business not expressly permitted under this ordinance, including those licenses under the MRTMA and the MMFLA, except those activities expressly permitted under the Michigan Marihuana Act (“MMMA”), as amended.

§ 15-80 Purposes and intent.

The purpose of this ordinance is to exercise the police, regulatory, and land use powers of the city by licensing and regulating cannabis operations to the extent permissible under state law and regulations and to protect the public health, safety, and welfare of the residents of the city and those within the city boundaries.

The city finds that the activities described in this ordinance are significantly connected to the public health, safety, security, and welfare of its residents and therefore necessary to regulate and enforce safety, security, fire, police, health, and sanitation practices related to such activities and also to provide a method to defray administrative costs incurred by such regulation and enforcement.

The city further finds and declares that economic development, including job creation and training, increase and productive land use, and the protection of the public health, safety, and welfare of city neighborhoods and residents are public purposes.

It is not the intent of this ordinance, except as may be required or permitted by law or regulation, to diminish, abrogate, or restrict the protections for medical use of cannabis found in the Michigan Medical Marihuana Act ("MMMA").

The City of Charlotte adopts this ordinance:

- A) To implement certain provisions of the Medical Marihuana Facilities Licensing Act, PA 281 of 2016, and certain provisions of the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, to protect the public health, safety, and welfare of the residents of the city by setting forth the manner in which specific cannabis operations may be operated within the jurisdiction of the city.
- B) To establish the City of Charlotte Commercial Cannabis Ordinance pertaining to the regulation of cannabis operations consistent with state law and regulations. Nothing in this ordinance purports to permit activities that are otherwise illegal under state or local law or expressly prohibited by this ordinance.
- C) Further, this Ordinance:
 - 1) Prohibits within the jurisdiction of the city all cannabis activities, operations, licenses, facilities, establishments, and business not expressly permitted under this ordinance, including those licenses under the MRTMA and the MMFLA, except those activities expressly permitted under the Michigan Marihuana Act ("MMMA"), as amended.
 - 2) Provides for and limits the location and type of cannabis operations, facilities, and establishments licensed under the MMFLA and MRTMA and department licensees within the jurisdiction of the city.
 - 3) Provides for and regulates and controls cannabis operations, department licensees, for the commercial retail sale, processing, secure transportation, and safety compliance testing of cannabis, as set forth herein, and for purposes of implementing specific licensure provided under the Medical Marihuana Facilities Licensing Act and Michigan Regulation and Taxation of Marihuana Act, where such activities will have minimal detrimental impact.
 - 4) To protect public health and safety through reasonable limitations on cannabis operations, department licensees, and commercial operations, and limitations upon other cannabis related activities provided under the MMFLA and MRTMA, as they relate to noise, odor, and water quality, neighborhood safety, security for the cannabis operation and its personnel, and other health and safety concerns.
 - 5) To provide fees to defray and recover the costs to the city of the administrative, fire, and police costs associated with cannabis operations, and permitted cannabis activities as provided under the MMFLA and MRTMA, as permitted under this ordinance.
- D) This Ordinance authorizes the establishment of specific cannabis operations, facilities and establishments within the City of Charlotte, Michigan, consistent with the provisions of the MMFLA and MRTMA, and with regulations enacted by the department, and subject to the following:

- 1) Nothing in this ordinance is intended to promote or condone the commercial cannabis cultivation and grow, processing, transportation, testing, production, distribution, sale, or possession of cannabis in violation of any applicable law.
- 2) This ordinance is to be construed to protect the public over cannabis operations and licensee interests. The operation of cannabis operations is a revocable privilege and not a right in the city. There is no property right for a person or establishment to engage in or obtain a license to engage in cannabis as a cannabis facility, establishment, or cannabis operation or enterprise within the jurisdiction of the city.
- 3) All licensees and their employees and agents are assumed to be fully aware of the law; the city shall not therefore be required to issue warnings before issuing citations or other enforcement measures for violations of this ordinance or any applicable city ordinance, regulation, or state law or regulation.

§ 15-81 Definitions.

The words, terms, and phrases as related to marihuana and cannabis, and marihuana and cannabis establishments, as used and identified in this ordinance shall be defined and have the meanings ascribed to them, as defined under the Michigan Medical Marihuana Act, Initiated Law 1 of 2008, Medical Marihuana Facilities Licensing Act, PA 281 of 2016, and the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, unless the term is otherwise defined in this ordinance or the context requires a different meaning.

The term “cannabis” shall have the same meaning as “marihuana” as defined in the MRTMA, MCL 333.27953(e), MMFLA, and the MMMA. The term “marihuana” and “cannabis” used herein are interchangeable, and the term “cannabis” shall be used.

Applicant is a person who applies for a municipal cannabis operator's license under this ordinance.

Cannabis Regulatory Agency (CRA) means the Cannabis Licensing Agency created within LARA to regulate and administer state licenses.

Church or religious institution means an entire space set apart primarily for purposes of public worship, and which is tax exempt under the laws of this state, and in which religious services are held, and the entire building structure of which is kept for that use and not put to any other use inconsistent with that use.

Clerk means the City Clerk of the City of Charlotte, Michigan.

Co-location means the aggregation of multiple types of licenses, additional licenses, or equivalent licenses permitted under the MRTMA and state rules and located on one, or more, lot of record owned by an existing MRTMA and/or MMFLA licensee, approved for operation in the City of Charlotte.

Commercial greenhouse means a permanent structure that is constructed primarily of glass, glass-like or translucent material which is devoted to the protection or cultivation of plants, food or ornamental crops.

Common ownership means two or more state licenses or two or more equivalent licenses held by one person.

Cultivate or cultivation means to propagate, breed, grow, harvest, dry, cure, or separate parts of the cannabis plant by manual or mechanical means.

Department means the Michigan Department of Licensing and Regulatory Affairs (LARA), including the Cannabis Regulatory Agency.

Designated consumption establishment means a commercial space that is licensed by the agency and authorized to permit adults 21 years of age and older to consume cannabis products at the location indicated on the state license.

Employee means any individual who is employed by an employer in return for the payment of direct or indirect monetary wages or profit, under contract, and any individual who volunteers his or her services to an employer for no monetary compensation, or any individual who performs work or renders services, for any period of time, at the direction of an owner, lessee, or other person in charge of a place. Employee does not mean individuals providing trade services who are not normally engaged in the operation of a cannabis establishment.

Establishments. “Establishments” and “Facilities” are used interchangeably and refer to any cannabis related locations at which a licensee is licensed to operate under either MMFLA, MRTMA, or both.

Industrial hemp, as defined under MRTMA.

Licensee means a person holding a state operating license.

Marihuana, as defined under MRTMA.

Cannabis accessories means any equipment, product, material, or combination of equipment, products, or materials, which is specifically designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, ingesting, inhaling, or otherwise introducing cannabis into the human body.

Marihuana concentrate means the resin extracted from any part of the plant of the genus cannabis.

Marihuana [cannabis] establishment, as defined under MRTMA.

Marihuana Facilities Licensing Act (MMFLA) means Public Act 281 of 2016, MCL 333.27101 et seq., as may be amended.

Marihuana [cannabis] processor, as defined under MRTMA.

Marihuana [cannabis] retail establishment, as defined under MRTMA.

Marihuana [cannabis]-infused product means a topical formulation, tincture, beverage, edible substance, or similar product containing marihuana and other ingredients and that is intended for human consumption.

Michigan Medical Marihuana Act (MMMA) means initiated Law 1 of 2008, MCL 333.26421 et seq., as may be amended.

Michigan Regulation and Taxation of Marihuana Act (MRTMA) means Initiated Law 1 of 2018, MCL 333.27951 et seq., as may be amended.

"Municipal [cannabis] Marihuana license" or "license" means a required Cannabis Related Municipal License issued pursuant to this ordinance that allows the licensee to operate within the city as one of the following, as specified in the license:

- a. Processor.
- b. Provisioning Center.
- c. Retailer.
- d. Secure Transporter.

e. Safety Compliance Facility.

Municipality means the City of Charlotte, Michigan.

Person means an individual, corporation, limited liability company, partnership of any type, trust, or other legal entity.

Plant means that term as defined in § 102 of the MMFLA, MCL 333.27102.

Proposed marihuana [cannabis] establishment means a location at which an applicant plans to operate a marihuana establishment under the MRTMA and department rules if the applicant is issued a state license.

Rules means rules promulgated by the department in consultation with the CRA to implement the MRTMA.

Security plan means a plan for preventing unauthorized access to, or theft and pilferage from, a marihuana [cannabis] licensee establishment, approved for operation in the City of Charlotte. A security plan must be approved by the city manager with the advice of the chief of police and city attorney. The plan shall be subject to review and reasonable approval by city staff, but shall include, at a minimum, the following components:

- a. Perimeter fence as necessary.
- b. An exterior lighting system.
- c. A building security system.
- d. An on-site security guard program.
- e. An off-site official contact list.
- f. Established hours of operation.
- g. Appropriate signage.
- h. A plan for facility inspection by the City of Charlotte, which shall include no less than an annual comprehensive fire and security inspection.
- i. Such other conditions required by this ordinance, the MMFLA, MRTMA, LARA rules and regulations, city ordinance and resolution, city administration, police and fire departments.

Safety compliance establishment means a person licensed to test cannabis, including certification for potency and the presence of contaminants.

School means any building, playing field, or property used for school purposes to impart instruction to children in grades kindergarten through 12, including an intermediate school district, when provided by a public, private, denominational, or parochial school, except those buildings used primarily for adult education or college extension courses.

Secure transporter means a person licensed to obtain cannabis from cannabis establishments in order to transport cannabis to cannabis establishments.

Special license means a state license for special events described under § 8 of the MRTMA and issued pursuant to § 9 of the MRTMA.

Stacked license means more than one state license issued to a single licensee to operate as a class C marihuana grower as specified in each state license at a marihuana establishment. (Commercial grow licenses are not permitted under this ordinance.)

State operating license means a license issued by the department that allows a person to operate a cannabis establishment.

Temporary marihuana [cannabis] event license means a state license held by a cannabis event organizer for an event where the onsite sale or consumption of cannabis products, or both, are authorized at the location indicated on the state license during the dates indicated on the state license. (Not permitted under this ordinance.)

Unreasonably impracticable means that the measures necessary to comply with the rules or ordinances adopted pursuant to the Act subject licensees to unreasonable risk or require such a high investment of money, time, or any other resource or asset that a reasonably prudent businessperson would not operate the cannabis establishment.

Zoning ordinance means the City of Charlotte Zoning Ordinance, as amended.

§ 15-82 Federal and state law.

- A) Nothing in this ordinance, city ordinance or codes, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of cannabis not in strict compliance with federal law and applicable rules.
- B) Relationship to state law.
 - 1) Nothing in this ordinance is intended to grant immunity from criminal or civil prosecution, penalty or sanction for the cultivation, manufacture, possession, use, sale, distribution or transport of marihuana, cannabis, or hemp in any form, that is not in strict compliance with the Michigan Regulation and Taxation of Marihuana Act, the Michigan Medical Marihuana Act, the Medical Marihuana Facilities Licensing Act, the Marihuana Tracking Act, and all applicable rules promulgated by the State of Michigan regarding cannabis. Strict compliance with any applicable State law or regulation and this ordinance shall be a requirement for the issuance or renewal of any license issued under this ordinance. Noncompliance with any applicable state law or regulation or this ordinance shall be grounds for revocation or nonrenewal of any license issued under the terms of this ordinance.
 - 2) Except as otherwise provided by the MMFLA, MRTMA and this ordinance, a person who owns or leases real property upon which a cannabis facility or establishment is located and who has no knowledge that the licensee is violating or violated the MMFLA, MRTMA or a provision of this ordinance, is not subject to criminal or civil prosecution under any applicable city ordinance regulating cannabis.
 - 3) This ordinance does not apply to, or regulate, any patient or caregiver conduct protected by the Michigan Medical Marihuana Act, 2008 IL 1, MCL 333.26421 et seq. (MMMA), as amended.

§ 15-83 Municipal cannabis license required.

- A) No person shall establish or operate a cannabis operation in the city without a valid municipal license issued by the city and a state license for each such facility to be operated. License certificates shall be kept current and publicly displayed within the cannabis operations facility.
- B) City licenses are required as follows:

- 1) *Annual fee.* A licensee must pay a nonrefundable registration fee of \$5,000.00, for each license used within the city to help defray administrative, compliance monitoring, enforcement costs, and professional services, as necessary. The holder of stacked or co-located licenses must pay a separate fee in the amount of \$5,000.00 for each license. The initial annual registration fee(s) must be paid when the application for city approval is submitted. In each subsequent year, license fees are due on the date of the city license approval. Fees assessed for cannabis land use approvals or licensing are in addition to, not in lieu of, any licensing, land use or other permitting requirements of any law, state regulatory agency, or by city ordinance.
- 2) The application fee requirement set forth in this section shall be in addition to, and not in lieu of, any other licensing and permitting requirements imposed by any other federal, state, or city law or ordinance, including, by way of example, any applicable zoning or building permits.
- 3) The issuance of any license pursuant to this section does not create an exception, defense, or immunity to any person in regard to any potential criminal liability the person may have for the production, distribution, or possession of cannabis under federal law.
- 4) Licenses may be allowed to be stacked for multiple uses per premise, subject to the city's determination that such uses are compatible together at that location, are consistent on a shared basis with all the provisions of the MRTMA, the MMFLA, and applicable department rules, and each use is consistent with provisions of city ordinances. If those conditions are met, more than one different cannabis operations licensee may be located on one parcel, as permitted under this ordinance.

§ 15-84 General license application requirements.

- A) *Cannabis operations license application.* A person seeking a municipal license pursuant to the MRTMA or the MMFLA, and the provisions of this ordinance, shall submit a license application (in addition to the *zoning application*), to the city on city-approved forms. At the time of license application, each applicant shall pay a nonrefundable license application fee as provided in this ordinance to defray the costs incurred by the city for background investigations, inspection of the proposed premises, as well as any other costs associated with the processing and review of the application. In addition, the applicant shall present a suitable form of government-issued identification.
- B) The license application shall also provide the following information in this subsection, under the penalty of perjury, on the city-approved forms. Such information is required for the applicant, the proposed manager of the cannabis operations, and all persons involved in the cannabis operations that is the subject of the application:
 - 1) If the applicant is an individual, the applicant's name, date of birth, Social Security number, physical address, including residential and any business address; copy of government-issued photo identification, email address, one or more phone numbers, including emergency contact information; and, if applicable, federal tax identification number of the applicant.
 - 2) If the applicant is a business entity, information regarding the entity, including, without limitation, the name and address of the entity, its legal status, and proof of registration with, or a certificate of good standing from, the State of Michigan, as applicable.
 - 3) The identity of every applicant and person having any ownership interest in the cannabis operation with respect to which the municipal license is sought.

- 4) If the applicant is not the owner of the proposed licensed premises, a notarized statement from the owner of such property authorizing the use of the property for a cannabis operation.
 - 5) A copy of any deed reflecting the applicant's ownership of, or lease reflecting the right of the applicant to possess, or an option reflecting the applicant's right to purchase or lease, the proposed licensed premises.
 - 6) In addition to the site plan, three stamped or sealed 24 inch by 36 inch drawings of the proposed licensed premises showing, without limitation, building layout, all entryways and exits, ingress and egress to the proposed licensed premises, loading zones and all areas in which cannabis will be, manufactured, processed, stored, or dispensed. All plans and drawings shall be submitted in an electronic format as well.
 - 7) A comprehensive operation plan incorporating the requirements of the zoning application to include the security plan.
 - 8) Prior criminal history will be addressed/considered consistent with the provisions of the MRTMA, including but not limited to MCL 333.27958(1)(c) and/or the MMFLA, including but not limited to MCL 333.27401(1)(d), department rules and regulations.
 - 9) Whether an applicant has ever applied for or has been granted any commercial license or certificate issued by a licensing authority in Michigan or any other jurisdiction that has been denied, restricted, suspended, revoked, or not renewed and a statement describing the facts and circumstances concerning the application, denial, restriction, suspension, revocation, or nonrenewal, including the licensing authority, the date each action was taken, and the reason for each action.
 - 10) Whether an applicant has filed, or been served with, a complaint or other notice filed with any public body, regarding the delinquency in the payment of, or a dispute over the filings concerning the payment of, any tax required under federal, state, or local law, including the amount, type of tax, taxing agency, and time periods involved.
 - 11) A description of the type of cannabis operations; and the anticipated or actual number of employees.
 - 12) An acknowledgment and consent that the city may conduct a background investigation, including a criminal history check, and that the city will be entitled to full and complete disclosure of all financial records of the cannabis commercial entity, including records of deposit, withdrawals, balances and loans; and
 - 13) Any additional information that the city reasonably determines to be necessary in connection with the investigation and review of the application.
- C) Consistent with the MRTMA, including but not limited to MCL 333.27959(7), the MMFLA, including but not limited to MCL 333.27205(4), and the Freedom of Information Act, PA 442 of 1976, MCL 15.231 *et seq.*, the information provided to the city and city clerk pursuant to this section relative to licensure is exempt from disclosure.
 - D) All cannabis operations shall obtain all other required permits or licenses related to the operation of the cannabis commercial entity, including, without limitation, any development approvals or building permits required by any applicable code or ordinance.
 - E) If a deficiency is identified in an application, the applicant shall have ten (10) business days to correct the deficiency after notification, or as determined by the city manager.
 - F) Upon an applicant's completion of the above-provided form and furnishing of all required information and documentation, the city clerk shall accept the application and assign it an application number by cannabis operations type.
 - G) Upon receipt of a completed application, the city clerk shall circulate the application to the city manager, city attorney, community development, fire, and police departments, assessing, and public works (as well as any other city department that the city may

determine is pertinent to review of such applications) to determine whether the application is in full compliance with all applicable laws, rules and regulations.

- H) License evaluation criteria. Section 9 of the MRTMA requires that the city establish a competitive process to select applicants who are best suited to operate in compliance with the MRTMA and this ordinance when a municipality limits the number of cannabis establishments that may be licensed in the municipality.

Under this ordinance, the City is restricting cannabis licensees to the Cannabis Overlay Districts as identified in this ordinance and the City Zoning Ordinance. In the event that the City allows more licenses categories and limits the number of those cannabis licensees, and the City will establish requirements for granting cannabis licenses under a City Council approved Resolution.

§ 15-85 Denial of application.

- A) The City Clerk's office, following recommendations from the above-referenced departments, shall reject any application that does not meet the requirements of the MRTMA, the MMFLA, the rules promulgated by LARA, this ordinance, applicable city ordinances, or other applicable law or regulations. The City Clerk shall reject any application that contains any false, misleading or incomplete information.
- B) Subject to the provisions of the MRTMA, and/or the MMFLA, an applicant is ineligible to receive a license under this ordinance if any of the following circumstances exist regarding the applicant:
- 1) Conviction that involved distribution of a controlled substance to a minor.
 - 2) The applicant knowingly submitted an application for a license that contains false, misleading or fraudulent information, or has intentionally omitted pertinent information on the application for a license.
 - 3) The applicant is an employee, advisor, or consultant of the agency involved in the implementation, administration, or enforcement of the act or these rules pursuant to section 7 of the MRTMA, MCL 333.27957, and MCL 333.27402(2)(g) of the MMFLA.
 - 4) The applicant holds an elective office of a governmental unit of this state, another state, or the federal government; is a member of or employed by a regulatory body of a governmental unit in this state, another state, or the federal government; or is employed by a governmental unit of this state. This subdivision does not apply to an elected officer of or employee of a federally recognized Native American tribe or to an elected precinct delegate.
 - 5) Conviction of or release from incarceration for a felony under the laws of this state, any other state, or the United States within the past 10 years, except that, consistent with MCL 333.27958(1)(c), a prior conviction solely for a marihuana-related offense does not disqualify an individual or otherwise affect eligibility for licensure, unless the offense involved distribution of marihuana to a minor.
 - 6) Other than as set forth in MCL 333.27958(1)(c), within the past 5 years, conviction of a misdemeanor involving a controlled substance, theft, dishonesty, or fraud in any state or having been found responsible for violating a local ordinance in any state involving a controlled substance, dishonesty, theft, or fraud that substantially corresponds to a misdemeanor in that state. This section does not apply to a misdemeanor or ordinance violation for the possession or use of marijuana.
 - 7) The applicant fails to provide and maintain adequate premises liability and casualty insurance for its proposed cannabis operations.

- 8) The applicant is an owner of, or has an interest in, such business or entity which, pursuant to the provisions of MCL 333.27959(3)(d), would make the applicant ineligible for the license for which the applicant has applied, or the applicant otherwise fails to meet other criteria established by state law.

§ 15-86 Issuance of municipal cannabis operating license.

- A) *Inspection.* An inspection of the proposed cannabis operations facility by the city shall be required prior to issuance of the city operating license. Such inspection shall occur after the premises are ready for operation, but prior to the stocking of the business with any cannabis, and prior to the opening of the business to the public. The inspection is to verify that the facilities are constructed and can be operated in accordance with the application submitted and the applicable requirements of this ordinance and any other applicable law, rule, or regulation.
- B) After verification that the cannabis operations facility is constructed and can be operated in accordance with the application submitted and the applicable requirements of this ordinance and any other applicable law, rule, or regulation, the city clerk shall issue a city operating license whose term shall run concurrent with the state operating license for the facility or establishment.
- C) Maintaining a valid cannabis facility or establishment license issued by the state is a condition for the issuance and maintenance of the city operating license issued under this ordinance and the continued operation of any cannabis facility and establishment.

§ 15-87 License forfeiture.

In the event that a cannabis operations facility does not commence operations within one year of issuance of a city cannabis operation license, the license shall be deemed forfeited; the business may not commence operations; notwithstanding, the license may be reviewed by the city council for renewal.

§ 15-88 License renewal.

- A) A cannabis operation license shall run concurrently with the state operating cannabis license issued for the cannabis operation, unless revoked as provided by law.
- B) An annual nonrefundable cannabis operating license fee must be paid to defray the administrative and enforcement costs associated with the operating license for a cannabis operation located in the city. A nonrefundable operating license fee will be in an amount as permitted by the MRTMA, the MMFLA, and subsequent regulations, as established by city resolution. An application to renew a cannabis operations facility or establishment operating license shall be filed at least 30 days prior to the date of its expiration.
- C) Prior to the issuance of a renewed cannabis facility or establishment license by the city, the premises shall be inspected to assure that it and its systems are in compliance with the requirements of this ordinance and any other city ordinances.

§ 15-89 Transfer, sale or purchase of license.

- A) A cannabis operation license is valid only for the owner named thereon, the type of business disclosed on the application for the license, and the location for which the license is issued. The licensees of a cannabis operation license are only those persons disclosed in the application or subsequently disclosed to the city in accordance with this ordinance.
- B) A cannabis operating license is exclusive to the licensee. Licensees shall report material changes to the department and the city clerk before making material changes that may require prior authorization by the department. Material changes include, but are not limited to, the following:
 - 1) Change in owners, officers, members, or managers.
 - 2) Change of location. Upon notification of a change in location the department may determine that a new license and new inspection are required for the change of location.
 - 3) The addition or removal of persons disclosed in the application.
 - 4) Change in entity name.
 - 5) Any attempted transfer, sale, or other conveyance of an interest in a license.

§ 15-90 License as revocable privilege.

An operation license granted by this ordinance is a revocable privilege granted by the city and is not a property right. Granting a license does not create or vest any right, title, franchise, or other property interest. Each license is exclusive to the licensee, and a licensee or any other person must apply for and receive the city's approval before a license is transferred, sold, or purchased. A licensee or any other person shall not lease, pledge, or borrow or loan money against a license. The attempted transfer, sale, or other conveyance of an interest in a license without prior agency approval is grounds for suspension or revocation of the license or for other sanction considered appropriate by the city.

§ 15-91 Nonrenewal, suspension or revocation of license.

- A) The City Council shall, after 30 days' Notice and Hearing, suspend, revoke or refuse to renew a license or special land use permit for any of the following reasons:
 - 1) The applicant or licensee, or his or her agent, manager, or employee, has violated, does not meet, or has failed to comply with, any of the terms, requirements, conditions or provisions of this ordinance or with any applicable state or local law or regulation.
 - 2) The applicant or licensee, or his or her agent, manager, or employee, has failed to comply with any special terms or conditions of its license pursuant to an order of the state or local licensing authority, including those terms and conditions that were established at the time of issuance of the license and those imposed as a result of any disciplinary proceedings held subsequent to the date of issuance of the license; or
 - 3) The cannabis operations facility has been operated in a manner that adversely affects the public health, safety or welfare.
- B) Evidence to support a finding under this section is based upon the preponderance of the evidence and may include, without limitation, a continuing pattern of conduct, a continuing pattern of drug-related criminal conduct within the premises of the cannabis operations or in the immediate area surrounding such business, a continuing pattern of criminal conduct

directly related to or arising from the operation of the cannabis facility, establishment or cannabis commercial entity, or an ongoing nuisance condition emanating from or caused by the cannabis facility. Criminal conduct shall be limited to the violation of a state law or regulation or city ordinance.

- C) Questions that arise in the administration of this ordinance, including appeals of suspension and revocations of city operating licenses, shall be determined by the city council or appointed person.

§ 15-92 Compliance with rules; inspections.

- A) A licensee shall strictly comply with the rules and emergency rules related to cannabis that may from time to time be promulgated by the department.
- B) If it is determined that the Marihuana Tracking Act applies, or the department promulgates rules or regulations which require such, a licensee shall adopt and use the statewide monitoring system of inventory control and tracking authorized by the Marihuana Tracking Act so as to provide the capability for the licensee to comply with the state requirements applicable to the type of license held by the licensee.
- C) Cannabis operations facilities and all articles of property within the licensed premises are subject to inspection, search and examination at any time by a member of the Charlotte Police Department, the Michigan State Police, or other law enforcement agency having jurisdiction.
- D) Any failure by a licensee to comply with department rules or the provisions of this ordinance and any infraction or violation, however slight, is sufficient grounds for suspension and revocation of licensure under this ordinance.

§ 15-93 Signage and advertising.

- A) It shall be unlawful for any licensee to:
 - 1) Use advertising material that is misleading, deceptive or false or that, as evidenced by the content of the advertising material or by the medium or the manner in which the advertising material is disseminated, is designed to appeal to minors; and
 - 2) Advertise in a manner that is inconsistent with the provisions of this ordinance, the MRTMA, the MMFLA, LARA rules and regulation, or is profane.
 - 3) All signage must be in compliance with City ordinance and City Zoning Ordinance, as amended.

§ 15-94 Cannabis operations security requirements.

- A) Security measures at all licensed premises shall comply with the requirements of this ordinance, its definitions, and the MMFLA and MRTMA, and including but not limited to MRTMA Marihuana establishments, requirements, and limitations. MCL 333.27961, and all applicable rules and regulations promulgated by the department.
- B) A description of the security plan shall be submitted with the license application. The security system shall be maintained in good working order and provide 24-hour per day coverage. A separate security system is required for each operation location.

- C) The security plan must include, in addition to the security plan definition, at a minimum, the following security measures:
- 1) *Cameras.* The cannabis operations facility shall install and use security cameras to monitor and record all areas of the premises (except in restrooms and locker rooms) where persons may gain or attempt to gain access to cannabis or cash maintained by the cannabis operations. Cameras shall record the operations of the business to an off-site location, as well as all potential areas of ingress or egress to the business with sufficient detail to identify facial features and clothing. Recordings from security cameras shall be maintained for a minimum of 30 days in a secure off-site location in the city or through a service over a network that provides on-demand access, commonly referred to as a "cloud." The off-site location shall be included in the security plan submitted to the city and video provided to the police department upon request and updated within 72 hours of any change of such location.
 - 2) *Use of a safe or secure room for storage.* The cannabis operations facility shall install and use a safe or secure room for safe storage of any processed cannabis and cash on the premises when the business is closed to the public. The safe or secure room shall be incorporated into the building structure or securely attached thereto. For cannabis-infused products that must be kept refrigerated or frozen, the business may lock the refrigerated container or freezer in a manner authorized by the city in place of the use of a safe or secure room so long as the container is affixed to the building structure.
 - 3) *Alarm system.* The cannabis operations facility shall install and use an alarm system that is monitored by a company that is staffed 24 hours a day, seven days a week. The security plan submitted to the city shall identify the company monitoring the alarm, including contact information, and updated within 72 hours of any change of monitoring company.
 - 4) *Security fencing.* Processing operations' facility shall install and maintain 8ft. metal security fences around the perimeter of the property.

§ 15-95 Limits on cannabis operations licenses and locations; other requirements.
(See also Zoning Ordinance Amendment No. _____).

- A) The concentration of any specific use within a smaller geographic area can be burdensome for reasons of noise, odor, vehicle traffic congestion, excessive parking needs, security, fire, and police response. It the intent of these provisions to ensure that quality of life is not impaired, neighborhood character is preserved, commercial activities developed and increased, employment opportunities expanded, and positive planned land use developed.
- B) The City Council and Planning Commission are prohibited from waiving any portion of this section, except where amended by City ordinance.
- C) Cannabis facilities are subject to city ordinances and the Charlotte Zoning Ordinance, except where in conflict with the Cannabis Overlay Districts.
- D) The maximum number of each type of cannabis operation under the MMFLA and MRTMA permitted in the city is governed by the applicable zoning district and zoning regulations or as set forth in the table below and the zoning ordinance. Cannabis operations not specifically authorized in the table are prohibited. Provisions of this section do not apply to the medical use of cannabis in compliance with the Michigan Medical Marihuana Act (MMMA).

Table of marihuana / cannabis establishments:

Type of Marihuana/Cannabis Operation and Establishments	Unlimited number of Permitted Licenses within Cannabis Overlay Districts as designated below.
Marihuana Retailer / Provisioning Center	Restricted to Cannabis Overlay Districts 2-3 (North and South)
Marihuana Safety Compliance Facility	Restricted to Cannabis Overlay District 1
Marihuana Secure Transporter	Restricted to Cannabis Overlay Districts 1-3
Marihuana Processor	Restricted to Cannabis Overlay Districts 1-3 (North and South)
Marihuana Grower	Not Permitted
Excess Marihuana Grower License	Not Permitted
Marihuana Microbusinesses	Not Permitted
Designated Consumption Establishment	Not Permitted
Marihuana Related Temporary Event	Not Permitted
No other marihuana/cannabis licenses permitted	Not Permitted

- E) Cannabis operations and establishment license designations permitted under this ordinance are governed by type, under section D), and additional requirements, as follows:
- 1) The operations at a licensed cannabis facility shall be conducted in compliance with the MMFLA and the MRTMA, and any rules promulgated pursuant to other laws, rules, and regulations of the state of Michigan and the City of Charlotte.
 - 2) All security measures required by the State and this ordinance shall be maintained.
 - a. Security devices and all components of those devices required by the State, and this ordinance including but not limited to, video surveillance systems, alarm systems, and locks, shall be in good working order.
 - b. Licensees shall register their video surveillance systems with the Charlotte Police Department.
 - 3) All cannabis in any form on the premises of a licensed cannabis facility shall be cultivated, manufactured, tested, sold, and packaged in the State of Michigan.
 - 4) Access to the licensed cannabis establishment is restricted to the licensee, employees of the licensee, and adult patrons aged 21 or older in establishments licensed for recreational cannabis, and the department, through its investigators, agents, auditors, or the State Police or authorized city employees acting within the scope of their employment.
 - 5) Recreational cannabis products must be separated from medical cannabis products in accordance with State law.
 - 6) A licensee shall display all cannabis facility licenses issued under this ordinance and state operating licenses in plain view clearly visible to patrons, clients, city officials, and state authorized agents.
 - 7) A licensee shall not permit or allow the sale, consumption, or use of alcohol or tobacco products on licensed premises unless it is licensed to do so by the state and the city, and/or as otherwise permitted by law.
 - 8) A licensee shall not permit or otherwise allow the use, smoke, inhalation, or consumption of cannabis, in any form, anywhere within a licensed cannabis establishment or on the property of a licensed establishment unless it is licensed to do so by the state and the city.

- 9) A licensee shall comply with the Michigan Construction Code and Americans with Disabilities Act Amendment Act of 2008 (ADAA) meeting ANSI A117.1.
- 10) Cannabis facilities shall be subject to city ordinance and the City Zoning Ordinance where applicable.
- 11) *Marihuana [cannabis] retail establishment license and Provisioning Center (collectively, "retail")*. Cannabis retail establishments shall comply with all of the provisions of the MMFLA and MRTMA and applicable LARA rules and regulations. The city will restrict locations and only one cannabis retail establishment licensee under the MMFLA and MRTMA shall be permitted on one continuous property.
 - a. All retail and sale operations must be within an enclosed, secure structure.
 - b. A retail licensee may occupy the same premises if holding a processor license for the premises, and otherwise consistent with the MMFLA and MRTMA, and any LARA rules.
 - c. A retail license authorizes the purchase of cannabis only from processors of cannabis-infused products or cannabis only to a marihuana [cannabis] retailer/provisioning center, unless otherwise provided for under LARA rules.
 - d. An applicant and each investor in a retail license shall not have an interest in a secure transporter, safety compliance establishment or microbusiness.
- 12) *Marihuana [cannabis] processor license*. Cannabis processor shall comply with all of the provisions of the MMFLA and MRTMA and applicable LARA rules and regulations. The city will restrict locations and only one cannabis processor licensee under the MMFLA and MRTMA shall be permitted on one continuous property.
 - a. All processor operations must be within an enclosed, secured structure.
 - b. The location of this establishment shall be permitted up to, but not beyond, any applicable lot coverage limitations set forth in the City of Charlotte Zoning Ordinance.
 - c. An approved security plan.
 - d. Enter all transactions, current inventory, and other information as required by the MRTMA, LARA rules, the Marihuana Tracking Act, and all other applicable laws and regulations.
 - e. Transfer cannabis and cannabis-infused products only by means of a secure transporter, or in compliance with LARA rules.
 - f. Processor shall not produce any products other than useable cannabis products intended for human consumption.
 - g. Odor control. Cannabis operations shall be subject to the provisions of this ordinance and city resolution.
- 13) *Marihuana secure transporter license*. Marihuana secure transporter shall comply with all of the provisions of the MMFLA, MRTMA, and applicable LARA rules and regulations. Secure transporter must meet the following requirements:
 - a. Secure transporter license is limited to the storage and transport of cannabis, cannabis-infused products and money associated with the purchase or sale of cannabis and cannabis-infused products between cannabis establishments at the request of a person with legal custody of the cannabis, cannabis-infused products, or money.

- b. An applicant and each investor with an interest in a secure transporter license cannot have an interest in a grower, processor, marihuana [cannabis] retailer, or safety compliance facility.

14) *Marihuana safety compliance facility license.* Marihuana safety compliance facility shall comply with all of the provisions of the MMFLA and MRTMA and applicable LARA rules and regulations and must meet the following requirements:

- a. All testing must be conducted within an enclosed, secured structure.
- b. A safety compliance facility must be accredited by an entity approved by the Cannabis Regulatory Agency by one year after the date the license is issued or have previously provided drug testing services to this state or this state's court system and be a vendor in good standing in regard to those services. The agency may grant a variance from this requirement upon a finding that the variance is necessary to protect and preserve the public health, safety, or welfare.
- c. An applicant and each investor with any interest in a safety compliance facility cannot have an interest in a grower, secure transporter, processor, or marihuana [cannabis] retailer.

15) *Social Equity Plan.*

- a. All cannabis license applicants shall provide a copy of its social equity plan ("Plan") submitted to the State. The Plan must detail any practices, initiatives, or policies the applicant will implement to promote and encourage participation in the cannabis industry by people from communities that have been disproportionately impacted by cannabis prohibition and enforcement and to positively impact those communities.
- b. All licensees shall make a good faith effort to meet the objectives of the social equity plan submitted with the application or license renewal. "Good faith effort" means efforts designed to implement the established objectives of the licensee's Social Equity Plan which by their scope, intensity, and appropriateness to the objective, can reasonably be expected to fulfill the Plan objective. License renewals shall require reporting on the licensee's good faith efforts under this section.

F) *Zoning districts permitted for cannabis operations and geographic boundaries.* Special regulations of cannabis operations have been deemed necessary to limit the intensity and density of this use. Processor, retail establishments, safety compliance facility, and secure transporter licensees, shall be a special land use and restricted to and only permitted within the following city cannabis zoning districts within the permitted geographic boundaries, identified by legal descriptions and zoning maps, that may be amended as necessary by city resolution.

1) Cannabis Overlay District #1,

2) Cannabis Overlay District #2,

3) Cannabis Overlay District #3 (North)

4) Cannabis Overlay District #3 (South)

(*See, Attachment A: Cannabis Overlay District Maps, sketches, and legal descriptions.)

- G) *Separation distance measurements.* The distances described in this subsection shall be computed by measuring a straight line from the nearest property line of the parcel used for the purposes stated in this subsection to the nearest property line of the parcel used as a cannabis operations facility.
- H) *Applicability.* The location and co-location of authorized cannabis operations shall be determined as follows:
- 1) The following minimum-distancing regulations shall apply to cannabis operations. Processor and Retail licensees shall not be located within:
 - a. Five Hundred feet of a childcare center, or a school,
 - 2) Minimum-distancing regulations do not include secure transporters or safety compliance facilities.
 - 3) A cannabis operations licensee shall not operate at any place in the city other than the address provided in the application on file with the city clerk.
 - 4) *Co-location and stacked licenses.* There may be only one state operating license per parcel, except co-location of one retail license and one processor license are permitted per parcel.
 - 5) *Zoning application requirements.* Each zoning application shall be accompanied by a detailed site plan and any information necessary to describe the proposed use or change of use. Each request shall be considered a new application, including those for class change, stacking, expansion, transfers or other modifications that require planning department review or special land use approval. If more than one use is being requested for a parcel at the same time (e.g., co-location) only one application shall be processed. Only one application shall be processed per parcel at a time; once a zoning application is submitted, any other zoning applications for the same parcel will be rejected until the first zoning application is decided. All items must be satisfactorily completed for a zoning application to be considered eligible for review.
 - a. *Verification.* A signed statement by the applicant indicating the proposed cannabis operations type, including if the proposed type involves co-location and the number of licenses.
 - b. *Consent.* A notarized statement by the property owner that acknowledges use of the property for a cannabis operations facility and agreement to indemnify, defend and hold harmless the City, its officers, elected officials, employees, and insurers, against all liability, claims or demands arising out of, or in connection to, the operation of a cannabis operations facility. Written consent shall also include approval of the owner and operator for the city to inspect the facility at any time during normal business hours to ensure compliance with applicable laws and regulations.
 - c. *LARA.* A copy of official paperwork issued by LARA indicating that the applicant has successfully completed the prequalification step of the application for the state

operating license associated with the proposed land use, or proof that the applicant has filed such application for the prequalification step with LARA, including all necessary application fees.

- d. *Required LARA Cannabis facility plans, and security plans shall be submitted.* Copies of all documents submitted to LARA in connection with the initial license application, subsequent renewal applications, or investigations conducted by LARA shall be made available upon request when such information is necessary and reasonably related to the application review.
- 6) A comprehensive operation plan for the cannabis establishment which shall contain, at a minimum, the following:
- a. A security plan, consistent with the definition of security plan within this ordinance, indicating how the applicant will comply with the requirements of this ordinance and any other applicable law, rule, or regulation.
 - b. For processing establishments, a plan that specifies the methods to be used to prevent the growth of harmful mold and compliance with limitations on discharge into the wastewater system of the city.
 - c. A lighting plan showing the lighting outside of the cannabis establishment for security purposes and compliance with applicable city requirements.
 - d. A plan for disposal of any cannabis or cannabis-infused product that is not sold to a customer, in a manner that protects any portion thereof from being possessed or ingested by any person or animal.
 - e. A plan for ventilation of the cannabis establishment that describes the ventilation systems that will be used to prevent any objectionable odor of cannabis off the premises of the business. For cannabis establishments that process cannabis plants and/or cannabis-infused products, such plan shall also include all ventilation systems used to control the environment for the plants and describe how such systems operate with the systems preventing any objectionable odors from leaving the premises. For cannabis businesses that produce cannabis-infused products, such plan shall also include all ventilation systems used to mitigate noxious gases or other fumes used or created as part of the production process.
 - f. A description of all toxic, flammable, or other materials regulated by a federal, state, or local authority that will be used or kept at the cannabis business, the location of such materials, and how such materials will be stored.
 - g. For processing establishments, an applicant must submit water main plans including projected peak daily and seasonal 24-hour water usage requirements to the City of Charlotte Water Department for a review of the city's water model. Applicants may be required to construct the needed water system to city standards at their cost. Design will be required by the developer's engineers with reviews by city staff. Should this new water main be required to become part of the city's water system all required permits shall be submitted with the required plans and profiles to city staff for submittal to the State of Michigan. No installation of water mains shall be completed prior to receipt of the proper permits from the state. The associated costs may include, but are not limited to:
 - i. Connection fees per city ordinances.
 - ii. Costs for analysis and review of the city's water model.

- iii. Costs for any required flow testing.
 - h. The City of Charlotte Water Department reserves the right to deny or curtail water service to any applicant based on the applicant's failure to meet the requirements of the City of Charlotte's water system or any other use that causes a negative impact to the City of Charlotte's water system. Prior to making a modification to a structure that would require a building permit or which would alter or change items required by this subsection, the licensee shall submit to the city detailed construction drawings showing at minimum, a full site plan, interior and exterior lighting requirements, the full mechanical heating and ventilation plan, a detailed security plan, before and after floor plans and specifications, non-rated and rated separation details and locations, accessible route from the public way to the accessible entrance, accessible route to the primary function and within the facility and accessible bathrooms. The licensee shall make an application for a plan review and a building permit for the modifications to the premises, on forms provided by the city. Additional specifications may be required. A building or structure hereafter constructed or renovated for use as a cannabis establishment shall not be used or occupied in whole or in part until a certificate of use and occupancy has been issued by the city. Wastewater compliance will be required and subject to the City, federal, and state laws and applicable regulations.
- 7) *Proof of Insurance.* Evidence of a valid and effective policy for general liability insurance within minimum limits of \$1,000,000.00 per occurrence and a \$5,000,000.00 aggregate limit issued from a company licensed to do business in Michigan having an AM Best rating of at least B++ shall be produced that includes the name(s) of the insured, effective and expiration dates, and policy number. The City Council, and its City officials, and employees shall be named as additional insureds. The city shall be notified of any cancellation, expiration, reduction in coverage, or other policy changes within five business days of the event.
 - 8) *Site plan.* Existing and proposed site changes must be submitted that demonstrate compliance with this ordinance and city ordinances and codes.
 - 9) *Sign and lighting plan.* A sign and lighting plan for the exterior of the building and any interior signs that will be visible to the public from the public right-of-way shall be submitted with sizes, lighting, and locations. All lighting fixtures visible to the public shall be identified by location, type, and intensity.
 - 10) *Radius.* A map, drawn to scale, containing all childcare centers, schools.
 - l) *Marihuana [cannabis] operations.* Cannabis operation facilities must be operated in compliance with all applicable state laws, LARA rules, all conditions of the cannabis operations state operating licenses, and all applicable city ordinances.
 - 1) *Security plan.* A cannabis operator must have a city police department approved security plan prior to operation.
 - 2) *Facility exterior.* The exterior appearance of a facility must be compatible with surrounding businesses and any descriptions of desired future character, as described in the master plan.
 - 3) No cannabis or equipment used in the retail, growing, production, processing, or transport of cannabis can be placed or stored outside of an enclosed code complaint building. This section does not prohibit the placement or storage of motor vehicles outside of an enclosed building so long as money or cannabis is not left in an unattended vehicle.

- 4) Site and building lighting shall be sufficient for safety and security, but not cause excessive glare or be designed so as to be construed as advertising with the intent to attract attention.
- 5) Neither cannabis nor cannabis-infused products may be directly visible from the exterior of the cannabis operations facility/building(s).
- 6) Interior lighting shall not be so bright so as to create a nuisance to neighboring property owners or passersby.

§ 15-96 Odor control.

- A) No person, tenant, occupant, or property owner, who cultivates, grows, processes, or uses cannabis for any purpose shall propagate or permit the emission of objectionable odors that may cause or result in a nuisance to the public or that endanger the health, safety and welfare of the public, to emanate from any source on the property to result in such detectable odors that leave the premises upon which they originated.
- B) An odor is per se objectionable if odor is detectable in the ambient air that is greater than a 7/1 dilution threshold (D/T) for two samples not less than 15 minutes apart during a one-hour period measured by a field olfactometer device at the boundaries of the property as determined at the street right-of-way, or property line.
- C) A processor shall install and maintain in operable condition a system which precludes the emission of objectionable cannabis odor emanating from the premises.
- D) Ventilation, by-product and waste disposal, and water management (supply and disposal) for the facility shall not produce contamination of air, water, or soil; or reduce the expected life of the building due to heat and mold; or create other hazards that may negatively impact the structure and/or surrounding properties.
- E) Air contaminants must be controlled and eliminated by the following methods:
 - 1) The building must be equipped with an activated air scrubbing and carbon filtration system that eliminates all air contaminants prior to leaving the building.
 - 2) Fan(s) must be sized for cubic feet per minute (CFM) equivalent to the volume of the building (length multiplied by width multiplied by height) divided by three.
 - 3) The filter(s) shall be rated for the applicable CFM.
 - 4) An air scrubbing and filtration system must be maintained in working order and must be in use at all times. Filters must be changed per manufacturers' recommendation to ensure optimal performance.
 - 5) Doors and windows must remain closed, except for the minimum time length needed to allow people to ingress or egress the building.
 - 6) A variance may be granted for an alternative odor control system, in accordance with the Michigan Mechanical Code, if a mechanical engineer licensed in the State of Michigan submits a report that sufficiently demonstrates the alternative system will be equal to or better than the air scrubbing and carbon filtration system otherwise required.
- F) For purposes of this section, "air contaminants" means stationary local sources producing air-borne particulates, heat, odors, fumes, spray, vapors, smoke or gases in such quantities as to be irritating or injurious to health.
- G) A cannabis operation shall not be granted a municipal operating license until the findings and approvals of this section are completed.
- H) Prosecution for violation; civil penalty.
 - 1) Any person or entity failing to comply with this ordinance shall be responsible for a municipal civil infraction or district court citation and shall be subject to a civil fine as follows: \$100.00 initial violation, \$250.00 second violation, and \$500.00 third (or any subsequent) violation. Municipal civil infraction violations are made payable at the

city municipal ordinance violation bureau. Repeat violations are determined based on the date of the commission of the violation. Each day that a violation continues shall be deemed to be a separate offense.

- 2) In addition to the remedies described above, the city may institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation, including injunctive relief.
- 3) Jurisdiction for district court citations and legal action to enforce this ordinance, the City Code, and state law, vest in the state courts of Eaton County.

§ 15-97 Prohibited acts.

It shall be unlawful for any cannabis business, entity, or person, to operate within the city's jurisdiction in violation of this ordinance, MMMA, MMFLA MRTMA, LARA rules and regulations.

§ 15-98 Reports of crime.

Reports of all criminal activities or attempts of violation of any law at the cannabis establishment or related thereto shall be reported to the Charlotte Police Department upon discovery.

§ 15-99 Compliance with law, environmental; other laws remain applicable.

The cannabis facility shall be compliant and subject to all relevant state law and federal environmental laws and regulations, and city ordinances and codes that may be adopted and enforced.

To the extent the State of Michigan adopts in the future recodification of the MMFLA and MRTMA, any additional or stricter law or regulation governing the sale or distribution of marihuana, cannabis, the recodification, additional or stricter regulation shall control the cannabis operation of any cannabis commercial entity in the city. Compliance with any applicable state law or regulation shall be deemed an additional requirement for issuance or denial of any license under this ordinance, and noncompliance with any applicable state law or regulation shall be grounds for revocation or suspension of any license issued hereunder.

§ 15-100 Grant of administrative authority.

The city is granted the power and duty to fully and effectively implement and administer the license application process and issuance of licenses issued by the city under this ordinance.

§ 15-101. Violations and penalties.

- A) In addition to the possible denial, suspension, revocation or nonrenewal of a license under the provisions of this ordinance, any person or cannabis operation, including, but not limited to, any licensee, manager or employee of a cannabis commercial entity, who violates any of the provisions of this ordinance, shall be responsible for a municipal civil infraction and a fine of \$500.00, or as permitted by law, as established by resolution.
- B) In addition, any person, including any person, customer or member of the public, who violates the provisions of section 4 of the MRTMA, MCL 333.27954, and who acts in a manner contrary to the acts prohibited therein, except as may be otherwise provided in MCL 333.27965, shall be guilty of a misdemeanor.

- C) Notwithstanding the above, to the extent any violation or penalty set forth herein may be deemed inconsistent with any state law, or inconsistent with any rule or penalty which is promulgated by the department, now or hereafter, including but not limited to those promulgated pursuant to MCL 333.27958, then the state law or department rule or penalty shall govern over the provisions of this ordinance, as determined by state preemption.
- D) A violation of this ordinance is deemed to be a nuisance, per se. In addition to any remedies available at law, the city may bring an action for an injunction or other process against any person to restrain, prevent or abate any violation of this ordinance and such other relief as may be provided by law.
- E) Each day on which any violation of this ordinance occurs or continues constitutes a separate offense, subject to separate sanctions. The paying of a fine or sanctions under this ordinance shall not exempt the offender from meeting the requirements of this ordinance.
- F) This ordinance shall be administered and enforced by the city or by such other person(s) as designated by the city.

§ 15-102 Additional provisions.

- A) Notwithstanding any provision herein, to the extent it may be determined that any provision in this ordinance is in conflict with either the MRTMA, the MMFLA, the MMMA, or the rules and regulations of LARA, or other provisions of law, then such provision of this ordinance as is in conflict shall be subject to and preempted by the rule or provision of law of this state.
- B) Consistent with the provisions of the MRTMA, the MMFLA, and the MMMA, nothing herein shall prevent any employer from disciplining any employee for violation of a workplace drug policy or for working while under the influence of cannabis, nor does anything in this ordinance prevent an employer from developing workplace policies, or from refusing to hire a person because of that person's violation of a workplace drug policy.
- C) Consistent with the MRTMA and the MMMA, nothing in this ordinance prevents a landlord from prohibiting or otherwise regulating the consumption, cultivation, distribution, processing, sale or display of cannabis and cannabis accessories on leased property except that a lease agreement may not prohibit a tenant from lawfully possessing and consuming marihuana by means other than smoking as set forth in the MRTMA, the MMMA, and the LARA rules.

§ 15-103 Severability.

It is the legislative intent of the City by adopting this Ordinance that all provisions hereof shall be liberally construed to protect the public health, safety and general welfare of the residents of the City and all other persons affected by this Ordinance. Consequently, should any provision of this Ordinance be held to be unconstitutional, invalid or of no effect, such holding shall not be construed as affecting the validity of any of the remaining provisions of this Ordinance or Zoning Code, it being the intent of the City Council that this Ordinance shall stand and remain in effect, notwithstanding the invalidity of any provision hereof. If any section, paragraph, clause, phrase or part of this Ordinance is held invalid by any court of competent jurisdiction or any agency, department or commission empowered by statute for such purposes, such decision shall not affect the validity of the remaining provisions of this Ordinance, and the application of those provisions to any person or circumstance shall not be affected thereby.

§ 15-104 Code Edits.

The editors of the Charlotte City Code are hereby authorized, subject to approval of the City Manager, or designee, to update and revise code section numbers to effectuate the provisions of this ordinance.

§ 15-105 Section Headings.

The section headings used in this ordinance are for convenience only and are not a part of this ordinance.

§ 15-106 Publication.

This ordinance shall be published in the County Journal, a newspaper of general circulation in the City of Charlotte qualified under state law to publish legal notices, within thirty (30) days after its adoption. This Ordinance shall be recorded in the Ordinance Book and such recording shall be authenticated by the signature of the Mayor and the City Clerk.

§ 15-107 Effective.

This Ordinance be effective publication upon the expiration of 30 days after publication.

Introduced by the Charlotte City Council this 5th day of July, 2023.

Adopted by the Charlotte City Council this ____ day of _____, ____.

Motion by
Second by

Ayes:

Nays:

Absent:

Approved:

Michael Armitage, Mayor

I, Mary LaRocque, Clerk of the City of Charlotte, hereby certify that the foregoing Ordinance was adopted on the ____ day of _____, 2023 and published on the ____ day of _____, 2023 as provided by law.

Mary LaRocque, Clerk

Point of View - Public Hearing

2 messages

Donald Sovey <donsovey@gmail.com>

Thu, Aug 17, 2023 at 7:48 PM

To: avanlangevelde@charlottemi.org, arodriguez@charlottemi.org, bdyer@charlottemi.org, jchin@charlottemi.org, marmitage@charlottemi.org, mduweck@charlottemi.org, tweissenborn@charlottemi.org

Cc: Erin LaPere <elapere@charlottemi.org>, Mary LaRocque <mlarocque@charlottemi.org>, Myrkle <bmyrkle@charlottemi.org>

Mayor Armitage and Charlotte City Council:

The following writing was prepared by four concerned citizens who are listed at the conclusion of this Point of View. We plan to see you Monday evening for the public hearing. I am available at (517) 231-0563 if you have any feedback. I would be happy to talk with any of you in advance of the meeting. Please post this communication on your city website.

Point of View August 17, 2023

City Council: Slow Down Marijuana Store Approval

Some Michigan communities have been considering whether to permit the licensing of marijuana (pot) stores and related operations in their communities. Communities such as Grand Ledge, Eaton Rapids, Marshall, City of Hastings, Williamston, Midland, Frankenmuth, Ada, and Bloomfield Hills have chosen NOT to allow this activity. Should this be a model for Charlotte to follow after the community has full discussion?

Some Charlotte community members recently started hearing that Charlotte City Council has been on a fast track for approval of marijuana (pot) store operations in Charlotte. We have known that discussions at the Council level have taken place for some months but did not know our leaders are on the verge of approving cannabis (marijuana) retail stores in Charlotte until the last few weeks. Their current thought is they would NOT limit the number of retail stores but would rather let the market determine the number of stores needed.

It is time for the Council to slow down and get meaningful public input on this business-changing option. Approval by this county seat city for marijuana sales will be a game changer for how this city will be viewed in mid-Michigan and beyond. Once changed, it will be irreversible. Do we want to be known as a destination for marijuana (pot) sales in Eaton County with large billboards on I-69 as we see for Lansing?

It has been said by a well-read Charlotte citizen that there are less than "100 people in the city that know the marijuana store discussion is taking place and is on a fast track". We should ask the City Council why they are in such a rush without bringing this question into the open for representative input. Why not have public forums and town hall meetings on this topic to allow for input by residents and people that have a love for Charlotte?

There has been an ongoing lack of communication from our elected officials on this issue, resulting in our current situation where few know this has been under discussion. Many of us have been asking for more communication on city issues for years. We acknowledge our city manager published Council updates in July and August that mentioned the cannabis issue and public hearing.

Why has this development on marijuana stores taken place without widespread citizen input and without any strategic thinking regarding its impact on our ability to market Charlotte to young families? At whose request did this proposed action by the city begin?

We need to ask our city representatives if this action would be good for families and kids. We hear from teachers in Lansing that marijuana use in a community changes the school climate by bringing the strong skunk-like odor of weed into the schools in Lansing. There is a reported increase in students caught with and using pot. Community members should talk with residents in other school districts to understand the change it could make in our community.

Will the city benefit financially from permitting marijuana stores and related operations in the city? It is likely to be minimal. On January 5, 2023, our city manager wrote: "This will defray the costs of administering the program but overall, the direct net-revenue is reported by communities minimal. The communities report they have adopted these regulations in response to community support for the commercial use, not as a revenue generating mechanism".

We have seen articles and points of view as recently as this past June on how Charlotte has improved its business climate by filling all downtown stores during the pandemic and the fact that our community hosts 28 festivals throughout the year. No other regional community can claim these accomplishments which help to make Charlotte a great place to work and live.

To be silent on this issue is to be complicit with the lack of collaborative discussion by citizen stakeholders for this action. The Council should slow down and receive input from such groups as the Chamber of Commerce, CharlotteRising, Sparrow Eaton Hospital, Barry-Eaton District Health Department, Charlotte Public Schools, service clubs, our many churches, and other groups. The Council should also conduct valid public opinion surveys, focus groups, and hold town hall meetings as has been the practice when other significant strategic questions were facing this community.

The city is planning a public hearing on pot stores at its 7 pm meeting on August 21, 2023, at Charlotte City Hall. You will be able to present your thoughts. However, you should know this public hearing will not allow for two-way communication. By definition of a formal public hearing, the Council will likely not respond to your input at this meeting. However, they will listen.

Following the public hearing on August 21, the Council has plans to vote on permitting marijuana (pot) stores in Charlotte based on the use of certain mapped areas they have been discussing. This action could take place the same evening as the public hearing on this issue.

It is acknowledged that a state referendum in November 2018 showed a statewide favorable outcome for both medical and recreational marijuana in a statewide vote. The City of Charlotte residents also voted affirmatively in a majority for such action. However, the point is that this vote does not automatically translate to the notion that our city should permit retail, testing/compliance, and transporting type licensing in the City of Charlotte. This should be the subject of more public debate using open forums and meetings of stakeholders in Charlotte.

Following such recommended widespread discussion and input, if the community desires retail, testing/compliance, and transporting of cannabis products, then it should be considered if this is the path that citizens request.

Donald Sovey CPA, Accounting Firm Owner, Charlotte

Ken Wirt, Past Mayor, and Business Owner, Charlotte

Owen Whitkopf, Citizen, Charlotte

Gene Conley, Citizen, Charlotte

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

ATTORNEYS AT LAW

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OF COUNSEL:
DENNIS E. McGINTY
THOMAS M. YEADON

MEMORANDUM

TO: Charlotte City Council

FROM: Thomas M. Hitch, David M. Revore, City Attorneys

RE: **CITY ATTORNEY REPORT**

DATE: August 17, 2023

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

1. Charlotte Estates. As I indicated in our meeting, the language of the easement has been finalized and the attorneys are in the process of circulating the final document for their signatures. In addition to the agreement having been conditioned on the City Council's approval, the lender for The Meadows/Charlotte Estates also needs to approve the settlement. In the lender's case, it is not a function of the amount received, but rather, advising the lender that easements would be recorded on property for which it has a security interest.

This is also to advise the Council that it has been confirmed that the trees will be removed this winter.

2. Fire Department Matters. The City Manager and I have been reviewing the Volunteer Fire Department Constitution and Bylaws to discuss revisions in preparation of meeting their representatives from the Volunteer Fire Department on Monday, August 21.

3. Police Department Matters. This office continues to review the City's ordinances for legal updates.

4. Conversations with the City Manager, Chief of Police, and Directors. This office maintains frequent conversations with the City Manager, the Chief of Police, and City officials regarding a variety of City matters.

TMH/DMR:cf



Manager's Report

August 21st 2023 Council Meeting

City Manager Resignation

As Council and the community is aware, my final day as City Manager will be Tuesday, August 22nd. It has been an honor to serve the community these past two-and-half years. Everyone has welcomed me with open arms, and shown such excitement and pride to share all the community has to offer. It was truly a privilege to be entrusted with the city operations, and I am very proud of how much we have accomplished. The city has a fantastic team of quality employees who all contribute to that success. No one accomplishes anything alone, and I am no exception. I want to extend my sincere gratitude to everyone who works for the city. I am confident in saying that Charlotte is in a better place than the day I started, and I know the City has a fantastic future ahead!

Fire Department Grant

The City received notice on August 11th that we were awarded the Fiscal Year (FY) 2022 Assistance to Firefighters Grant (AFG) Grant funding opportunity in the amount of \$714,843.18. This grant was a collaboration between six area departments, and Charlotte was the lead agency. Each of the six departments will get a portion of the award and will also share in the 10% required match. Our airpacs are reaching the end of their usable life and this grant will mean the CFD will be able to replace this critical equipment for all our firefighters.

Related, in June we applied for a state grant for \$50k to purchase turnout gear, helmets/boots, and flashlights. We expect to hear about that grant request any day.

Master Plan Update

We are officially kicking off our city-wide Master Plan project, and we want everyone involved! Check out the dedicated website at planningcharlotte.org for more information on the process and ways to be part of this important planning process. Be sure to sign up for email alerts to stay up to-date on project progress and ways provide input.

Volunteer Opportunities

The City has open opportunities for citizens to participate in their local government. We are seeking volunteers to serve on the Airport Advisory Board, Downtown Development Authority, and the Board of Review. Interested persons can fill out an application to serve here: <https://www.charlottemi.org/councilboards/boards-commissions/board-and-commission-application/>

Have questions? Contact the Mayor or City Clerk to find out more.

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.

You may contact DPW at 517-543-8858 to set up an appointment for the material identification. The inspections require 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 a DPW employee.

In place of an in-home inspection, a survey is available to residents to complete which includes taking a picture of the water service line at the in-home water meter. Contact DPW for more information on completing the survey at 517-543-8858 or email edean@charlottemi.org.

Reminder: Email Utility Billing Feature 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 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

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.

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.

Charlotte Police Department

111. E. Lawrence Ave., Charlotte, MI 48813

Phone: 517-543-1552 Fax: 517-543-8396

Paul Brentar, Chief of Police

July 2023 Monthly Report

Monthly Statistics:

- See attached report.

Training:

- Sgt. Slaughter, Sgt. McDaniel, Ofc. Fullerton and Ofc. Everts received in-house training on pistol mounted-optics on 7-20-23 and 7-27-23.

Operational Highlights:

- Staffing- Officer Homrocky resigned from the department on 07-08 to take a job with the State of Michigan. This now leaves 3 officer spots open.
- Staffing- Oral board interviews for the Captain's position were held on 07-12. A candidate has been selected and will start in early December.
- On 07-01, officers responded to Lawrence Ave./RR Tracks for a subject laying on the tracks. Officers were able to locate the suspect and keep him off the tracks.
- On 07-02, officers assisted the Eaton County Sheriff's Office with a personal injury crash at M-50/I-69 with a motorcycle vs car crash.
- On 07-02, officers assisted the Eaton County Sheriff's Office with a subject who was resisting a deputy investigating a Personal Protection Order (PPO) complaint. The suspect was taken into custody.
- On 07-07, officers responded to a fraud complaint where six (6) 100 counterfeit bills were located.
- On 07-13, officers assisted a vehicle owner in recovering their vehicle from a repair person who was using it for personal reasons at the Eaton County Fair.
- On 07-14, officers working the fair responded to a missing 10-year-old child. The child was located a short time later and returned to parents.
- On 07-14, officers working the fair assisted the fair board and CFD with an electrical fire on the back of the grand stands.
- On 07-16, officers took a report of a stolen handgun. The handgun was later recovered by the Michigan State Police.
- On 07-18, officers assisted the Fire Department on E. Henry St. with a possible hazardous materials call.
- On 07-20, officers found a small fire in the Men's Bennett Park Bathroom. The Fire Department assisted with putting it out.
- On 07-20, officers assisted Nashville PD by locating a mom to inform her that her son was seeking medical treatment for being attacked by a dog over in Nashville. Officers located the mother.

- On 07-25, officers assisted the Eaton County Sheriff's Office with suspicious subjects on Lansing Rd. Officers and Deputies were able to recover a stolen plate from one of our cases.
- On 07-25, officers responded to a personal injury crash at Cochran/Packard. The at fault driver was transported to Sparrow Main by Eaton Area EMS.
- On 07-26, officers responded to motorcycle personal injury crash at Lansing/ Harris. The motorcycle lost control and went down. The driver had minor injuries.
- On 07-26, officers responded to another personal injury crash at State/Lincoln St. One vehicle was backing out of a driveway when it crashed into another vehicle causing that vehicle to overturn. Two (2) people were transported to Sparrow with injuries.
- On 07-27, officers assisted the DPW with a clean up of homeless camps behind the Plaza.
- On 07-27, officers assisted the Eaton Rapids Police Department with a stolen kayak being sold in Charlotte.
- On 07-28, officers responded to a car vs bicycle crash on Lansing St. north of Hall St. The 25-year-old bicyclist later died of his injuries at Sparrow Hospital. The roadway was closed for several hours while crash investigators investigated.
- On 07-31, officers responded to a larceny complaint. The victim left their vehicle unlocked, with the keys in it, and had \$500 along with the keys stolen.

Outreach/Public Events:

- Officers provided patrols and PR during the week of the Eaton County Fair.
- Officers provided traffic control and PR for the ECHRS 5K Run/Walk on 07-29.

Respectfully,



Chief of Police



UCR TITLE	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL	2022	%	WARRANTS	ARRESTS
STATE CRIMES																	
SOVEREIGNTY													0	0	0%		
MILITARY													0	0	0%		
IMMIGRATION													0	0	0%		
Part I Crimes																	
CRIMES AGAINST PERSONS																	
HOMICIDE-MURDER(ATTEMPT)													0	0	0%		
NEGLIGENT HOMICIDE			1										1	0	100%		1
KIDNAPPING													0	0	0%		
PARENTAL KIDNAPPING													0	0	0%		
SEX. ASSAULT-ALL	6	3		3		4							16	18	-11%		
ROBBERY			1										1	1	0%		
NON-AGG ASSAULT	16	5	17	8	14	11	15						86	99	-13%	4	16
AGGRAVATED ASSAULT	2	2	1	3	2	5	2						17	24	-29%		4
INTIMIDATION/STALKING	17	9	12	14	17	13	10						92	155	-41%	1	1
PROPERTY CRIMES																	
ARSON		1											1	0	100%		
EXTORTION	2				1	1	1						5	3	200%		
BURGLARY-FORCED	1	1	4	5	2		2						15	10	50%	3	1
BURGLARY-W/O FORCE	1												1	1	0%		
BURGLARY-ILLEGAL ENTRY	2		1	2									5	1	200%	2	
POSS BURGLARY TOOLS													0	0	0%		
LARCENY	32	15	9	13	14	23	33						139	136	2%	1	2
MOTOR VEHICLE THEFT	4	1		1	1		1						8	3	400%		1
Part II Crimes																	
STOLEN PROPERTY-MOTOR VEHICLE	1	1		2		1							5	11	-55%		
FORGERY/COUNTERFEIT-ING	2		2	1	1	4	2						12	10	20%	4	3
FRAUDULENT ACTIVITY	8	7	6	5	7	10	8						51	80	-36%	4	2
EMBEZZLEMENT			1			1							2	3	0%	1	1
REC/CONCEALING STOLEN PROPERTY			3	3	1		3						10	6	0%		6
DESTRUCTION OF PROPERTY	1	3	3	4	7	8	7						33	43	-23%	1	
RETAIL FRAUD-ALL	9	11	3	9	4	5	3						44	33	33%	14	9
MORALS/DECENCY CRIMES																	
V.C.S.A.		3	9	4	5	1	3						25	37	-32%	2	4

UCR TITLE	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL	2022	%	WARRANTS	ARRESTS
SEX OFFENSE		1	2	3	2	1	3						12	14	0%		
OBSCENITY	1	1		2	1		1						6	0	600%		
FAMILY ABUSE/NEGLECT	7	5	5	4	4	4	3						32	33	-3%		2
FAMILY-NON SUPPORT	1		4		1	1	1						8	6	33%		7
FAMILY-OTHER													0	0	0%		
GAMBLING													0	0	0%		
COMMERCIALIZED SEX OFFENSE													0	0	0%		
LIQUOR LICENSE VIOLATION													0	0	0%		
LIQUOR LAW VIOLATION			1	3		3	1						8	3	0%		
PUBLIC ORDER CRIMES																	
OBSTRUCTING POLICE	1	2	1	2	2	2	2						12	18	-33%	2	6
ESCAPE-CORRECTIONAL INSTITUTION													0	0	0%		
ESCAPE-MENTAL INST.													0	0	0%		
ESCAPE/FLIGHT													0	0	0%		
OBSTRUCTING JUSTICE	19	19	12	8	11	14	10						93	101	-8%	141	75
BRIBERY													0	0	0%		
WEAPONS-CONCEALED	1		2	2									5	2	100%	1	1
WEAPONS-EXPLOSIVE													0	0	0%		
WEAPONS-OTHER	1				2	1							4	9	-56%	2	
PUBLIC PEACE	25	17	14	27	23	29	21						156	144	8%	1	2
TRAFFIC-HIT AND RUN	2	7	6	4	4	4	6						33	32	3%		1
TRAFFIC-O.U.I.L./O.U.I.D	4	5	6	4	7	10							36	45	-20%	1	11
TRAFFIC-MISD	3	3	7	7	3	4	1						28	64	-56%	2	9
HEALTH/SAFETY VIOLATION	7	5	7	1	4	7	5						36	32	400%		
CIVIL RIGHTS													0	0	0%		
TRESPASS/PRIVACY	8	6	5	9	15	16	10						69	72	-4%		2
SMUGGLING													0	0	0%		
ELECTION LAWS													0	0	0%		
ANTI-TRUST													0	0	0%		
TAX REVENUE													0	0	0%		
CONSERVATION	3	1					1						5	8	-300%		
VAGRANCY		1		12	11	6	8						38	21	1700%		
MISC. CRIMINAL OFFENSE		1											1	10	0%		
GRAND JURY INVESTIGATION													0	0	0%		
CONSPIRACY			1										1	0	100%		1

UCR TITLE	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL	2022	%	WARRANTS	ARRESTS
<i>End of Part II Crimes</i>																	
UCR TITLE	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL	LAST YEAR	%	WARRANTS	ARRESTS
JUVENILE MINOR																	
DELINQUENT MINOR	20	17	18	11	21	8	8						103	89	16%		
RUNAWAY	2	2	6	4	1	4	2						21	14	200%		
CIVIL-NON CRIMINAL																	
DIVORCE/SUPPORT													0	0	0%		
INCAPACITATION			4	4	2	4	3						17	10	70%		
INSANITY	5	14	12	15	17	14	13						90	118	-24%		
TRAFFIC																	
CRASH-PD-PUBLIC ST.	19	18	25	16	15	18	21						132	144	-8%		
CRASH-PI-PUBLIC ST	4	2	3	3	3	2	4						21	17	24%		
CRASH-FATAL-PUBLIC ST							1						1	1	0%		
CRASH-PD-PRIVATE	1	8	4	6	3	2	9						33	28	18%		
CRASH-PI-PRIVATE				3		1							4	4	0%		
CIVIL INFRACTION	12	21	24	19	19	14	18						127	194	-35%		
PARKING VIOLATION	14	3	6	6	7	3	15						54	207	-74%		
Park. Tickets- 524-2021, 356-2020	14	4		2		1	7						20				
ABANDONED VEHICLE	4	7	7	7		9	6						40	34	18%		
TRAFFIC HAZARD INVES	2	2	10	12	9	12	8						55	83	-34%		
TRAFFIC DIRECTION	2	2	3	4	14	6	9						40	56	-29%		
TRAFFIC SAFETY PUBLIC APPEARANCE													0	0	0%		
BREATHALYSER TEST-													0	0	0%		
OTHER POLICE													0	0	0%		
ALARMS																	
ALARM-POLICE RESPONSE	9	8	14	13	7	11	12						74	102	-27%		
ALARM-MALFUNCTION	1												1	0	100%		
ALARM-TEST	3	1	5										9	0	900%		
ALARM-WATER & SEWER													0	0	0%		
FIRE																	
ACCIDENT-FIRE													0	0	0%		
ACCIDENT-EXPLOSION													0	0	0%		
ACCIDENT-CHEMICAL													0	0	0%		
HAZARDOUS FIRE COND.	1					5	4						10	13	-300%	Fireworks	
FIRE REGULATION VIOL													0	0	0%		
ASSIST BUILDING DEPT	2		1	1	1	3							8	2	600%		

UCR TITLE	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL	2022	%	WARRANTS	ARRESTS
ASSIST C.F.D.		4	2		2	4	4						16	21	-24%		
UCR TITLE	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL	LAST YEAR	%	WARRANTS	ARRESTS
ACCIDENTS																	
ACCIDENT-AIRCRAFT													0	0	0%		
ACCIDENT-HUNTING													0	0	0%		
ACCIDENT-SHOOTING													0	0	0%		
ACCIDENT-BOATING													0	0	0%		
ACCIDENT-WATER													0	0	0%		
ACCIDENT-OTHER													0	0	0%		
INSPECTIONS- INVESTIGATIONS																	
INSPECT-BOAT													0	0	0%		
INSPECT-MOTOR VEHICLE		2	5		2	1	2						12	7	0%		
INSPECT-TRAFFIC CITATION													0	0	0%		
INSPECT-BUSINESS	39	28	55	84	59	26	34						325	295	10%		
INSPECT-RESIDENCE	30	17	26	23	7	12	4						119	97	23%		
INSPECT-HANDGUN	12		37	30	7	25	22						133	62	115%		
INSPECT LIQUOR LICENSE	3	1	3	2	1		2						12	4	800%		
INSPECT-OTHER/SOR CHECK	19	8	15	13	4	14	16						89	104	-14%		
INSPECT-CCW APPLIC													0	0	0%		
DOMESTIC DISPUTES	22	9	22	19	18	36	38						164	184	-11%		
CIVIL DISPUTE	15	18	21	17	23	19	14						127	142	-11%		
SUSPICIOUS SITUATION	100	84	123	110	137	129	106						789	630	25%		
FIELD INTERROGATION CARD													0	0	0%		
HAZARDOUS SITUATION													0	0	0%		
SUSPECTED NARCOTIC ACTIVITY	2	2	2	3	1	2							12	37	-68%		
ABANDONED/RECOVERED PROPERTY	11	9	2	6	13	6	10						57	42	36%		
DRUG OVERDOSE			1		3	2	1						7	14	-50%		
BOMB THREAT													0	0	0%		
MISC. INCIDENTS																	
MISC/P.B.T.													0	0	0%		
SUICIDE													0	4	-400%		
SUICIDE ATTEMPT	7	13	7	4	9	12	5						57	67	-15%		
DEATH-NATURAL			1										1	8	-88%		
DEATH-UNDETERMINED			1										1	3	0%		

UCR TITLE	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL	2022	%	WARRANTS	ARRESTS
MISSING PERSON	1		1		1		4						7	13	-46%		
NATURAL DISASTER													0	0	0%		
PUBLIC RELATIONS ACTIVITY	8	1	1	2	6	6	6						30	27	11%		
PATROL INFORMATION	1	1				2							4	10	-600%		
UCR TITLE	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL	LAST YEAR	%	WARRANTS	ARRESTS
GENERAL ASSISTANCE																	
ASSIST CITIZEN	78	66	96	67	102	65	83						557	532	5%		
ASSIST MOTORIST	3	2	7	3	6	4	2						27	63	-57%		
ASSIST POLICE AGENCY	12	8	6	18	9	13	12						78	75	4%		
ASSIST OTHER AGENCY	19	11	21	17	19	17	5						109	129	-16%		
ASSIST D.P.W.	1	1	3	2	3	2							12	11	9%		
ESCORT-FUNERAL													0	0	0%		
ESCORT-MONEY													0	0	0%		
ESCORT-OTHER													0	0	0%		
TRANSPORT-PRISONER	15	9	28	18	15	14	13						112	103	8%		
TRANSPORT-PAPERWORK	7	10	9	8	11	2	1						48	54	-11%		
TRANSPORT-OTHER													0	13	-100%		
LOCKOUT	1			2	1								4	5	100%		
SUBPOENA SERVICE	3		1	1		3	8						16	27	-41%		
PERMISSION TO PARK				10									10	23	0%		
PATROL-FOUND DOOR OPEN	1	1	5	9	11	2	2						31	29	7%		
PATROL-FOUND OPEN WINDOW													0	0	0%		
PATROL-FOUND B&E													0	0	0%		
ASSIST E.C.S.D.-	7	3	7	6	17	13	11						64	97	-34%		
GENERAL NON CRIMINAL																	
JUVENILE SAFETY VIOL													0	0	0%		
ANIMAL CONTROL	5	9	4	9	9	10	11						57	85	-33%		
ZONING ORD VIOLATION	1						1						2	8	100%		
TOTALS	725	562	800	774	781	747	720	0	0	0	0	0	5109	5453	-6%		
TRAFFIC STOPS	58	91	98	124	137	67	105						680	871	-22%		
OFFICER TRAINING HOURS	33	153	106	51.5	85	151	19						598.5	293	104%		
COMMUNITY HOURS	28	43	22.5	1	18	19	71						202.5	82.5	145%		
PAPERWORK HOURS	394	363.5	325	341.5	317	365	290						2396	2831	-15%		

UCR TITLE	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL	2022	%	WARRANTS	ARRESTS
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SRO STATS

The School Resource Officer was not assigned to work any days in July for the Charlotte Public Schools.

VCSA STATS

During the month of July, the Charlotte Police Department dealt with 4 VCSA incidents. They are the follows:

3-Meth, 1-Marijuana,

(This includes the VCSA, Suspected Narcotics Activity, and Drug Overdose Categories)

— THE CITY OF —
CHARLOTTE
— MICHIGAN —

Memo

To: Honorable Mayor Armitage, City Council
From: Mary LaRocque, City Clerk
Date: August 16, 2023
Re: Claims and Expenditures for Council approval on August 21, 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.

Answers to Council inquiries, if any, are included in the meeting packet.

Financial Impacts

Insurance claims week of August 07, 2023	\$ 5,148.74
Insurance claims week of August 14, 2023	\$ 610.96
Payroll paid Friday August 11, 2023	\$ 89,368.98
Invoiced claims as of August 16, 2023	<u>\$1,092,533.99</u>
Total	<u>\$1,187,662.67</u>

Suggested Motion

Motion to approve Claims and Expenditures in the amount of **\$1,187,662.67**

08/16/2023 03:28 PM
User: CKOENIG
DB: Charlotte

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF CHARLOTTE
INVOICE ENTRY DATES 08/03/2023 - 08/16/2023
BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID
BANK CODE: POOL

Page: 1/8

Vendor Code	Vendor Name	Invoice	Description	Amount
01687	ABC FASTENER GROUP INC	A485099	BOLTS	54.84
TOTAL FOR: ABC FASTENER GROUP INC				54.84
01683	ACD.NET	81518-273	AUGUST 2023 CHARGES	872.92
		91177-125	AUGUST 2023 CHARGES (WASTE TREATMENT)	565.84
TOTAL FOR: ACD.NET				1,438.76
01695	ACE HARDWARE & LUMBER CO.	46568	COUPLER PVC, CONDUIT PVC, ELBOW PVC	26.57
		52553	TREATED WOOD	107.35
TOTAL FOR: ACE HARDWARE & LUMBER CO.				133.92
01678	ADVANCE AUTO PARTS	5565320659189	DEF FLUID	150.15
		5565321259433	DEF ROTARY PUMP	83.69
TOTAL FOR: ADVANCE AUTO PARTS				233.84
02015	ADVANTAGE FLEET, LLC	81095	RADIO REPAIRS TRUCK #312	161.77
TOTAL FOR: ADVANTAGE FLEET, LLC				161.77
01764	AMAZON CAPITAL SERVICES	1FY4-9HYH-3741	ACCOUNT # A264N6SLCWDWHU (4 PIECE TOOL SET)	11.99
		1GVN-4G7R-94HF	ACCOUNT # A264N6SLCWDWHU (BATTERIES FOR LEVEL SENSOR)	52.98
		1JT9-TN3C-JNR3	ACCOUNT # A264N6SLCWDWHU (OFFICE FURNITURE)	2,054.45
		1JV4-7Y9X-9JYD	ACCOUNT # A264N6SLCWDWHU (WRENCH)	13.76
		1NNT-DTXM-1J9M	ACCOUNT # A264N6SLCWDWHU (GEL PACKETS, TRASH CAN, 40 GALLON TOTE)	250.17
		1QL7-7L7P-6FJN	ACCOUNT # A264N6SLCWDWHU (I PHONE CABLE CHARGER, 10 FT I PHONE CHARGERS)	117.53
		1R9W-CFDP-V1PT	ACCOUNT # A264N6SLCWDWHU (CHARMIN TOILET PAPER, DIAL COMPLETE LIQUID HAND SOAP)	136.11
		1YR9-7LRP-9TMT	ACCOUNT # A264N6SLCWDWHU (REPLACEMENT GENERATOR PARRALLEL CABLES KIT)	21.99
TOTAL FOR: AMAZON CAPITAL SERVICES				2,658.98
02036	AMAZON CAPITAL SERVICES	16WW-TPV1-FCVM	ACCT # A1K517P63NLQUT(POLICE) LYSOL DISINFECTANT SPRAY, TRASH BAGS, DIAL COMPLETE LIQUID HAND SOAP	152.40
		1PXR-KLMN-ND7G	ACCT # A1K517P63NLQUT(POLICE) CURTAIN RODLEAD REMOVER WIPES	51.63
		1VG7-9D6Q-XXYH	ACCT # A1K517P63NLQUT(POLICE) SPIRAL MEMO PADS, DURACELL BATTERIES	45.06
		1Y9J-FP9V-7NQ7	ACCT # A1K517P63NLQUT(POLICE) DESK ORGANIZER	32.59
TOTAL FOR: AMAZON CAPITAL SERVICES				281.68
02049	ANDERSON CONSTRUCTION & CONCRETE,LL	1316	1937.50	1,937.50
TOTAL FOR: ANDERSON CONSTRUCTION & CONCRETE,LL				1,937.50

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Vendor Code	Vendor Name	Invoice	Description	Amount
01635	AT&T LONG DISTANCE			
		517543228807 A	AIRPORT MODEM LINE (JUN 14 - JUL 13,2023)	164.10
		517543887407 8	DPW CALLOUT (JUN 14 - JUL 13,2023)	48.87
TOTAL FOR: AT&T LONG DISTANCE				212.97
01627	AVFUEL CORPORATION			
		019026170	AV FUEL	43,580.96
TOTAL FOR: AVFUEL CORPORATION				43,580.96
01622	AXON ENTERPRISE INC			
		INUS175118	INTERVIEW ROOM INSTALLATION	7,986.25
TOTAL FOR: AXON ENTERPRISE INC				7,986.25
01602	BEAVER RESEARCH COMPANY			
		0360564-IN	FOUR COAT - BLACK GLOSS	202.85
TOTAL FOR: BEAVER RESEARCH COMPANY				202.85
01581	BLUE CARE NETWORK			
		232200008435	MEDICAL COVERAGE (RETIRED) COVERAGE PERIOD 09.01.2023 TO 09.30.2023	2,003.64
		232200034290	MEDICAL COVERAGE	54,398.18
TOTAL FOR: BLUE CARE NETWORK				56,401.82
01555	BYRUM ACE HARDWARE			
		300823	CONCRETE MIX	9.99
		300826	CONCRETE MIX 60LBS	417.45
		301354	WASTBASKET, PLIERS	44.98
		301396	EXTERIOR WHITE PAINT	41.98
		301474	CONCRETE MIX	425.04
		301627	BATTERIES	6.99
		301994	BATTERIES	6.59
		302326	GARDEN HOSE, NOZZLE , AIR FILTER,	120.52
		302351	FASTENERS	10.02
		302473	FASTENERS,DRAWER DIVIDER	28.67
		302704	CONCRETE MIX	425.04
		302705	CAST IRON GRIDDLE CONDITIONER	13.99
		302847	FASTENERS	4.48
		302997	CONCRETE MIX	425.04
		303150	DOOR STOP, ANCHOR, ACE LATEX FLAT RED	47.27
		303205	CONCRETE MIX	425.04
		303377	EXT CORD, CORD	67.97
		303921	FASTENERS	2.52
		303945	INTERIOR SEMI GLOSS 1 GAL, INTERIOR SEMI GLOSS 1 QUART	67.98
		303954	TARP, DUCT TAPE	20.97
		303968	20 LB LP PROPANE FILL	40.00
		303973	SURGE PROTECTOR	19.99
		304011	COUPL HOSE 5/8" , TUBE BRAID	29.90
		304122	ENERGIZER BATTERIES	39.98
TOTAL FOR: BYRUM ACE HARDWARE				2,742.40
01553	C&C LANDFILL			
		5007-000019681	STREET SWEEPINGS	414.93
TOTAL FOR: C&C LANDFILL				414.93
01882	CALEDONIA FARMERS ELEVATOR			
		437104	TIRE LABOR, CT BOOT, TIRES	1,071.68
TOTAL FOR: CALEDONIA FARMERS ELEVATOR				1,071.68

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Vendor Code	Vendor Name	Description	Amount
	Invoice		
01910	CGS, INC.		
	5155	CONFINED SPACE TRAINING	1,230.00
TOTAL FOR: CGS, INC.			1,230.00
01522	CHARLOTTE AIR SERVICES LLC		
	F.S.07.23	FUEL SALES JULY 2023	241.87
	H.M.07.23	HANGAR MANAGEMENT FEES JULY 2023	360.00
TOTAL FOR: CHARLOTTE AIR SERVICES LLC			601.87
01520	CITY OF CHARLOTTE		
	0186908.01.2023	111 E LAWRENCE	2,324.31
	0338908.01.2023	201 HALL ST	176.06
	0744508.01.2023	1005 PAINE DR	161.08
	07446.08.01.2023	1005 PAIN DR	496.88
	0744708.01.2023	PAINE 2	3,274.59
	0744808.01.2023	1005 PAINE DR 3	858.97
TOTAL FOR: CITY OF CHARLOTTE			7,291.89
01486	CONSULTANTS ON CALL, LLC		
	2022-231308	MANAGED SERVICE FEES	2,800.00
TOTAL FOR: CONSULTANTS ON CALL, LLC			2,800.00

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Vendor Code	Vendor Name	Invoice	Description	Amount
01471	CONSUMERS ENERGY			
		202431857223	1005 PAINE DR. FRNT GEN CHARLOTTE	22.16
		202520841186	1310 S COCHRAN AVE	137.50
		202609843589	1225 S COCHRAN AVE	139.61
		202698809465	1213 S COCHRAN AVE	65.33
		202698809466	1216 S COCHRAN AVE	20.09
		202698809467	1216 1/2 S COCHRAN AVE	16.00
		202698809468	1216 S COCHRAN AVE	23.34
		202876789203	1064 NORTHWAY	44.48
		203054770756	619 W SHEPHERD ST	113.88
		203054770757	620 W SHEPHERD ST	111.90
		203499744273	1152 S COCHRAN AVE CAMP FRANCIS	71.27
		203499744275	301 TIRRELL RD	377.90
		203499744276	301 TIRRELL RD R2	229.04
		203499744277	301 TIRELL RD MAINTENANCE	113.73
		203588740166	112 1/2 S COCHRAN	28.81
		203766700071	911 W SHEPHERD ST FIRE DEPT 2	2,143.99
		203855709493	508 N. SHELDON ST.	65.84
		204033681902	103 VAN LIEU ST	40.84
		204033682193	620 W SHEPHERD ST	16.00
		204211670414	526 W STODDARD ST	31.24
		204300667321	1325 ISLAND HWY GATE-AIRPORT	34.89
		204389662374	811 CHADS WAY	17.63
		205279521370	245 S COCHRAN AVE	18.23
		205368512717	811 CHADS WAY	101.26
		205635442208	108 E LAWRENCE AVE	49.20
		205635442209	108 E LAWRENCE AVE	69.78
		205724457927	700 LANSING RD	31.38
		205724459113	1325 ISLAND HWY #C	81.16
		205813423078	201 HALL ST	54.98
		205813423275	1325 ISLAND HWY	393.09
		205813423276	1329 1/2 ISLAND HWY	38.85
		205813423646	203 HALL ST	65.33
		205991391815	111 E LAWRENCE AVE	141.32
		206080392491	1005 PAINE DR	10,689.91
		206169326357	1800 PACKARD HWY	40.53
		206169326517	1167 E CLINTON TRAIL	63.65
		206169338676	201 HALL ST (AREA LIGHTING)	82.35
		206525091643	1005 PAINE DR	123.65
		206791979960	1104 MIKESELL ST	238.13
		206791979964	544 LANSING ST/WWTP LIFT STATION	24.18
		206791979965	544 LANSING ST	694.13
		206791979966	700 E. SHEPHERD ST.	153.28
		206791979971	1075 INDEPENDENCE BLVD	250.60
		206791979974	1305 S COCHRAN AVE	124.35
		206791980006	1216 S COCHRAN AVE	2,078.43
		206791980052	111 E LAWRENCE AVE	3,781.44
		206791991781	076 - 12 TRAFFIC LIGHTS	416.37
		206791991782	AREA LIGHTING	484.83
		206791991783	076 - 2 TRAFFIC LIGHTS	3.01
		206791991784	TULLY BROWN DR (AREA LIGHTING)	21.57
		207147159741	1227 S COCHRAN AVE	6,450.00
TOTAL FOR: CONSUMERS ENERGY				30,630.46
01838	CULLIGAN WATER CONDITIONING			
	59551TM		SOFTNER SALT (WEST SIDE FIRE)	25.44
TOTAL FOR: CULLIGAN WATER CONDITIONING				25.44

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Vendor Code	Vendor Name	Invoice	Description	Amount
01439	D & K TRUCK COMPANY	1168986	TURN LAMP	117.99
TOTAL FOR: D & K TRUCK COMPANY				117.99
01429	DELAU FIRE & SAFETY INC	67018	TROUBLE SHOOT FIRE ALARM	200.00
TOTAL FOR: DELAU FIRE & SAFETY INC				200.00
02017	DINGES FIRE COMPANY	42980	FIRE HOSE FITTING	69.45
TOTAL FOR: DINGES FIRE COMPANY				69.45
01085	DOUG MILLER	5703	CYLINDER REPAIR SNORKLE	2,635.04
TOTAL FOR: DOUG MILLER				2,635.04
01392	EATON CUSTOM SEWING	1552	UNIFORM REPAIRS	50.00
TOTAL FOR: EATON CUSTOM SEWING				50.00
01957	EGANIX	17622	FOG TREATMENT	2,150.00
TOTAL FOR: EGANIX				2,150.00
01375	ELHORN ENGINEERING COMPANY	298499	HYPOCHLORITE/ TERT FILTERS	612.50
		298500	PHOSPHATE	4,862.50
TOTAL FOR: ELHORN ENGINEERING COMPANY				5,475.00
00932	ERIC ROGERS LLC	31466	WEEKLY LAWN MOWING	1,868.00
		31504	WEEKLY LAWN MOWING	1,728.00
		31585	WEEKLY LAWN MOWING	2,198.00
TOTAL FOR: ERIC ROGERS LLC				5,794.00
01358	FAMILY FARM & HOME	001636/C	RYE GRASS 50LB BAG	119.99
		001641/C	LID FOR 5 GAL PAIL	3.49
		1637/36	WRENCHES	112.96
		1638/36	BUCKET, LID	8.48
TOTAL FOR: FAMILY FARM & HOME				244.92
01330	FISHBECK, THOMPSON, CARR	426237	PROJECT NAME - CHARLOTTE/DWAM	28,963.27
TOTAL FOR: FISHBECK, THOMPSON, CARR				28,963.27
01322	GALE BRIGGS, INC.	83395	CONCRETE, LIMESTONE IN CONCRETE,	770.00
		M198	BIRDSEYE	320.00
		M204	3500 PSI CONCRETE	281.88
		M218	2 NS SAND	337.50
		M223	CONCRETE, LIMESTONE IN CONCRETE	340.00
		M242	CLASS II SAND	332.50
TOTAL FOR: GALE BRIGGS, INC.				2,381.88

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Vendor Code	Vendor Name	Description	Amount
	Invoice		
01319	GARDENSCAPES LAWN & LANDSCAPE		
	01462	MEMORIAL PARK JULY 2023, MOW, TRIM, WEED CONTROL	210.00
TOTAL FOR: GARDENSCAPES LAWN & LANDSCAPE			210.00
01308	GRAINGER PRODUCTS		
	9761984401	LOW ARC, CHROME, AMERICAN STANDARD	385.44
	9782006242	TRANSFER PUMP	284.40
	9788187145	AERATION BLOWER	850.32
TOTAL FOR: GRAINGER PRODUCTS			1,520.16
01287	HAMMOND FARMS SOUTH		
	5-110177	STEEL EDGING	160.00
TOTAL FOR: HAMMOND FARMS SOUTH			160.00
01250	INSTY PRINTS		
	94655	500 YELLOW ENVELOPES	152.63
TOTAL FOR: INSTY PRINTS			152.63
01242	JACK DOHNEY COMPANIES, INC		
	203168	AIR CYLINDER, VALVE BALL	280.51
TOTAL FOR: JACK DOHNEY COMPANIES, INC			280.51
MISC	JOHN WELCH		
	08.07.2023	REFUND 2ND METER, PLUMBING NON COMPATIBLE	289.00
TOTAL FOR: JOHN WELCH			289.00
01976	KENT COMMUNICATIONS INC		
	325309	UTILITY BULLS	1,058.26
TOTAL FOR: KENT COMMUNICATIONS INC			1,058.26
01182	LANSING UNIFORM CO.		
	99477-A	CAPTAINS HAT BADGE	99.95
TOTAL FOR: LANSING UNIFORM CO.			99.95
01684	LEXISNEXIS RISK SOLUTIONS		
	1275544-20230731	2023 JULY MINIMUM COMMITMENT,	200.00
TOTAL FOR: LEXISNEXIS RISK SOLUTIONS			200.00
01987	MAGLOCLLEN, INC		
	8650	ANNUAL MEMBERSHIP	400.00
TOTAL FOR: MAGLOCLLEN, INC			400.00
01082	MICHIGAN NETWORK CONSULTANTS		
	2022-231311	IT SERVICES 1SY HALF OF MONTH	3,150.00
	2022-231312	IT SERVICES 2ND HALF OF MONTH	3,175.00
TOTAL FOR: MICHIGAN NETWORK CONSULTANTS			6,325.00
01536	NAPA MPEC		
	253286	HYDRAULIC FLUID SNORKLE	521.94
	253591	OIL FILTER, POWER STEERING FLUID	93.03
	253957	FLEET PADS	91.09
	253962	OIL TRUCK 311	47.74
	253963	OIL TRUCK 311	47.74
TOTAL FOR: NAPA MPEC			801.54

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Vendor Code	Vendor Name		Amount
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01032	NELSON TANK & ENGINEERING		
	2624	SOUTH H2O TOWER INSPECTION	4,300.00
TOTAL FOR: NELSON TANK & ENGINEERING			4,300.00
01000	PAE PLUMBING LLC		
	29095	CLOGGED SINK CITY HALL	104.83
TOTAL FOR: PAE PLUMBING LLC			104.83
02009	PRECISE EXCAVATING, INC		
	23-2253	INSTALLED NEW WATER SERVICE 202 AMITY ST.	2,504.75
TOTAL FOR: PRECISE EXCAVATING, INC			2,504.75
00973	PREIN & NEWHOF, P.C.		
	76068	2190161 EASEMENT ACQUISITION (BILLING PERIOD 07.01.2023 - 07.29.2023)	666.16
	76580	PROJECT 2190161 FPK EASEMENT ACQUISITION (BILLING PERIOD 07.30.2023 - 08.26.2023)	14,935.07
TOTAL FOR: PREIN & NEWHOF, P.C.			15,601.23
01030	QUADIENT FINANCE USA, INC.		
	7900044417194903	POSTAGE FUND	17.16
TOTAL FOR: QUADIENT FINANCE USA, INC.			17.16
00964	QUILL CORP.		
	33780761	BROTHER BLACK TONER	86.99
	33829591	TABLE TOP DOCUMENT FOLDER	889.99
TOTAL FOR: QUILL CORP.			976.98
00926	ROWE PROFESSIONAL SERVICES CO		
	0109464	PROJECT 21W0004 PROFESSIONAL SERVICE FROM 06.01.2023 - 06.30.2023	103,407.50
	0109465	PROJECT 21W0064 - RECONSTRUCTIO OF HALL ST (SERVICES RENDERED 06.01.2023 - 06.30.2023)	103,407.50
	109359	PROJECT 2300485 CHARLOTTE RECREATION PLAN 2023	1,235.00
TOTAL FOR: ROWE PROFESSIONAL SERVICES CO			208,050.00
00871	SPARROW OCCUPATIONAL HEALTH - LANS		
	00061118-00	SCREENINGS FOR NEW EMPLOYEE	142.00
TOTAL FOR: SPARROW OCCUPATIONAL HEALTH - LANS			142.00
02021	STAPLES		
	3643411399	OFFICE SUPPLIES	326.41
TOTAL FOR: STAPLES			326.41
01108	STATE OF MICHIGAN		
	MDOT00122.8	HALL ST	623,142.66
TOTAL FOR: STATE OF MICHIGAN			623,142.66
00848	SUPERFLEET MASTERCARD PROG.		
	FB749-07.01.2023	FUEL FOR POLICE	5,417.18
TOTAL FOR: SUPERFLEET MASTERCARD PROG.			5,417.18

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Vendor Code	Vendor Name		Amount
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00872	THE SHYFT GROUP, INC		
	SVA0007501	REPAIR BRAKES TRUCK 314	2,795.43
TOTAL FOR: THE SHYFT GROUP, INC			2,795.43
01466	TODD COTTER		
	A.M.07.23	AIRPORT MANAGEMENT JULY 2023	833.33
TOTAL FOR: TODD COTTER			833.33
00820	TRACE ANALYTICAL LABORATORIES		
	3080482	WATER TESTING	332.00
TOTAL FOR: TRACE ANALYTICAL LABORATORIES			332.00
00809	TRUGREEN #2801		
	179928660	VEGETATION CONTROL	38.29
	180433586	VEGETATION CONTROL	44.67
TOTAL FOR: TRUGREEN #2801			82.96
00791	USA BLUE BOOK		
	INV00094147	LAB REAGENTS	2,487.46
TOTAL FOR: USA BLUE BOOK			2,487.46
00785	VERIZON WIRELESS		
	9941005406	JUL 02 - AUG 01	1,038.29
TOTAL FOR: VERIZON WIRELESS			1,038.29
00774	WASTE MANAGEMENT-		
	8463093-1710-1	REFUSE PICKUP	1,655.28
TOTAL FOR: WASTE MANAGEMENT-			1,655.28
01817	WEATHER SHIELD ROOFING SYSTEMS		
	39826	WELLNESS CHECK ON ROOF	943.00
TOTAL FOR: WEATHER SHIELD ROOFING SYSTEMS			943.00
01983	WEX BANK		
	90895152	FUEL FOR CODE ENFORCEMENT	36.91
TOTAL FOR: WEX BANK			36.91
00761	WILLIAMS FARM MACHINERY, INC.		
	12243	HYDRAULIC CAP	4.74
	12529	2 STROKE FUEL	67.98
TOTAL FOR: WILLIAMS FARM MACHINERY, INC.			72.72
TOTAL - ALL VENDORS			1,092,533.99
PAYMENT TYPE TOTAL			
Paper Check			997,996.85
EFT Transfer			94,537.14

Claims-

2 messages

Joseph Chin Jr <jchin@charlottemi.org>

Wed, Aug 16, 2023 at 6:24 PM

To: Mary LaRocque <mlarocque@charlottemi.org>, Erin LaPere <elapere@charlottemi.org>

What is this for?

00791 USA BLUE BOOK INV00094147 LAB REAGENTS 2,487.46

Copy of the Invoice

02009 PRECISE EXCAVATING, INC

23-2253 INSTALLED NEW WATER SERVICE 202 AMITY ST. 2,504.75

Is this for Aviation Fuel and is this yearly?monthly? cost

01627 AVFUEL CORPORATION 019026170 AV FUEL 43,580.96

Thank You

--

Joseph Chin, Jr.

517-449-2338

Councilmember District 2

Erin LaPere <elapere@charlottemi.org>

Thu, Aug 17, 2023 at 11:28 AM

To: Joseph Chin Jr <jchin@charlottemi.org>, Michael Armitage <marmitage@charlottemi.org>, Tamra Weissenborn <tweissenborn@charlottemi.org>, Adrienne Van Langevelde <avanlangevelde@charlottemi.org>, Brandon Dyer <bdyer@charlottemi.org>, Anthony Rodriguez <arodriguez@charlottemi.org>, Michael Duweck <mduweck@charlottemi.org>
Cc: Mary LaRocque <mlarocque@charlottemi.org>, Jon Bartlett <JBartlett@charlottemi.org>

Hi Joe -

Please find the answers to your questions below:

What is this for?

00791 USA BLUE BOOK INV00094147 LAB REAGENTS 2,487.46

Chemicals we need to do our compliance testing.

Copy of the Invoice

02009 PRECISE EXCAVATING, INC

23-2253 INSTALLED NEW WATER SERVICE 202 AMITY ST. 2,504.75

Attached.

Is this for Aviation Fuel and is this yearly?monthly? cost

01627 AVFUEL CORPORATION 019026170 AV FUEL 43,580.96

Yes, aviation fuel. We order fuel approximately every 6 months. We typically wait to purchase fuel until there is room in the tanks for us to accept a full truck load, because we get a price break on that so timing and amounts ordered depend on sales.

Kind Regards,

-- Erin

Erin E. LaPere, MPAP

City Manager
City of Charlotte

[111 E. Lawrence Avenue, Charlotte, MI 48813](#)

Office: 517-543-8850 Cell: 269-223-9809 Fax: 517-543-8851 Email: elapere@charlottemi.org Web: www.charlottemi.org



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Precise Excavating 202 Amity.pdf

318K

RESOLUTION NO. 2023-39

**A RESOLUTION TO APPROVE CHANGES
TO SIGNATORIES FOR INDEPENDENT BANK ACCOUNTS**

WHEREAS, the City maintains its various bank accounts with Independent Bank whose branch is located at 129 Lansing Street in Charlotte; and

WHEREAS, certain City officers and employees are authorized to act on behalf of the City to make various transactions with regard to those accounts and, in this capacity, are designated as signatories on these accounts; and

WHEREAS, a change in personnel has prompted the necessity to update signatories on the bank accounts, and

WHEREAS, it is a requirement of Independent Bank to submit a Resolution by Council approving designated City personnel who are assigned as signatories on the bank accounts; now therefore

BE IT RESOLVED that City Manager Erin LaPere is *to be removed* as a signatory, and Finance Director/Treasurer Jon Bartlett is *to be added* as a signatory.

The foregoing resolution was presented by ____ and supported by ____ for approval. Carried; Yea ; Nay ; Absent

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 August 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



Memo

To: Honorable Mayor Armitage; City Council
From: City Manager LaPere, MPAP
Date: August 18, 2023
Re: Acting City Manager

Background

The City Manager has submitted her resignation effective August 22nd, and the City Council is tasked with appointing a replacement City Manager pursuant to the City Charter. Section 2-68 of City Code outlines that the City Council may designate an Interim City Manager or may assign the duties to one or more current administrative officers in the event the City Manager is unable to perform the duties.

Interim City Manager candidate interviews are scheduled for August 23rd therefore, the duties will need to be assigned to one or more current administrative officers. I would recommend the Council appoint Chief Paul Brentar as Acting City Manager to fulfill those duties until such time the Interim City Manager can be hired and start service. Chief Brentar is a long-term employee of the city and well-suited to oversee operations until the Interim Manager can begin service. I would anticipate the assignment to last approximately 2-4 weeks in duration.

Suggested Motion

City Council appoints Chief Paul Brentar to serve as Acting City Manager effective August 23rd and until such time an Interim City Manager is hired and begins service with the City.

eel

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

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OF COUNSEL:
DENNIS E. McGINTY
THOMAS M. YEADON

August 18, 2023

Michael Armitage, Mayor
City Council, City of Charlotte
City Hall
Charlotte MI 48854

Via Email

RE: Erin LaPere – Temporary Part-time Employment

Dear Mayor Armitage and Members of the City Council:

I write to recommend that the City Council consider and employ Ms. LaPere for temporary part-time employment for a period of thirty (30) days, following her tenure as City Manager.

The purpose of my recommendation is so that Ms. LaPere may have access to City records and computers to assist the interim City Manager make a successful transition, while providing insight and recommendations, as necessary.

For this professional service, generally compensation of \$500.00 per week for hours not expected to exceed 5 per week is reasonable.

I anticipate being present at the City Council meeting and look forward to any questions.

Thank you.

Very truly yours,



David M. Revore
City Attorney

DMR/cf

c: Erin LaPere, City Manager
Thomas Hitch, City Attorney



Memo

Date: August 17, 2023
To: Honorable Mayor Armitage; City Council
From: City Manager LaPere, MPAP
Re: Fire Chief Appointment

Background

In September 2022, Fire Chief Mark Jordan resigned from his position which necessitated the appointment of a replacement to the office. In addition to serving the city residents, the Charlotte Fire Department provides fire and emergency services to five neighboring townships through a contract with the Rural Fire Association (RFA).

Appointment Process

Per the City Charter, the administrative officers of the city, except the City Attorney, are appointed by the City Manager and confirmed by Council. Additionally, Section 6.12 states that primary consideration of the appointment of Fire Chief shall be given to the recommendation made by the members of the Fire Department.

In addition to the Charter provisions, the terms of the contract with the RFA outline a process by which a Fire Chief Selection Committee is established to hire a Fire Chief. The Committee is made up of seven members: the City Manager, two city department heads, a representative from the Volunteer Fire Department, a representative from the RFA, a Fire Chief from a neighboring community, and a citizen at-large, and the group is responsible for conducting the recruitment of the Fire Chief.

This Committee began its work in fall of 2022 and conducted a thorough recruitment process which did not result in a suitable candidate. The City named Captain Daly as Interim Chief and resumed recruitment efforts in the spring 2023. After reviewing resumes and conducting interviews, the Committee selected two finalists from a pool of eight candidates, and those finalists had an interview with the volunteer members of the Fire Department. After that interview, the volunteers put forth a recommendation. Based upon the person found to be most qualified through the Selection Committee process and the recommendation from the fire department, the City Manager offered the position. Once accepted, that candidate is appointed by the City Manager and presented to Council for confirmation.

Request for Confirmation

In accordance with the City Charter, upon successful completion of the recruitment process outlined in our contract with RFA and receipt of the recommendation by the Volunteers on August 10th, I am seeking confirmation for the appointment of Kevin Christiansen to be the Fire Chief. Mr. Christiansen has extensive knowledge and background in fire and emergency response services. He joins the city with over 25 years of experience in the field. Additionally, he has over 30 years experience in the armed forces, including currently serving as Sergeant Major in the Michigan Army National Guard. He has experience in leadership, training, emergency medical services, and active violence response.

His skills and experiences bring a wealth of knowledge to the Charlotte Fire Department, and he will play a key role in overseeing the opportunities and challenges facing the city. Mr. Christiensen has a demonstrated history of leadership and commitment to the fire service. Kevin has ties to the local community, and has voiced his sincere enthusiasm at joining the fire department. I believe he will be a valuable asset to the management team and look forward to his long-term success with the fire department and the city as a whole.

A copy of the recommendation letter from the volunteer firefighters is included for Council's review.

Suggested Motion

City Council confirms the appointment of Kevin Christiansen as Fire Chief, with a start date of September 5, 2023.

eel

attachment

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

CHARLOTTE
Ph. 517-543-0241



MICHIGAN
48813

8/3/2023

To: Manager LaPere

From: Members of the Charlotte Vol. Fire Department

RE: Fire Chief Recommendation

City Manager LaPere,

At the regular business meeting held on Aug. 2nd 2023, the members of the Charlotte Volunteer Fire Department discussed the needs of the current state of the department as well as possible future hurdles it may need to overcome in the coming years. With that, they overwhelmingly feel that the best candidate to be given an opportunity to be Fire Chief of the department is candidate Kevin Christiansen.

This decision was based on Kevin's many good quality's including: distinguished military career demonstrating leadership and command responsibilities, long-term career as Chief of Training at the Lansing Fire Department, his experience as a pumper/aerial operations instructor, his emergency medical credentials as a paramedic and Instructor within the field, and close proximity and knowledge of the area.

With this departments current & immediate needs, the members of this department recommended Kevin Christiansen for Fire Chief of the Charlotte Fire Department.

Any questions, please let us know.

Best Regards,

A handwritten signature in black ink, appearing to read 'Tyger Fullerton', with a long horizontal line extending to the right.

Tyger Fullerton
Assistant Chief/Captain
Charlotte Fire Department

RESOLUTION 2023-~~XXX~~**A RESOLUTION TO EXTEND FOR SIX (6) MONTHS THE EXISTING MEMO OF UNDERSTANDING FOR LOW INCOME HOUSEHOLD WATER ASSISTANCE PROGRAM WITH STATE OF MICHIGAN**

WHEREAS, access to safe and affordable drinking water and wastewater services is a fundamental element of health, safety, and well-being for households across America; and

WHEREAS, the Michigan Department of Health and Human Services (hereinafter referred to as "MDHHS") entered into a Memorandum of Understanding effective 12/20/2021, with 33004-Capital Area Community Services, Inc. and the City of Charlotte (hereinafter referred to as "Partners"), for the provision of certain services as set forth in the original Memorandum of Understanding; and

WHEREAS, it is mutually desirable to MDHHS and to Partners to amend the original agreement to extend services until March 31, 2024.

WHEREAS, the City Council approved and authorized the City Manager to sign the original Memorandum of Understanding for the LIHWAP program on December 20, 2021

NOW, THEREFORE, BE IT RESOLVED that the City Council authorizes the City Manager to sign the Memorandum of Understanding Amendment LIHWMOU22-99167 on behalf of the City of Charlotte which will extend the agreement through 3/31/2024.

The foregoing resolution was presented by Chin and supported by Weissenborn for approval with the following roll call vote; Yea 7 Nay 0 Absent 0 Motion passed.

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 August 21, 2023

Mary LaRocque, City Clerk

MEMORANDUM OF UNDERSTANDING NUMBER:**AMENDMENT NUMBER: LIHWMOU22-99167** 1**Between****THE STATE OF MICHIGAN****DEPARTMENT OF HEALTH AND HUMAN SERVICES****And**

PARTNER / ENTITY NAME	33004 - Capital Area Community Services, Inc.
PRIMARY CONTACT	Miguel Rodriguez
EMAIL	miguel@cacsmi.org

And

PARTNER / ENTITY NAME	City Of Charlotte
PRIMARY CONTACT	Eric Smith
EMAIL	esmith@charlottemi.org

MDHHS CONTACT	EMAIL
Ben Gulker	MDHHS-LIHWAP@michigan.gov

MEMORANDUM OF UNDERSTANDING SUMMARY

BRIEF DESCRIPTION OF PURPOSE	Agreement between the water/wastewater provider, Community Action Agency and MDHHS for participation in the Low Income Household Water Assistance Program		
INITIAL EFFECTIVE DATE	12/20/2021	CURRENT EXPIRATION DATE	09/30/2023

AMENDMENT DESCRIPTION

EXTEND EXPIRATION DATE	☒ YES ☐ NO	NEW EXPIRATION DATE	03/31/2024
NATURE OF CHANGE	Extension through 3/31/2024		

The individual or officer signing this agreement certifies by his or her signature that he or she is authorized to sign this agreement on behalf of the responsible governing board, official or agency.

Michigan Department of Health and Human Services

Signature of Director or Authorized Designee

Signature of Director or Authorized Designee

Jeanette Hensler,
Director-Grants Division, Bureau of Grants and Purchasing

Print Name / Title

Print Name / Title

Date

Date

Signature of Authorized Designee

Print Name / Title

Date

**STATE OF MICHIGAN
DEPARTMENT OF HEALTH AND HUMAN SERVICES**

WHEREAS, the Michigan Department of Health and Human Services (hereinafter referred to as “MDHHS”) entered into Memorandum of Understanding effective 12/20/2021, with 33004 - Capital Area Community Services, Inc. and City Of Charlotte (hereinafter referred to as “Partners”), for the provision of certain services as set forth therein; and,

WHEREAS, it is mutually desirable to MDHHS and to Partners to amend the aforesaid Agreement.

THEREFORE, in consideration of the promises and mutual covenants hereinabove and hereinafter contained, the parties hereto agree to the following amendment of said Agreement. This amendment shall be attached to the Agreement, said Agreement being hereby reaffirmed and made a part hereof.

Article I

This amendment shall be effective on the date of MDHHS signature or 10/1/2023, whichever is later.

Article II

Section 3. **Period of Agreement** shall be extended by six months, amending the agreement as follows:

This MOU is effective from 12/20/2021 through 3/31/2024.



Memo

To: Honorable Mayor Armitage; City Council
From: Paul Brentar, Chief of Police
Date: 08-15-2023
Re: Staff report on Police Vehicle Outfitting

Background

As you will recall, you recently approved the purchase of two new police vehicles. In addition to purchasing these vehicles, new emergency equipment is also needed to outfit them properly to put them into service. This includes items such as emergency lighting, sirens, cages, installation, removal of old equipment, etc. I have solicited quotes from two local outfitters who perform this type of work and only one of them has given me a quote, Chrouch Communications out of Saranac with a quote of \$24,354.30 for both vehicles. We have used Chrouch many times to outfit our vehicles in the past and I am comfortable with their quote.

Recommendation

I am recommending that the City Council approve the quote received from Chrouch Communications, in the amount of \$24,354.30, for the outfitting of two new police vehicles and the removal of old equipment from old patrol vehicles.

Financial Impacts

This purchase has been budgeted in FY 23-24 in the police department's budget.

Suggested Motion

City Council approves the bid from Chrouch Communications, in the amount of \$24,354.30, with funds available in Capital Outlay- Motor Vehicles, 101-301.000-973.000.



Memo

To: Honorable Mayor Armitage; City Council

From: City Manager LaPere, MPAP

Date: August 18, 2023

Re: Personnel Manual Updates

Background

The City Manager, City Clerk/HR Director, and City Labor Attorney Kluck have performed a comprehensive review and update to the City's Personnel Manual. The last time this manual was updated was 2010. Since that time, certain city benefits have changed and certain state/federal laws have changed. Attorney Kluck and Administrative staff have worked diligently to ensure the language is consistent with state/federal labor laws, accurately reflects current benefits, and to clarify language where necessary. We have also added language when necessary, such as on social media use and remote work policies as those items were not addressed in our current manual.

In terms of benefits, those are generally unchanged except to reflect what is currently offered where the manual was outdated, e.g. the retirement plan now references the current open plan (prior edition only referenced a closed plan that was not available to new hires), holidays listed are now consistent with CBAs, and the sick leave portion references new state laws. The proposed updates have been reviewed by the city's department heads as well. A current version and updated/proposed version have been attached for Council's review.

Recommendation

The City Council adopt the proposed updates to the personnel manual as submitted.

Financial Impacts

The City's current personnel manual lists benefits that are inconsistent with state or federal laws, and reflect outdated and unavailable programs. Updating the manual to reflect the current benefits and consistent with state and federal laws will be important to minimize the city's risk of labor dispute over inaccurate language.

Suggested Motion

City Council approves the updates to the City Personnel Manual as submitted.

eel

attachments

— THE CITY OF —
CHARLOTTE
— MICHIGAN —

PERSONNEL MANUAL

CITY OF CHARLOTTE

REVISED 10/01/05
REVISED 1/1/2007
REVISED 3/1/2008
REVISED 4/27/2009
REVISED 8/9/2010
REVISED 8/21/2023

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PREFACE

TO ALL EMPLOYEES OF THE CITY OF CHARLOTTE

The City of Charlotte, Michigan (the “City”), wants to thank you for being a part of our team and contributing to its success. As an employee of the City, you will be serving the citizens and taxpayers of this city and its elected and appointed officials. These personnel policies and procedures are dedicated to furthering the mission of serving the public. In serving our citizens we need to sustain their confidence in us by delivering exemplary customer service.

Therefore, we hope and expect your association with the City will be a source of satisfaction. We are grateful you have chosen to work with us and look forward to working with you to attain your career goals.

The policies and procedures found in this document are intended to help us optimize our operations while providing you the guidance you need to meet the expectations of your job. Other documents related to your employment may include a Collective Bargaining Agreement (CBA), applicable state or federal rules, or other department specific policies and procedures. If there is a conflict between the language of this document and the language in the CBA or state or federal statute or rule, the CBA/other document will take precedence. This document and other documents that may apply to you shall comprise your complete Personnel Policy and Procedure documents.

Because the needs of the workplace may change, the City reserves the right to revoke, change, or supplement any of the policies or procedures found in this document. Upon such change, an updated Personnel Policy & Procedure document will be provided to you. The effective date of this document may be found in the footnotes.

It is important to emphasize that this Personnel Policy and Procedures document does not create a contract of employment between you and the City. This document does not guarantee you continued employment, benefits, or rights and no permanent employment relationship or employment for any term is intended or can be implied from any statements in the Personnel Policy & Procedure document. Employees not covered by a CBA or other contract are considered to be employed “at-will.” Moreover, no supervisor has authority to enter into an express or implied employment contract with you or change your at-will employment status either verbally or in writing. Only the City Council has the authority to enter into an employment agreement changing your employment status and such agreement must be specified in this document, the CBA, or contract language.

Again, thank you for being a part of our City. If at any time you have any questions about the policies and procedures contained in this document, please consult the Human Resources Director.

I. INTRODUCTION

The purpose of this Personnel Manual is to establish guidelines for all City of Charlotte employees so that there is a shared understanding of the framework and conditions under which they work. The policies set out in this Personnel Manual work in conjunction with, and do not replace, amend, or supplement any terms or conditions of employment stated in any collective bargaining agreement that a union has with the City of Charlotte. When language set forth in this Personnel Manual conflicts with language set forth in a collective bargaining agreement (CBA), the language in the CBA shall control only for those unionized employees covered by the CBA, and this Personnel Manual shall control for all other employees.

Employees Covered

All employees, except the City Attorney, are covered by this manual. This manual, however, cannot anticipate every situation or answer every question about employment. Further, it's not an employment contract, nor does it guarantee any fixed terms and conditions of employment. The City reserves the right to change or revise policies, procedures, and benefits described in this manual without notice, whenever the City determines that such action is warranted.

Receipt of Manual

All employees covered by this personnel manual shall sign a verification of receipt for this manual, acknowledging that they have reviewed the manual and understand its contents. Replacement pages updating this manual will be furnished to the employees as necessary, listing changes that are made in a particular section.

Personnel Files

The City of Charlotte is required to keep accurate, up-to-date personnel files on all employees to ensure compliance with state and federal regulations. Personnel files are official records belonging to the City and maintained by the Human Resources Director.

It is the responsibility of each employee to inform Human Resources of any necessary updates to their personnel files such as a change of name, address, telephone number, emergency contact, tax withholding deductions, benefits coverage (e.g. marital status, number of dependents), or military status. Employees shall also inform their supervisor and Human Resources of any outside training, professional certification, education, or any other similar change in status.

Employees' personnel files are considered confidential and access to such records is restricted. An employee can review their personnel file by contacting Human Resources. The review will be conducted during regular business hours at City Hall. An employee may take notes related to documents in the personnel file; however, no alteration of records is permitted nor can a document be added or removed from the file at the time of the employee's review. Employees may request and receive a copy of personnel records contained within their personnel file upon written request to Human Resources. Upon written request, copies of personnel records shall be mailed to an employee when the employee demonstrates that they cannot review the record at the designated

time and location. The City will adhere to the Bullard-Plawecki Employee Right to Know Act, MCL 423.501, *et seq.*, and other applicable state and federal law when processing such requests. It will be the policy of the City of Charlotte to only verify salary, dates of employment, and job titles to outside agencies and/or employment inquiries. If the current or former employee wishes any additional information to be released, they must supply a signed authorization.

II. EMPLOYEE CLASSIFICATIONS AND CONDUCT

Employment Classification

The Fair Labor Standards Act, 29 U.S.C. § 201, *et seq.*, requires that all employees be classified as “Exempt” or “Non-Exempt” and sets applicable conditions of employment, such as minimum wage, and overtime rates. Determinations of wage classification status are made through the job evaluation processes, as provided by federal law.

Exempt employees are generally those who qualify as administrative, executive, or professional employees within the meaning of the state and federal wage and hour laws and are exempt from the Fair Labor Standards Act minimum wage and overtime provisions.

Non-exempt are those employees who are not exempt from the minimum wage and overtime provisions of state and federal law and therefore are entitled to overtime pay under the Fair Labor Standards Act.

Full-time employees are those who are regularly scheduled to work at least 40 hours per week.

Part-time employees are those who are hired to work on a regular basis less than 40 hours per week. Schedules for part-time employees will be determined by the Department Head and will be subject to change at any time. Part-time employees will be treated as external candidates for any full time posted positions; however, their work performance during their part-time period may be taken into consideration when applying for a full-time position.

Temporary status employees are those who are hired for a limited duration arising out of special projects, abnormal workloads, or emergencies.

Physical Requirements

As a new or rehired employee, you may be required to pass a physical examination given by a physician to be named by the City. This physical exam may include a lower back x-ray and a urine drug screen, or other medical screening as applicable for job duties.

Disability Accommodations

The City of Charlotte complies with the Americans with Disabilities Act (ADA), 42 U.S.C. § 12101, *et. seq.*, and all applicable state and local fair employment practices laws. The City is committed to providing equal opportunities to qualified individuals with disabilities. Consistent with this commitment, the City will provide a reasonable accommodation to disabled applicants

and employees if the reasonable accommodation would allow the individual to perform the essential functions of the job, unless doing so would create an undue hardship.

Employees that believe they need an accommodation because of a disability are responsible for requesting a reasonable accommodation from the City. Employees may make this request orally or in writing. The City encourages requests for accommodations to be in writing and to include relevant information, such as:

- (a) A description of the accommodation you are requesting
- (b) The reason you need an accommodation
- (c) How the accommodation will help you perform the essential functions of your job

After receiving a request for accommodation, the City will engage in an interactive dialogue with the requesting employee to determine the precise limitations of the disability and explore potential reasonable accommodations that the employee believes would allow them to perform their job. However, the City is not required to make any specific accommodation requested by the employee and may provide an alternative effective accommodation, to the extent any reasonable accommodation can be made without imposing an undue hardship on the City.

The City may ask the employee to provide documents that support the presence of a disability within the meaning of the ADA and that support the necessity of a reasonable accommodation. The City may require the requesting employee to see a healthcare professional of the City's choosing, at its expense if more information is necessary to comply with the ADA. Employees are required to provide supporting medical documentation or see a designated healthcare provider within 15 days after making their initial request for accommodation. Failing to provide this information or see a designated healthcare professional may subject your request for reasonable accommodation to be denied.

The City makes determinations on a case-by-case basis and considers various factors based on an individualized assessment. The City will strive to make determinations as expeditiously as possible and inform employees once a determination is made. The City will not retaliate against anyone for requesting accommodation under the ADA and is committed to ensuring none of its employees retaliate or discriminate against anyone utilizing their rights under the ADA. The City is responsible for the administration of its ADA policy. If you have any questions regarding the policy or have questions about disability accommodation, please contact your supervisor or Department Head.

Employment of Relatives

Employment of a current employee's immediate family will not be permitted within the same Department or where they will be directly or indirectly supervised by the current employee. For the purpose of this policy, the term "relative" includes, but is not limited to, a brother, sister, mother, father, wife, husband, son, daughter, brother-in-law, sister-in-law, mother-in-law, father-in-law, daughter-in-law, step-child, step-parent. It should also be interpreted to include persons who are living in the same household, as well as domestic partners.

If two employees marry, cohabit, or become otherwise become relatives as defined in this

Employment of Relatives Policy, they must report the change in status to the Human Resources Department immediately, which will work with the employees to devise a working solution to avoid nepotism problems under this policy. The two employees may not remain in any reporting relationship where one has influence over the other unless accommodations can be made to eliminate the potential conflict.

Job Description

The City will adopt a job description outlining the basic job duties and responsibilities of each classification. The City reserves the right to adopt, publish, add to, subtract from, alter, change or amend the job descriptions.

Working Hours

The normal workweek for most regular full-time employees is 40 hours, calculated Sunday through Saturday. Employees will be allowed a lunch break and other breaks as scheduled by the Department Head. These breaks are not to be accumulated to use at the beginning or end of the workweek. It is understood and agreed that the timing of such breaks may vary depending upon the nature of the work being performed by the employee at the time, and it is recognized that under certain conditions it will be impossible for employees to take a break period until the urgent aspect of the job being performed has been completed.

Each Department's starting time and work schedule shall be determined by the City.

Lactation Breaks

Eligible employees may take a reasonable amount of lactation break time to accommodate the employee's need to express breast milk. Nursing employees will be provided a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk. Eligible employees should notify their direct supervisor of the frequency, timing, and duration of lactation breaks they need to take.

Compensation for a lactation break time that is taken on a normally scheduled break will be compensated in accordance with the compensation of that normally scheduled break. Lactation breaks that do not fall on a regularly scheduled break will be compensated when the Employee is completely relieved of work duties while taking the lactation break.

Exempt employees may be provided break time with pay when necessary to comply with state and federal wage and hour laws.

Overtime

Should it be necessary in the interest of efficiency of the City, employees shall work such reasonable overtime hours as shall be required by the City. When so directed by their immediate supervisor, employees are expected to complete a definite assignment even though it requires additional hours over the standard work day or work week.

Employees who qualify as administrative, executive, or professional employees within the

meaning of the state and federal wage and hour laws are exempt from overtime pay and are not subject to this policy.

All non-exempt employees qualify for overtime pay. Non-exempt employees are entitled to overtime pay and will be paid at the premium rate of one and one-half times the hourly rate for time worked in excess of 40 hours weekly. Overtime is based on actual time worked. It does not include hours away from work due to vacation, sick leave, holiday, or other approved time off, even where these days are compensated. Unpaid sick leave, personal leave or any other time away from work is also not considered hours worked. All overtime worked by a non-exempt employee must be approved in advance by the employee's immediate supervisor.

Wages

Employees shall receive an hourly wage or salary for their work as determined by the City.

The law requires the City of Charlotte to make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes and Social Security. The City compensates all employees in accordance with state and federal laws, including the federal Fair Labor Standards Act (FLSA). The City takes all reasonable steps to ensure that you receive the correct amount of pay in each paycheck and that you are paid on the scheduled payday. If you have any questions or concerns about your compensation or if you believe that an erroneous deduction has been made from your pay, you should immediately report this information to the Finance Director/Treasurer. If it is determined that an improper deduction has been made, you will be promptly reimbursed and the City will take the necessary steps to prevent reoccurrence of errors in the future.

Garnishment of Wages

The City will comply with all court orders for garnishment of wages and will make required deductions from your pay. The City will not discriminate against employees whose wages are garnished. Financial counseling is available through a number of services offered throughout the area and the City's Employee Assistance Program benefit (EAP). An employee may contact Human Resources to receive a list of these referral programs. The City will adhere to all federal, state, and local laws regarding garnishment of employee wages.

Time Cards

Employees responsible for filling out their work time records shall submit their work time records into their supervisor by 9:00 am on the Monday morning immediately following the end of the pay period to ensure timely processing of payroll.

Payday

Each payroll period is two weeks, beginning at 12:00 midnight on Sunday and ending at 11:59 p.m. on Saturday. The City of Charlotte is required to make deductions for federal withholding; state income tax, social security, Medicare, court ordered garnishments and child support. You must authorize in writing any other deductions to be made from your paycheck. Employees will

be paid on Friday following the end of each pay period and are paid bi-weekly.

Employee Evaluations

Employees may be subject to periodic employment evaluations. A Department Head can establish an evaluation schedule.

All evaluations shall be in writing and shall become a permanent record in employees personnel files. Employees shall receive a copy of his/her evaluation.

Training and Education

The City will pay certain educational expenses when the education received is applied to the job and the funding is available. Requests such funding must be made in writing and state their reasons why this education will benefit the City. This request should be given to his/her immediate supervisor or Department Head. Final approval will be given by the Department Head after approval from the City Manager. The City reserves the right to determine what educational courses, degrees, licenses, and certificates are eligible for funding or reimbursement. The City also reserves the right to fund or reimburse such educational expenses at the rate it determines appropriate.

Outside Employment

Outside employment that interferes with the employee's physical or cognitive ability to perform their duties or that presents a conflict of interest is prohibited.

Transportation

Employees may only use City vehicles for official City business unless otherwise approved by the City Manager.

City Buildings, Equipment, and Property

Pursuant to City policy, no person shall use buildings, materials, equipment, tools, supplies, or other property for personal gain or use, or any other unauthorized use. Any employee violating this section and found using City owned buildings, materials, equipment, tools, supplies, or property in an unauthorized way will be subject to disciplinary action up to and including dismissal.

Safety

Every employee is required to do his/her job in the safest possible way. Employees shall use methods and equipment that have been approved by the City, MIOSHA or OSHA. Each employee should read, review and sign for a copy of the established City of Charlotte Safety Rules. (Appendix A)

Attendance

Regular attendance during all scheduled hours of work, reporting to work on time, and continuing to work to the end of the work period are expected of every employee. Unsatisfactory attendance, including reporting late or quitting early, may be cause for disciplinary action, including discharge. If, for any reason, you cannot report for work on time, telephone your immediate supervisor as far in advance of your starting time as possible. In case of illness of more than three (3) days, employees may be asked to present a physician's statement. It may be determined that the absence falls under the Family Medical Leave Act. Please refer to the appropriate Family and Medical Leave Policy located in this Personnel Manual.

Appearance of Work Areas

To minimize the hazards of fire, accidents, etc., employees are required to maintain a clean and uncluttered work area. Each employee will share the responsibility for the appearance of his/her work area, both inside and out. City employees are required to maintain a professional and orderly workstation at all times.

Personal Property

It is your sole responsibility to maintain and secure your own personal property. . There are many people entering and leaving your place of employment daily. Please do not take any chances with items of value to you. The City will NOT be responsible for these personal items or any damage to such.

Residency Requirements

Any residency requirements will comply with Michigan law.

Remote Work

The City may permit eligible employees to work remotely on a regular basis or on a hybrid basis, in which the employee splits work time between remote and in-person. However, the City may require employees granted permission to work remotely to report to work in person as needed.

This policy does not apply to requests for reasonable accommodation for a disability under the Americans with Disabilities Act (ADA) or applicable state or local law. Employees requesting to work remotely as a reasonable accommodation for a disability should follow the procedures contained herein.

Employees are eligible to apply to work remotely if their essential job functions can be performed remotely.

All remote work arrangements must be approved in advance by the City Manager. Permission to work remotely is at the City's discretion and can be withdrawn at any time.

Employees are prohibited from performing unauthorized work during their remote working hours.

Employees are responsible for making arrangements for childcare or other dependent care during the employee's work hours.

The City provides equipment that is necessary to perform the employee's duties to employees approved to work remotely at the City's sole discretion.

The City will repair or replace any City-provided equipment. However, Employees are responsible for the costs to repair or replace equipment intentionally damaged. The City is not responsible for any damage to an Employee's personal furniture or equipment.

Upon termination or the end of a remote working arrangement, employees shall immediately return all City-provided equipment.

Employees shall report work-related injuries to their supervisor as soon as possible, following the procedures outlined herein. Workers' compensation does not apply to injuries to any third parties or members of the employee's family on the employee's premises.

Failure to follow the City's policies and remote work rules may result in discipline and termination of the remote work arrangement or termination of employment.

III. EMPLOYMENT PRACTICES AND STANDARDS

Public Relations

We are all municipal employees, and accountable to the citizens and taxpayers of Charlotte. We must always treat citizens with respect, courtesy, and attentiveness whenever they contact us, either by phone or in person. If a citizen has a question or a complaint, hear that citizen out. Answer their question or refer them to the proper department head. If you do not know the answer, do not attempt to answer the question.

The following is a list of public relations guidelines:

1. Identify your department when you answer the phone.
2. If you are approached by a citizen asking for information or making a complaint, give assistance if you can and are knowledgeable about the subject. If not, refer them to the proper department or department head.
3. Let the citizen who has a complaint get the matter "off their chest" – do not interrupt them. Even if you feel the complaint is unjustified, be very hesitant in disputing an irate citizen. It is better to promise to have it checked than to argue with that person. Report any such complaints to your Department Head or the City Manager.
4. Treat every citizen with common courtesy, and always use professional language and demeanor.

Disciplinary Action

It is the policy of the City to treat discipline progressively as warranted. When necessary, discipline will be given in a consistent, impersonal manner.

The following are disciplinary actions that may be considered, including but not limited to: verbal warning, counseling memo, written warning, suspension without pay, and/or discharge/termination.

Resignation

Department Heads who are resigning shall submit all resignations in writing to the City Manager with a copy to the City Clerk. All other employees shall submit resignations in writing to their Department Head with a copy to the City Clerk. Hourly employees are requested to give two (2) weeks' notice in advance of last day of work. Salaried employees are requested to give three (3) weeks' notice in advance of last day worked. Employees are expected to return all City of Charlotte property in their possession or control immediately upon termination of employment. An exit interview will be arranged and conducted by the Department Head or City Manager and Human Resources Director.

Layoff and Recall

If a layoff should become necessary, employees will be laid off with seven (7) days' notice, at which time employees shall provide the City Clerk with contact information to send any recall notice made.

Discrimination

The City is an equal opportunity employer and complies with all applicable federal, state, and local fair employment practices laws. The City will not discriminate in hiring applicants or dealing with employees because of race, color, religion, sex, sexual orientation or identity, national origin, age, disability, height, weight, marital status, or any other applicable protected classes.

Hiring, work assignments, rate of pay, promotion, layoff, and recall will be based on skill and ability, length of service, satisfactory attendance and satisfactory conduct, productivity, and quality of work.

IV. EMPLOYEE BENEFITS

Eligibility

In order to qualify to receive most fringe benefits, an employee must be designated as a full-time employee. Employees may contact Human Resources with questions regarding their eligibility for certain benefits.

Adjusted Work Schedules

If a work schedule in which the employee regularly works more than 8 hours in one day, but no more than 40 regular hours in a workweek is created by the Department Head, all benefit days,

including, but not limited to vacation, sick, disability, and personal are calculated based upon a 40-hour work week and five 8-hour work days. If the work week or work day is adjusted by the Department Head, all references to “days” for the purpose of calculating or using benefits will be converted to hours based on an 8-hour day and 40-hour work week. i.e., 1 day becomes 8 hours.

In no case shall an adjusted work day/week create an overtime situation.

Paid Holidays are paid out at the number of hours on that day that would normally be worked.

All paid leave, including but not limited to, personal, vacation, sick, and disability leave will be taken in half-hour increments, not greater than the number of hours that would normally be worked.

Life Insurance

Group term life insurance is provided for each full-time employee effective the first of the month following 30 days from date of employment. This includes coverage for Accidental Death and Dismemberment. This insurance will be at the City’s expense. Refer to your insurance certificate or contact the City Clerk for the amount of coverage.

Workers’ Compensation

When an employee has an on-the-job injury, the employer will pay sick leave (if the employee has accrued hours available) during the first seven (7) consecutive calendar days. In the event that an employee is off work for more than fourteen (14) consecutive calendar days, Workers’ Compensation benefits are paid for the original seven (7) days. In this case, it is the employee’s responsibility to submit to the payroll department, a copy of their Workers’ Compensation benefits payment immediately, and the detailed explanation of benefits. Upon receipt, the amount will be deducted from their next payroll check, and corresponding sick leave will be reinstated to their accrued hours.

Any work-related injury or illness, no matter how minor, must be reported to the employee’s supervisor immediately. If medical assistance is required, the employee will be sent to an approved medical facility. Workers’ Compensation regulations require that within 24 hours of an illness and/or injury a report and a claim form must be completed and submitted.

Light Duty

In the event that the employee is determined by a medical officer to be able to perform light duty, the availability will be determined by the Department Head. The employee will provide a medical slip indicating the provisions of light duty restrictions in 14-day increments.

Jury or Witness Duty

Employees may be granted leave of absence for required jury duty. All employees shall receive the difference between their jury duty compensation and their normal straight-time wages for the

amount of time they participated in jury duty. Employees shall receive this differential compensation after a report of jury duty and pay form is completed by the Clerk of the Court each week and the jury duty paycheck (excluding mileage) is turned into the City by the employee. An employee excused from jury duty during regular working hours shall immediately return to work.

Employees shall notify their Department Head or his/her designee as soon as possible upon receiving notice to report for jury duty. Employees seeking differential compensation as referred to above will be responsible for ensuring that a report of jury duty and pay form is completed by the Clerk of the Court each week and the amount of jury duty compensation is presented to the City in order to receive differential pay.

When an employee is subpoenaed to a court of law to testify in a case relating to City property, or while on duty witnesses an event in which he/she is called to testify, he/she shall receive regular full pay upon payment to the City of any fees received (excluding mileage). The employee will be required to return to work immediately after testifying. If they wish to observe any other portion of the hearing, they may do so upon approval of their department head and with personal or vacation time deducted.

Sick Leave and Disability

Employee-Earned Paid Sick/Disability Leave – Non-Exempt Employees: Eligible non-exempt employees accumulate Paid Sick Leave based on the number of hours they work in accordance with the Michigan Paid Medical Leave Act.

Employee-Earned Paid Sick/Disability Leave – Exempt Employees: Eligible exempt employees shall be entitled to Paid Sick Leave credit of 6.667 hours for each completed month of service, except that No Paid Sick/Disability Leave credit is earned during an unpaid leave of absence except when it is required to comply with applicable federal, state, or local law. Eligible employees begin accruing sick leave time on their start date.

General Procedures:

When an absence is for more than three (3) consecutively-scheduled work days, the employee may be required to file a Physician's Certificate. A Payroll Change and Request form for Paid Sick Leave shall be filled out immediately and signed by the employee (when possible) and the Department Head, and turned into Payroll before payment for an absence will be made.

An employee injured during any gainful employment other than with the City, which is covered by Workers' Compensation or other disability, shall not be eligible for Paid Sick Leave or disability benefits.

The amount of leave time charged to an employee during any absence shall be equal to the number of regularly scheduled hours the employee would have worked during such absence. Leave credit will not be allowed in advance of being earned.

An employee may accumulate earned Paid Sick Leave in an amount not to exceed four hundred eighty (480) hours; provided, however, an employee hired prior to July 1, 2010, may retain sick leave accumulated as of June 30, 2010, up to seven hundred twenty (720) hours which amount shall be that employee's maximum allowed accumulation. An employee's maximum allowed accumulation shall be reduced by the number of hours of Paid Sick Leave used in each year (July 1 to June 30) in excess of the amount earned in said year, if any. If an employee's actual accumulation is less than four hundred eighty (480) hours, earned sick leave shall be accumulated up to four hundred eighty (480) hours. If an employee hired before July 1, 2010 uses leave that results in a total accumulation less than four hundred eighty (480) hours, then the maximum allowed accumulation will become capped at four hundred eighty (480) hours starting on the date that the accumulation falls below four hundred eighty (480) hours.

Payment of Unused Employee-earned Sick/Disability Leave: Payment of unused employee-earned Paid Sick Leave, not to exceed the maximum allowed accumulation, shall be made payable to the employee upon retirement with the Municipal Employees Retirement System or to his/her beneficiary upon death. The amount of this will be verified by the City Clerk's office on retirement.

Payment of one-half (1/2) of the unused employee-earned Paid Sick Leave/Disability Leave accumulation will be paid to the employee upon leaving employment after ten (10) full years of employment with the City.

Those employees whose Paid Sick Leave accumulation reaches the maximum allowed accumulation authorized herein shall be paid annually at the rate of one-half (1/2) of the employee's regular hourly rate of pay for each hour of sick leave earned and unused in excess of the maximum accumulation as of June 30 in each year. Payment shall be made by July 31 of each year based on the regular hourly rate of pay in effect on June 30.

City Paid Short Term Disability Leave: City Paid Short Term Disability Leave will be provided in conjunction with Paid Sick Leave for long-term critical illness or non-job related injury for up to twenty-six (26) weeks. (See Schedule of Payment for Disability Leave below)

Application for City Paid Short Term Disability Leave is made by submitting to the City Clerk the proper City forms provided by the City Clerk's office. This form will include a Physician's Certificate to be completed by the attending physician and a portion for the employee to fill out. This written notice of claim must be presented to the City Clerk's office within fifteen (15) days of the occurrence of the injury or illness for the employee to be eligible for disability benefits.

City Paid Short Term Disability Leave will be provided for full-time employees starting thirty (30) days from the date of employment. An employee must be absent from work longer than one week before becoming eligible for disability benefits. City paid Disability Leave payments will commence on the fifteenth (15th) working day.

Disability benefits will not be paid for any claim covered by Workers' Compensation or for an injury that result from other gainful employment which is covered by Worker's Compensation or

other disability plan; for suicide attempts; or for injury resulting from acts of war.

Successive periods of disability will be considered one period of disability unless subsequent periods of disability:

1. Result from causes entirely unrelated to the cause of the previous disability.
2. Commence after the employee has returned to active full-time work for the City for at least two (2) consecutive weeks.

SCHEDULE OF PAYMENT FOR DISABILITY LEAVE

Week of Leave Taken	Employee Sick Leave	City Paid Disability Leave	Total Hours per Week
1	40	0	40
2	40	0	40
3	32	8	40
4	32	8	40
5	24	16	40
6	24	16	40
7	16	24	40
8	16	24	40
9	8	32	40
10	8	32	40
11-26	0	40	40

An employee who does not have sufficient sick leave available will only be compensated for sick leave hours available plus city paid disability leave hours for that week.

Employee Responsibility: An employee requesting Sick Leave pay must be available by telephone during the time that the employee is requesting Sick Leave pay. An answering device is not an acceptable substitute. An employee who is not so available shall be ineligible for any Sick Leave payment. This provision will not apply to medically verified illness and/or disability.

Employment may terminate for any employee who is off work continuously for six months, whether covered by Paid Sick Leave, Paid Disability Leave, or Workers Compensation, or a combination of any leave, including Family and Medical Leave (FMLA). An extension of this six-month period may be granted upon written request to the City Manager.

Long Term Disability Insurance. The City will provide long term disability insurance in accordance with its long-term disability insurance plan. Benefits paid under the long-term disability insurance shall commence following the twenty-six (26) weeks of disability leave under this section.

Family and Medical Leave
(FMLA Application – Appendix C)

Eligibility

According to the Family and Medical Leave Act, 29 U.S.C. § 28, *et. seq.*, a covered employee is one who has been employed for at least 12 months by the City and has at least 1,250 working hours of service with the employer during the previous 12-month period from the date the leave is requested. Public agencies are covered without regard to the number of employees employed. Overtime hours worked are included in the calculation of working hours of service for purposes of determining whether an employee is considered a covered employee under this Family and Medical Leave Policy. Returning military Reservists and National Guard members, under USERRA, have their military time is included in working hours of service. The months and hours they would have worked should be combined with the months employed and the hours actually worked to meet the 1,250 hours worked in the previous year. Personal, sick, and compensatory leave time are not counted.

Qualifying Events

Under FMLA, Employees are entitled to up to 12 work weeks of leave during any 12-month period for one of the following:

1. Birth of or care of a child
2. Child adoption or foster care
3. Care of a spouse, son, daughter or parent if such individual has a serious health condition
4. Serious health condition of the employee which disables him/her from performing the functions of his/her position. A serious health condition is an illness, injury, impairment, or physical or mental condition that involves in-patient care in a hospital, hospice, or residential medical care facility or requires continuing treatment by a health care provider (M.D. or D.O.)
5. Episodic conditions of less than three days that require periodic treatment by a health care provider (such as asthma or diabetes)
6. Incapacity due to pregnancy, or for prenatal care
7. Serious conditions, such as cancer, that may not be incapacitating but without treatment would result in a period of incapacity of more than three consecutive days

For purposes of FMLA leave, the term “12-month period” shall be defined to mean a rolling 12-month period measured backward from the date an employee uses FMLA leave.

FMLA allows eligible employees to take up to 12 weeks of leave in the applicable 12-month period for any “qualifying exigency” arising out of the active duty or call to active-duty status of a spouse, son, daughter, or parent. Qualifying exigencies include:

1. Issues arising from a covered military member’s short notice deployment (i.e., deployment on seven or less days of notice) for a period of seven days from the date of notification;

2. Military events and related activities, such as official ceremonies, programs, or events sponsored by the military or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active-duty status of a covered military member;
3. Certain childcare and related activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis, enrolling or transferring a child in a new school or day care facility, and attending certain meetings at a school or a day care facility if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member;
4. Making or updating financial and legal arrangements to address a covered military member's absence;
5. Attending counseling provided by someone other than a health care provider for oneself, the covered military member, or the child of the covered military member, the need for which arises from the duty or call to active-duty status of the covered military member;
6. Taking up to five days of leave to spend time with a covered military member who is on short-term temporary, rest and recuperation leave during deployment;
7. Attending to certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of 90 days following the termination of the covered military member's active-duty status, and addressing issues arising from the death of a covered military member;
8. Any other event that the employee and employer agree is a qualifying exigency.

FMLA also allows eligible employees to take up to 26 weeks of job protected leave in a single 12-month period to care for a covered servicemember with a serious injury or illness.

Where the City and employee agree, leave may be taken intermittently or on a reduced leave schedule in the event of the birth of a child, adoption, or foster care of a child. Employees, however, have a right to take leave on an intermittent or reduced leave schedule (half days) when medically necessary to care for a spouse, child or parent who has a serious health condition, or if the employee has a serious health condition.

In such cases, the taking of such leave will result in a reduction of the 12-week leave allowance only by the amount of leave actually taken. If an employee requests intermittent leave, or leave on

a reduced schedule, that is foreseeable based on planned medical treatment, the employer may require such an employee to transfer temporarily to an available alternative position provided the employee has the equivalent pay and benefits and this position better accommodates recurring periods of leave than the employee's regular employment position.

Where leave is necessitated by the serious health condition of the employee or family member, and is foreseeable based on planned medical treatment, the employee must give at least 30 days' notice (except if treatment requires earlier leave) and shall schedule the treatment so as to not unduly disrupt the employer's operation.

The City requires the employee to first utilize any accrued paid Vacation Leave, Sick Leave or Personal Leave prior to taking unpaid family leave as specified under the Family Medical Leave Act. Nothing requires that the employer provide sick or paid medical leave under the Family Medical Leave Act. In the event of spouses employed by the same employer, the aggregate number of work weeks of leave to which both are entitled is limited to 12 work weeks during any 12 month period, except due to the serious health condition of the employee himself/herself, or in the case of military caregiver leave for which a combined total of 26 weeks is allowed.

The City may require employees to provide medical certification by a doctor of the eligible employee or family member, including the date the serious health condition began, probable duration, appropriate medical facts regarding the condition, a statement that the eligible employee is needed to care for the family member, and an estimate of the amount of time needed for such care.

In the event of the employee's own illness, a medical statement is required that the employee is unable to perform the functions of the position of the employee. The City (at its expense) may require the employee to obtain the opinion of a second health care provider and in the event of a conflict, the opinion of a third health care provider whose decision is final and binding. The employer may also require the eligible employee to obtain subsequent recertification on a reasonable basis.

Employees with chronic conditions, or who are pregnant, are not required to see a health care provider during every absence once medical certification by a doctor has been provided to the City.

At the end of the leave under the Family Medical Leave Act, the employee is entitled to be restored to the position held when the leave commenced or restored to an equivalent position with equivalent benefits and pay.

The employer is required to maintain coverage under any group health plan for the duration of the leave at the level and under the condition's coverage would have been provided if the employee had continued in employment continuously for the duration of the leave.

An employee is not entitled to the accrual of any seniority or employment benefits during any period of leave, or any right, benefit, or position of employment to which the employee would have been entitled had the employee not taken leave.

In the event an employee takes a leave for his own medical condition, the City requires the employee to provide a certificate from his health care provider that the employee is able to resume work.

The City may deny job restoration to a salaried employee who is among the highest paid 10% of the employees employed by the employer where such denial is necessary to prevent "substantial and grievous economic injury" to the operations of the employer, as allowed by current law. The employer must notify the employee of the intent to deny job restoration and, where the employee elects not to return to the employment after receiving such notice, restoration can be denied.

The City may recover premiums paid for maintaining health coverage under a group health plan during the period of the leave in the event an employee fails to return from leave after the period to which the employee is entitled has expired and the employee's failure to return is for a reason other than:

- A. The continuation of reoccurrence or onset of a serious health condition that entitles the employee to leave because of his own illness or that of a family member.
- B. Other circumstances beyond the control of the employee.

Military Leave and Reinstatement

Employees who are Reservists in the U.S. Armed Forces or members of the National Guard shall be granted an unpaid leave of absence to complete their required military duty requirements. The City will abide by the Uniform Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. § 4301, *et. seq.*, and all other applicable federal and state laws. Employees on a leave of absence for military service are entitled to return to the same or similar position upon completion of service and shall be reinstated with the same seniority, status, and rate of pay they would have obtained had they remained continuously employed by the City. Employees entering military service may elect to continue their healthcare coverage with the City and will be required to pay their premiums or deductibles as required by USERRA.

Employees entering military service shall provide the City with advanced notice as soon as reasonably possible. Notice can be made in oral or written format and provided to their immediate supervisor, Department Head, or the City Manager. While not required, the City recommends servicemembers submit their military orders or training schedule to the City for documentation purposes.

Employees returning from military service shall be immediately reinstated to their positions upon notification of their return-to-work date. Employees leaving military service shall be afforded the applicable time off before returning to work as provided by USERRA.

Personal Leave- Full Time Employees

Full-time regular employees with one (1) year seniority are allowed up to twenty-four (24) hours

a year with pay for Personal Leave. It is intended that this leave is to be used for personal purposes that cannot be conducted during non-work hours. Personal Leave shall not be used to extend vacations, holidays, entertainment etc. without permission from the Department Head or City Manager. Personal Leave time must be approved in advance by the Department Head or City Manager.

Personal Leave days not used by July 1 of each year may be added to the employee's accumulated Sick Leave. If the employee has reached the maximum allowed accumulation of sick leave, the employee may be paid out for those days that exceed these amounts at one-half regular rate of pay. This payment will be made on or before August 1.

Personal Leave – Part Time Employees

Part time employees are not eligible for Personal Leave

Funeral Leave

A maximum of three (3) days Funeral Leave time with pay may be utilized, if necessary, on the death of a full-time employee's immediate family member, upon notice to the Department Head or City Manager and/or City Clerk's office. Immediate family shall be interpreted as including: spouse, child, father, mother, sister, sister-in-law, brother, brother-in-law, father-in-law, mother-in-law, grandparents, grandchildren and step relations of the employee's immediate family.

A maximum of two (2) days Sick Leave time may be utilized, if necessary, for attendance at non-immediate family funerals with permission of the Department Head or City Manager.

Extended funeral leave in extenuating circumstances may be authorized by the Department Head or City Manager. An employee may utilize Personal Leave or take leave without pay if authorized.

Retirement

Descriptions of the Employee's retirement benefits set forth in this Personnel Manual are only intended to summarize the Retirement Plan. To the extent that any of the information contained in this Personnel Manual is inconsistent with the provisions set forth in the Retirement Plan, the Plan document will govern in all cases.

Each regular, non-union, full-time employee hired on or after April 1, 2013 shall become a member of the Michigan Municipal Employees Retirement System (MERS) Hybrid program with an employer contribution of 4.35%, benefit F55/25 and Defined Benefit is calculated with a 1.25% (no max) multiplier and a 3-year final average compensation.

Employees shall refer to the Plan Documents for more information such as contributions and vesting requirements. The City Manager may be exempted from this requirement if a different retirement benefit is provided for and approved by the City Council. The City offers employees an optional 457(b) plan and an IRA in which they can enroll and contribute, if they so choose.

The definition of retirement is when an employee draws retirement benefits under the City's retirement plan with MERS. An employee leaving employment with the City shall not be considered a retired employee under any circumstances other than as stated in the above definition.

Health Insurance

Descriptions of the Employee's insurance benefits set forth in this Personnel Manual are only intended to summarize the Insurance Plan. To the extent that any of the information contained in this Personnel Manual is inconsistent with the provisions set forth in the Insurance Plan, the Insurance Plan document(s) will govern in all cases.

Medical and Hospital Insurance: The City will pay 100% of the premiums for single, two-person, and full family coverage, but not for family continuation coverage. The City retains the right to limit contributions at its sole discretion, including to comply with the "hard cap" established by the Publicly Funded Health Insurance Contribution Act, or other applicable local, state, or federal law. Employees may opt-out of medical and hospital insurance coverage, upon providing proof of sufficient coverage under another group provider, and receive an annual stipend of \$3,000, pro-rated and paid bi-weekly with regular payroll. Employees who opt-out of health and medical coverage remain eligible for dental and vision coverage.

Dental Insurance: The City will pay 100% of the cost for the current dental plan established or its equivalent for full family coverage for regular full-time employees. The City retains the right to limit contributions at its sole discretion, including to comply with the "hard cap" established by the Publicly Funded Health Insurance Contribution Act, or other applicable local, state, or federal law.

Vision Care: The City shall provide and pay 100% of the cost for a Vision Insurance plan for full family coverage for regular full-time employees. The City retains the right to limit contributions at its sole discretion, including to comply with the "hard cap" established by the Publicly Funded Health Insurance Contribution Act, or other applicable local, state, or federal law.

Certain insurance coverages will not be provided at the City's expense in the case of an employee who is on layoff or on a leave of absence without pay for more than 30 days. The City will pay the health insurance premiums for an employee receiving disability insurance payments or Workers Compensation for up to a maximum of six (6) months. For questions regarding what coverages are provided during leave of absence, please contact Human Resources.

Insurance eligibility: Eligibility, coverage, and benefits under the listed insurance plans and other insurance plans set forth are subject to the terms and conditions, including waiting period or other time limits, contained in the contracts between the City and the carrier. Any rebates or refunds on premiums paid by the City shall accrue to the City. The City reserves the right to select the carrier, to change carriers, and to become self-insured.

Health Insurance for Retired Employees: The City may make hospitalization, medical, and dental insurance available to retired employees through the present group carrier at the retired employee's expense. Should a retired employee opt not to obtain any insurance through the City's group carrier

within 30 days upon their retirement, they are not eligible to sign up at a later date. Should a retired employee who has opted in decide to cancel their insurance due to coverage through a spouse or family member, they will not have the option to return to the City's insurance at a later date. Certain exempt employees may receive a lump sum payment into a Retirement Health Savings plan in lieu of providing post-employment health insurance in accordance with City Council Policy No. 2017-01.

Vacation Leave

Full Time Employees: Each full-time employee will receive earned vacation credit each year on his/her anniversary date of hire. Vacation pay will be calculated using the employee's regular base pay.

Vacation Crediting, Employees Hired Before July 1, 2010

Length of Service	Vacation Allowance
12 to 36 months	Eighty (80) hours
37 to 120 months	One hundred twenty (120) hours
121 to 180 months	One hundred sixty (160) hours
181 months and over	Two hundred (200) hours

Vacation Crediting, Employees Hired After July 1, 2010

Length of Service	Vacation Allowance
12 to 36 months	Eighty (80) hours
37 to 120 months	One hundred twenty (120) hours
121 months and over	One hundred sixty (160) hours

Part Time Employees: Part time employees are not eligible for vacation leave.

Procedure: All Vacation Leave shall be requested in writing on a form provided by the City. Sufficient advance notice of not less than two (2) weeks shall be given to the Department Head or City Manager to allow for vacation scheduling and to arrange work schedules accordingly. Vacation Leave shall be approved in advance by the Department Head or City Manager. Requests for Vacation Leave shall be governed by length of continued service if more than one request is submitted for the same period.

The amount of vacation leave charged to an employee during his or her leave shall be equal to the number of regularly scheduled days/hours he would otherwise have worked during his/her absence on such leave.

Vacation Leave shall be used during the twelve-month period following the date credited to the employee; provided, however, employees may "carry over" no more than forty (40) hours vacation leave to be used in the six months following their anniversary date. Alternatively, employees may be paid after their anniversary date of hire for up to forty (40) hours vacation leave that is not used

or carried over.

Eligibility: All full-time employees and eligible part-time employees shall accumulate and receive Vacation Leave within the limits prescribed herein. Vacation Leave shall be based on length of continuous service. Vacation Leave shall not accrue during an unpaid leave of absence.

Holidays

The following are designated as holidays:

<u>Holiday</u>	<u>Date</u>
New Year's Day	January 1
Martin Luther King Jr Day	3 rd Monday in January
President's Day	3 rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	4 th Thursday in November
Day after Thanksgiving	4 th Friday in November
Christmas Eve Day	December 24
Christmas Day	December 25
New Year's Eve	December 31

If the holiday falls on a Sunday, the following Monday will be observed as a holiday. If a holiday falls on a Saturday, the preceding Friday will be observed. In the event that Christmas Eve or New Years Eve falls on a Sunday, the following Monday and Tuesday will be observed for the Holidays.

Each employee who works the full scheduled work day before and the full scheduled work day after a holiday will be paid straight time base rate for that holiday.

If an employee does not work the day prior to or immediately following a holiday, he/she shall not be compensated for such holiday unless the absence on such day was scheduled or excused at management's discretion. If the holiday occurs during an employee's vacation and the employee would otherwise be scheduled to work, that day will be paid as holiday pay, and the employee will not be charged for a vacation day.

An employee will not receive holiday pay for holidays that fall on normal days off when they were not scheduled to work.

Longevity

All regular full-time employees actively employed by the City who have completed five (5) full years of full-time employment with the City as of November 15 of any year shall be entitled to a

longevity bonus for prescribed length of service with the City as indicated in the following rules and schedule of payment.

1. Longevity pay shall be computed on a percentage of the employee's regular annual base salary or wage, excluding overtime pay or premium pay. The percentage computation shall be made on that basic salary which an employee is being paid on the first regularly scheduled pay period of the fiscal year in which longevity pay is due.
2. Longevity pay shall be based on full-time, continuous service. Following completion of five (5) years of such service by November 15th of any year and continuing in subsequent years of service, each employee shall receive annual longevity payments as provided in the schedule below. Employees may take certain leave in accordance with this Personnel Manual without interrupting their continuous service, including, but not limited to, Military, FMLA, or Vacation leave. Employees whose service with the City terminates for any reason, including retirement, between November 15 dates, shall be eligible for a calendar months' pro-rated payment of their longevity pay, payable upon separation.
3. Payments to employees who become eligible by November 15 of any year shall be due the subsequent December 1.

LONGEVITY PAYMENT SCHEDULE

<u>Continuous Service</u>	<u>Annual Payment</u>
5 years or more and less than 10 years	2.00% of annual wage
10 years or more and less than 15 years	3.00% of annual wage
15 years or more and less than 20 years	4.00% of annual wage
20 years and over	5.00% of annual wage

Maximum benefit \$1,500

Payment Of Unused Accumulated Benefits

Payment of unused Vacation, and Longevity will be made to the employee upon termination of his/her employment with the City or to his/her beneficiary upon death. Employees vested in the Retirement plan (10 years employed with the City) but not retiring, will be paid one half (1/2) of unused employee-earned sick Leave/Disability Leave accumulated upon termination of employment. Benefits will be pro-rated up to the last day worked.

Employees eligible for retirement will be paid 100% of unused employee-earned sick leave/disability leave.

Payment for these benefits will be paid on the payday of the pay period that termination occurred.

Education/Tuition Benefits

Each regular full-time employee shall be eligible for reimbursement of 100% of tuition costs up to \$1000 per fiscal year, of a pre-approved program towards a certificate or a degree. Programs must be job specific, and approval must be authorized by the Department Head or City Manager. To be eligible for the education/tuition benefit, the employee must be employed by the City at the time the employee completes the program.

All course fees, to include manuals, books, enrollment, etc., shall initially be purchased by the employee requesting the education/tuition benefit. Upon successful completion of the course, employees shall submit a request for reimbursement with proof of successful completion for up to 100%, with a maximum of \$1000 per fiscal year, of the cost for tuition only.

APPENDIX A – SAFETY RULES

CITY OF CHARLOTTE GENERAL SAFETY RULES

The City of Charlotte is concerned with the safety and well-being of all its employees. Employees may not take any unnecessary chances in the performance of their duties. Safety committees are very important to a safety program. Employees who serve on such committees must do so conscientiously. City of Charlotte has established the following general safety rules which it expects all employees to know and follow.

1. Employees must be concerned about their own and others safety and demonstrate good judgment and use the safest methods and practices possible when performing their jobs. If they see another employee engaging in an unsafe or improper practice, they are expected to point out the hazard involved to the employee. The employee should not take offense at these warnings since they are impersonal and intended for the good of the employee and the City of Charlotte.
2. Safety demands teamwork. Employees are expected to report on time to their designated work station. During working hours, employees should be alert and devote themselves exclusively to the City of Charlotte's service. The City of Charlotte offers a program of safety education to improve the employee's skills and awareness of safety issues.
3. Employees must courteously assist new employees in learning their duties.
4. If an employee is injured on the job, the employee must immediately report the injury to the individual in charge. Injuries should be reported in writing. If the injured employee is unable to make the report, then the supervisor may do so. If the person asks for, or the person in charge feels it is necessary, the injured party should receive medical attention.
5. Employees who have sustained an off-duty injury that adversely affects their ability to perform their usual assigned duties must report to the proper authority prior to going on duty. If that proper authority renders them unfit to work, they must not allow them to work. They should promptly report employees who are physically unable to perform their work to the proper individual.
6. To maintain a safe environment, employees shall keep their work areas clean and orderly at all times. They shall clean up after completing each work assignment and immediately remove items which pose a hazard.
7. Employees must not leave tools or equipment on window sills, ledges, ladders, vehicles, or similar places where they might fall or be jarred from place. Employees must keep all aisles, stairways, driveways, halls and walkways free of debris, tools, equipment and other material.
8. Employees must place appropriate warning signs and/or barricade areas that are wet or

freshly waxed until the area has been made safe. Employees must, as far as practicable, avoid walking or stepping on surfaces made slippery by grease, oil, wet paint, water, ice, or similar substances.

9. Employees must use personal protective gear when necessary.
10. Employees must clean, and if necessary, apply salt or other suitable materials to steps, walkways and other locations where slipping might occur.
11. Employees shall not slide down guy wires, rods, railings, or ladders, or jump off ladders or over excavations, pits or manholes. Employees shall not stand or attempt to stand on improvised scaffolds or supports made of boxes, barrels, chairs, stools, or use other unsafe means of reaching high shelves or places. Employees should be aware that horseplay can result in injury.
12. Employees must not ask unauthorized persons to assist them with their work except in cases of accident, personal injury, or other emergencies.
13. Employees (operators/mechanics) shall not remove or cut out any safety switches/devices/apparatus on any type of equipment or machines. Employees shall not remove protective guards from hand tools, machines, or equipment unless required to do so for maintenance. Employees shall not operate machines or tools that do not have guards in place.
14. A supervisor or qualified employee must make an inspection immediately if an injury results from the use of tools, machine, or other equipment.
15. A copy of these Safety Rules should be displayed in the workplace.

APPENDIX B – CODE OF CONDUCT GUIDELINES

In order to maintain an ethical workplace setting and promote job performance that adheres the City's standards, employees shall use good judgment and avoid the following behaviors and activities:

1. Solicitating of any kind, unauthorized by departmental management, during working hours.
2. Abusing break time.
3. Being habitually tardy or absent without authorization.
4. Posting, altering, or removing any matter on bulletin boards or on the City's property unless specifically authorized by department heads.
5. Distributing any written or printed material on the City's premises during working hours unless approved by department head.
6. Disregarding general safety rules or common safety practices.
7. Willfully performing unsatisfactory work or concealing unsatisfactory work.
8. Taking part in any disturbance or boisterous conduct.
9. Making false or unfounded charges or statements that slander or defame other employees, officials, or the City Government, or that reflect adversely on the honesty, integrity, motives, character, or efficiency of such person.
10. Damaging the City's property or wasting the City's supplies, through negligence, deliberate action, misconduct, or other culpable action.
11. Being absent from duty without permission.
12. Sleeping while on duty.
13. Being Absent three (3) consecutive working days without notice of leave and without justifiable reason for failure to report.
14. Willfully disobeying or directly acting in an insubordinate manner to the proper directive of a supervisor without reasonable justification.
15. Working under the influence of alcohol or drugs; or carrying such substances onto city property; or using illegal drugs.
16. Intentional removal from premises city property, tools, equipment, records, or other materials, without proper authorization.

17. Being charged and/or convicted of a felony while employed by the City.
18. Threatening, intimidating, or coercing fellow employees that results in a hostile work environment.
19. Engaging in any of the following during working hours or breaks or on city premises: (a) provoking a fight, (b) instigating a fight; or (c) fighting
20. Falsifying City records.
21. Possessing firearms or explosives without authorization.

APPENDIX C
CITY OF CHARLOTTE
FAMILY AND MEDICAL LEAVE REQUEST

Application for Family and Medical Leave (FML) must be presented to City Clerk/Human Resources *as soon as possible prior to requested leave date.*

Name: _____ Date: _____

Address: _____ Phone: _____

Position: _____ Building: _____

Date of Hire: _____

Purpose of Leave: _____

Beginning Date of Leave: _____ Anticipated Return to Work Date: _____

Number of Sick Days (as of this date): _____ Number of Disability Days _____

Number of Sick Days Employee Anticipates Using: _____

Appropriate medical verification must be submitted prior to approval of the leave. Please find attached

my medical verification dated: _____

I will be supplying medical verification by: _____

Have you requested FML previously: _____ Yes _____ No

If yes, when was the completion date of the last leave? _____

Have you used more than 12 weeks of FML in the last 12 months: _____ Yes _____ No

Employee (Signature)

Date

I am aware of this request and have _____ have not _____ at this time determined how the employee's responsibilities will be filled.

Supervisor (Signature)

Date

Human Resources (Signature)

Date

☐ Approved ☐ Denied

Form revised 12-21-06

APPENDIX D
CITY OF CHARLOTTE
DRESS CODE POLICY

I. PURPOSE OF POLICY

To establish guidelines for an official dress code policy for the City of Charlotte workplace

II. GENERAL GROOMING AND DRESS

Employees are expected to maintain a neat, well-groomed, professional appearance and avoid extremes in dress and appearance. Employees are expected to use good judgment in their appearance and grooming, keeping in mind the nature of their work, their own safety, and that of their coworkers. Employees should also be cognizant of their appearance considering their need to interact with the public during business hours. Employees shall avoid wearing clothing that contains holes and/or unreasonable wear and tear and slogans or pictures that contain offensive or sexual content. All proper Personal Protection Equipment (PPE) must be worn and utilized for jobs and activities that require its use.

Employees who report to work improperly dressed or groomed may be instructed by their supervisor, at his or her discretion, to return home to change. The employee will not be compensated for their time taking corrective action unless they utilize paid leave benefits to cover their absence from work.

City of Charlotte supervisors are responsible for monitoring and enforcing this dress code policy. Exceptions to this dress code will be recognized for those employees required to participate in manual or physical labor or for other unique work situations. Employees in these positions should refer to the City of Charlotte General Safety Rules for specific dress code requirements. Public Safety employees should refer to their respective departmental policies, CBA, and other documents for specific dress code requirements. Any questions regarding the City of Charlotte grooming and dress standards should be directed to supervisors, who will forward necessary inquiries to Department Heads and the City Manager.

III. COMPLIANCE

City of Charlotte supervisors and Department Heads shall enforce this policy and may take corrective action to address any dress code infractions by instructing employees to correct the infraction or return home to change into the appropriate attire. Continued dress code infractions may result in disciplinary action and/or termination of employment. The City reserves the right to change, modify, or alter this dress code policy as necessary.

APPENDIX E

CITY OF CHARLOTTE

IT AND SOCIAL MEDIA POLICY

I. SCOPE

The purpose of this policy is to manage employee use of information technology, digital media, and social media in such a way that maintains the integrity and professionalism of the City of Charlotte and protects the privacy and security rights of its employees and citizens.

II. INFORMATION TECHNOLOGY

The City's computers, networks, communications systems, cell phones, and other IT resources are intended for business purposes only (except for limited personal use as described below) during working time and at all other times. Employees are responsible for using all IT resources in a productive, ethical, and lawful manner. Employee use of IT resources for an inappropriate or unlawful purpose is never permitted.

Employees shall not use any IT resources, communications, or computer system in a manner that may be construed by others as harassing or offensive based on race, national origin, sex, sexual orientation, age, disability, religious beliefs, or any other characteristic protected by federal, state, or local law.

It is the responsibility of each employee to adhere to IT security guidelines, including but not limited to the creation, format, and scheduled changes of passwords. All usernames, pass codes, passwords, and information used or stored on the company's computers, networks, and systems should be protected. An employee shall immediately inform City IT personnel if they know or suspect that any username, pass code, or password has been improperly shared or used, or that IT security has been violated in any way.

All contents of the City's IT resources and communications systems are the property of the City. Employees should have no expectation of privacy in any message, file, data, document, facsimile, telephone conversation, social media post, conversation, or any other kind or form of information or communication transmitted to, received, or printed from, or stored or recorded on the City's electronic information and communications systems.

The City reserves the right to monitor, intercept, and review, without further notice, every employee's activities using the City's IT resources and communications systems, including but not limited to email (both outgoing and incoming), telephone conversations and voice mail recordings, instant messages, and internet and social media postings and activities, and you consent to such monitoring by your acknowledgement of this policy and your use of such resources and systems. This might include, without limitation, the monitoring, intercepting, accessing, recording, disclosing, inspecting, reviewing, retrieving, and printing of transactions, messages, communications, postings, log-ins, recordings, and other uses of the systems as well as keystroke capturing and other network monitoring technologies.

Personal use of City-provided IT resources is permitted only so long as it does not involve unprofessional or inappropriate content and does not interfere with your employment responsibilities or productivity.

This IT Policy shall not restrict communications or actions protected or required by state or federal law.

A. INTERNET USAGE

Internet use brings the possibility of breaches to the security of confidential City of Charlotte information. Internet use also creates the possibility of contamination to our IT systems through viruses or spyware. Spyware and other viruses enable unauthorized individuals' potential access to employer passwords and other confidential information.

Under no circumstances may City of Charlotte computers or other electronic equipment be used to obtain, view, or reach any pornographic, or sexually explicit websites or content. Employees are also prohibited from using City provided internet to harass or offend other individuals or violate applicable state or federal laws. Violating this policy may lead to disciplinary action up to and including termination of employment.

B. EMAIL

All City of Charlotte email accounts assigned to employees are to be used for City business only. Confidential information must not be shared outside of the City without authorization. Employees are also prohibited from conducting personal business using City of Charlotte email. Employees are prohibited from sending email messages that harass or discriminate against employees by virtue of any protected classification and are also prohibited from using City email for any unauthorized or illegal purpose.

The City of Charlotte maintains ownership rights over any communication sent via City email or that is stored on City equipment. Electronic communication, storage, or access is not private if it is created, sent, or stored via a City of Charlotte email account. Authorized City personnel may monitor and access employee email accounts for any employer related purpose.

The following is a non-exhaustive list of examples of email abuse:

- A. Excess personal use that interferes with City business by burdening network systems or by interfering with employment obligations.
- B. Interference with another employee's use of email.
- C. Intentional, unauthorized access of other employee's email.
- D. Sending "spams," chain letters, letter bombs or any other type of widespread distribution of unsolicited email.
- E. Forging emails.
- F. Giving the impression an employee is representing the City unless that employee is authorized to do so.

- G. Use of email for commercial activities or personal gain.
- H. Sending offensive or abusive messages.
- I. Conducting unlawful activities.

C. ON-DUTY PHOTOGRAPHY

On-duty employees are prohibited from using cameras, video recorders, audio recorders, or the camera/video/audio functions of a cellular phone, PDA, or any other digital imaging in a manner that may discredit the City's reputation or detract from functions the employee is being employed to perform.

On-duty employees shall only take images that are of business-related matters and events for purposes of incident documentation, evidence, training, investigation, and/or public relations. All on-duty employees shall use City provided equipment when completing their assigned tasks and shall consult with their supervisor when taking photographs that are typically outside the scope of their duty position.

Personnel are expressly prohibited from taking any images of another person in any location where a person has a reasonable expectation of privacy, including a bathroom, bedroom, locker room, changing area, or any other location where a reasonable person would believe that he or she could disrobe in privacy, without being concerned that his or her undressing was being photographed, filmed, or videotaped by another; or a place where one would reasonably expect to be safe from hostile intrusion or surveillance.

All photographs and videos containing individually identifiable patient information shall be presumed to be covered by HIPAA other state and federal privacy laws and shall be protected in the same manner as all other personally identifiable information or personally identifiable health information.

D. PERSONAL DEVICES

Employees are strictly prohibited from using personal devices to access the City's network unless such use is authorized by the City's IT Department. Authorized use of personal devices to access the City's network shall comply with this IT and Social Media Policy.

III. SOCIAL MEDIA

Representing the City of Charlotte is an honor and a privilege provided to a select group of individuals. Along with that privilege comes a set of expectations and responsibilities. Employees are held to a high standard and are recognized locally because of their public service. Through social media, employees are now being monitored by more individuals than ever before, therefore employees should be prudent of their behavior on social media and ensure that their conduct does not negatively associate or connect the City with any unprofessional, improper, or illegal content. Social media involves a broad range of internet media providers, including blogs, social sites, and photo-sharing sites. When used responsibly, social media can be a great way to interact with friends, family, and promote the City of

Charlotte. However, when used irresponsibly, social media can degrade public trust and confidence in the City. When using social media City of Charlotte employees shall not:

- A. Post or transmit confidential information obtained from their course of employment.
- B. Post or transmit pictures of their workstation or City property.
- C. Post or transmit content that could associate the City with any unprofessional, improper, or illegal content.
- D. Post or transmit content that could bring discredit upon the City of Charlotte or its employees.
- E. Post or transmit official City announcements or communications without City approval.
- F. Allow social media use to interfere with their job responsibilities while on duty.

Where a connection with the City of Charlotte is apparent, employees should make it clear that they are speaking for themselves and not on behalf of the City. In these circumstances, the following disclaimer is recommended: "The views expressed on this [blog; website] are my own and do not reflect the views of my employer." Furthermore, employees should consider adding this language in an "About me" section of their blog or social networking profile. This disclaimer does not by itself exempt employees from a special responsibility when blogging; employees should remember that their online behavior should still reflect and be consistent with the City's established standards of conduct.

In addition, the City of Charlotte strongly recommends employees adopt the below items when using social media:

DO set your security settings so that only your friends can see your account.

DO NOT accept friend or follow requests if you are not sure who they are coming from.

DO understand that who you have listed as followers or friends is a reflection on you.

DO NOT put anything on social media that you would not want your family, City leadership, elected officials, citizens, or the public to see.

DO think before you post or transmit content – "Will this positively reflect the City?"

DO NOT post offensive language, personal attacks, or racist comments.

DO NOT post when you are emotional. You are more likely to say something you will regret.

DO ask questions if you are not sure what you are doing is OK.

IV. ENFORCEMENT

City of Charlotte employees are subject to disciplinary action, including termination of

employment, for violating the City's IT and Social Media Policy. City officials maintain the right to inspect and monitor City property and document incidents of prohibited conduct. Employees may consult with their supervisors if they have any questions about how to properly handle the City's information technology or when determining what is appropriate to include on their social media platforms.

ACKNOWLEDGMENT OF RECEIPT

I acknowledge that I received and read a copy of the City of Charlotte Personnel Manual, dated August 21, 2023 and understand that it is my responsibility to be familiar with and abide by its contents. I also understand that the policies, procedures, and benefits described in this Personnel Manual are not promissory and do not set terms or conditions of employment or create an employment contract, and may be amended at any time by the City of Charlotte.

I also understand that the employment terms set out in this Handbook work in conjunction with, and do not replace, amend, or supplement any terms or conditions of employment stated in any collective bargaining agreement that a union has with the City of Charlotte. I understand that I should consult the terms of my collective bargaining agreement, if applicable. Wherever language in the Personnel Manual differ from the terms expressed in my union's collective bargaining agreement with the City of Charlotte, I understand that I should refer to the specific terms of the collective bargaining agreement, which will control.

[NAME]

[PRINTED NAME]

[DATE]



PERSONNEL MANUAL

CITY OF CHARLOTTE

REVISED 10/01/05

REVISED 1/1/2007

REVISED 3/1/2008

REVISED 4/27/2009

REVISED 8/9/2010

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PREFACE

TO ALL EMPLOYEES OF THE CITY OF CHARLOTTE

As an employee of the City of Charlotte, you will be serving the taxpayers of this city and their elected and appointed administrative officials. These personnel policies are dedicated to serving the public. In serving our citizens we need to sustain their confidence in us by delivering nothing less than the finest that personnel and equipment can provide.

Therefore, in the selection of our employees, we seek persons best matched to our employment needs... those with the personal qualifications and skills needed to perform their duties and who exemplify our ideal of public service. We hope and expect your association with the City of Charlotte will be a source of satisfaction to you, to your family and to us.

Because of the services offered by the City, some of our work sites never close. Many city services operate 24 hours a day, 7 days a week. Employees must understand the responsibility of the service and must be sympathetic to its cause. When you accept employment with us, you become part of this cause. It is understood that as an employee, you will give your utmost devotion and contribute to the overall work environment so that good human relations will follow.

I. INTRODUCTION

The purpose of this personnel manual is to establish guidelines for employees, so that they may better understand the framework and conditions under which they work. After this introduction, this manual is separated into two different sections for benefit classifications. The first section is for Non-Union Personnel, Fire Department, and Building Inspector. The second section is for Fire Department 24 Hour Captains.

Employees Covered

All employees, excluding administrative officers as defined in Section 6.1(A) of the City Charter except the City Attorney and excluding bargaining unit members, are covered by this manual. This manual, however, cannot anticipate every situation or answer every question about employment. Further, it's neither an employment contract nor a legal document, nor does it guarantee any fixed terms and conditions of employment. The City reserves the right to change or revise policies, procedures, and benefits described in this manual without notice, whenever the City determines that such action is warranted.

Receipt of Manual

All employees covered by this personnel manual shall sign a verification of receipt for this manual. Replacement pages updating this manual will be furnished to the employees as necessary, listing changes that are made in a particular section.

Personnel Files

The City of Charlotte is required to keep accurate, up-to-date personnel files on all employees to ensure compliance with state and federal regulations. Personnel files are official records belonging to the City and maintained by the Human Resources Director.

It is the responsibility of each employee to inform Human Resources of any necessary updates to their personnel files such as a change of name, address, telephone number, emergency contact, tax withholding deductions, benefits coverage (e.g. marital status, number of dependents), military status and also inform their supervisor and Human Resources of any outside training, professional certification, education, or any other change in status.

Employees' personnel files are considered confidential and access to such records is restricted. An employee can review their personnel file by contacting Human Resources. The review will be conducted during regular business hours. An employee may take notes related to documents in the personnel file; however, no alteration of records is permitted nor can a document be added or removed from the file at the time of the employee's review. Employees may request and receive a copy of any documents containing their signature.

It will be the policy of the City of Charlotte to only verify salary, dates of employment, and job titles to outside agencies an/or employment inquiries. If the current or former employee wishes any additional information to be released, they must supply a signed authorization.

II. CONDITIONS OF EMPLOYMENT

Employment Classification

The Fair Labor Standards Act requires that all employees be classified as “Exempt” or “Non-Exempt” and according to the overtime provisions of the law. Determinations of wage classification status are made through the job evaluation process.

Exempt employees are those who qualify as administrative, executive, or professional employees within the meaning of the state and federal wage and hour laws and are exempt from the minimum wage and overtime provisions.

Non-exempt are those employees who are not exempt from the minimum wage and overtime provisions of state and federal law and therefore are entitled to overtime pay.

Full-time employees are those who are regularly scheduled to work 40 hours per week. Regular full time employees are eligible for City benefits.

Part-time employees are those who are hired to work on a regular basis less than 40 hours per week. Schedules for part time employees will be determined by the Department Head and will be subject to change at any time. Part time employees hired after January 1, 2007 will not be eligible for any City benefits. Part time employees will be treated as external candidates for any full time posted positions; however, their work performance during their part time period may be taken into consideration when applying for a full time position.

Temporary status employees are those who are hired for a limited duration arising out of special projects, abnormal work loads or emergencies. Temporary employees are not eligible for any City benefits.

Physical Requirements

As a new or rehired employee, you may be required to pass a physical examination given by a physician to be named by the City. This physical exam may include a lower back x-ray and a urine drug screen.

Employment of Relatives

Employment of a current employee’s immediate family will not be permitted within the same Department or where they will be directly or indirectly supervised by the current employee. For the purpose of this policy, the term “relative” includes, but is not limited to, a brother, sister, mother, father, wife, husband, son, daughter, brother-in-law, sister-in-law, mother-in-law, father-in-law, daughter-in-law, step-child, step-parent. It should also be interpreted to include persons who are living in the same household, as well as domestic partners.

Job Description

The City will adopt a job description outlining the basic job duties and responsibilities of each classification. The City reserves the right to adopt, publish, add to, subtract from, alter, change or amend the job descriptions.

Working Hours

The normal workweek for most regular full-time employees is 40 hours, Sunday through Saturday. Employees will be allowed a lunch break and other breaks as scheduled by the Department Head. These breaks are not to be accumulated to use at the beginning or end of the workweek. It is understood and agreed that the timing of such breaks may vary depending upon the nature of the work being performed by the employee at the time, and it is recognized that under certain conditions it will be impossible for employees to take a break period until the urgent aspect of the job then being performed has been completed.

Starting time and work schedule shall be determined by the City for each Department.

Overtime

Should it be necessary in the interest of efficiency of the City, employees shall work such reasonable overtime hours as shall be required by the City. When so directed by their immediate supervisor, employees are expected to complete a definite assignment even though it requires additional hours over the standard work day.

Employees who qualify as administrative, executive, or professional employees within the meaning of the state and federal wage and hour laws are exempt from overtime pay and are not subject to this policy.

All non-exempt employees qualify for overtime pay. Non-exempt employees are entitled to overtime pay and will be paid at the premium rate of one and one-half times the hourly rate for time worked in excess of 40 hours weekly. Overtime is based on actual time worked. It does not include hours away from work due to vacation, sick leave, or holiday even where these days are compensated. Unpaid sick leave, personal leave or any other time away from work is also not considered hours worked. All overtime worked by a non-exempt employee must be approved in advance by the employee's immediate supervisor.

Wages

Employees covered hereby shall receive an hourly wage or salary for their work as defined in the current fiscal year City budget.

The law requires the City of Charlotte to make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes and Social Security. The City will comply with all court orders for garnishment of wages and will make required deductions from your pay. The City will not discriminate against employees whose wages are garnished. The City compensates all employees in accordance with state and federal

laws, including the federal Fair Labor Standards Act (FLSA). The City takes all reasonable steps to ensure that you receive the correct amount of pay in each paycheck and that you are paid on the scheduled payday. If you have any questions or concerns about your compensation or if you believe that an erroneous deduction has been made from your pay, you should immediately report this information to the City Clerk. If it is determined that an improper deduction has been made, you will be promptly reimbursed and the City will take the necessary steps to prevent reoccurrence of errors in the future.

Garnishment of Wages

Although it is understandable that a wage garnishment can happen to anyone, it is strongly recommended that employees work out a financial problem before this situation occurs. Financial counseling is available through a number of services offered throughout the area. An employee may contact Human Resources to receive a list of these referral programs.

Time Cards

Employees responsible for filling out their time cards shall turn signed time cards into their supervisor by the Monday morning at 9:00 a.m. immediately following the end of the pay period to insure timely processing of payroll.

Payday

Each payroll period is two weeks, beginning at 12:00 midnight on Sunday and ending at 11:59 p.m. on Saturday. The City of Charlotte is required to make deductions for federal withholding; state income tax, social security, medicare, court ordered garnishments and child support. You must authorize in writing any other deductions to be made from your paycheck. Employees will be paid on Friday following the end of each pay period and are paid bi-weekly.

Probation And Employee Evaluation

All new employees will be on probation for six (6) months and will be subject to dismissal during this trial period. A department head can establish an evaluation schedule; however, there should be at least one evaluation at the end of the six (6) month period and one evaluation yearly thereafter.

All evaluations shall be in writing and shall become a permanent record in the employees' personnel file. The employee shall receive a copy of his/her evaluation.

Training and Education

The City will pay certain educational expenses when the education received is applied to the job and the funding is available. The employee who requests such funding must first reduce the request to writing, stating their reasons why this education will benefit the City. This request should be given to his/her immediate supervisor or Department Head. Final approval will be given by the Department Head after approval from the City Manager.

Outside Employment

Outside employment will not be permitted to interfere with City duties either in terms of conflict of interest or physical capabilities.

Transportation

All employees must provide their own transportation to work.

City Buildings, Equipment, Etc.

Pursuant to City policy, no person shall use buildings, materials, equipment, tools, supplies, etc. for personal gain or use. Any employee violating this section and found using City owned buildings, materials, equipment, tools, supplies, etc. will be subject to disciplinary action up to and including dismissal. This shall not apply to work under City contracts.

Exception to this policy may be made by the City upon advance written approval of the employee's supervisor.

Safety

Every employee is urged to do his/her job in the safest possible way, using methods and equipment which have been tried and proven safe. Each employee should read, review and sign for a copy of the established City of Charlotte Safety Rules. (Appendix A)

Attendance

Regular attendance during all scheduled hours of work, reporting to work on time, and continuing to work to the end of the work period are expected of every employee. Unsatisfactory attendance, including reporting late or quitting early, may be cause for disciplinary action, including discharge. If, for any reason, you cannot report for work on time, telephone your immediate supervisor as far in advance of your starting time as possible. In case of illness of more than three (3) days, employees may be asked to present a physician's statement. It may be determined that the absence falls under the Family Medical Leave Act. Please refer to the appropriate section for FMLA located in this manual.

Appearance Of Work Areas

To minimize the hazards of fire, accidents, etc., employees are required to maintain a clean and uncluttered work area. Each employee will share the responsibility for the appearance of his/her work area, both inside and out.

Personal Property

Your personal property must be your entire responsibility. There are many people entering and leaving your place of employment daily. Please do not take any chances with items of value to you. The City will NOT be responsible for these personal items.

Residency Requirements

Non-Union, non-emergency employees have no residency requirements. Department Heads are required to live within a reasonable radius of the City of Charlotte. The City Manager will make the determination as to what is a "reasonable radius" for each Department Head with the approval of the City Council. (Rev. 9-1-98)

III. EMPLOYMENT PRACTICES AND STANDARDS

Public Relations

All of us are municipal employees and the citizens and taxpayers of Charlotte are our employers. We must always treat them with respect, courtesy and attentiveness whenever they contact us, either by phone or in person. If a citizen has a question or a complaint, hear that citizen out. Answer their question or refer them to the proper department head. If you do not know the answer, do not attempt to answer the question.

Following is proven list of public relations guidelines which, if followed, will usually result in the least ill feelings from the citizen.

1. Identify your department when you answer the phone.
2. If you are approached by a citizen asking for information or making a complaint, give assistance if you can and are knowledgeable about the subject. If not, refer them to the proper department or department head.
3. Let the citizen who has a complaint get the matter "off their chest" - do not interrupt them. Even if you feel the complaint is unjustified, be very hesitant in disputing an irate citizen. It is better to promise to have it checked than to argue with that person. Report any such complaints to your department head.
4. Maintain the best possible personal appearance in keeping with the work you do.
5. Strive to keep your work area, desk, or space in clean, presentable, attractive condition.
6. Every citizen is entitled to common courtesy.

Progressive Discipline

Departmental rules and regulations are a combination of state and federal laws, recommendations from our insurance adviser and general City policies as they relate to the department. Rules are written with the personal safety and best interest of both City employees and City residents in mind. Employees will be disciplined for all infractions and violations of these rules and regulations or similar offenses. Work Rules for the City of Charlotte have been established and located in Appendix B.

Examples of Group I Offenses:

Employees shall be expected to give faithful service in the performance of their assigned duties. No employee shall leave his/her work for the purpose of visiting other persons or

employees, or interfere with other employees in the performance of their duties.

Use or possession of another employee's property or equipment without the employee's consent.

Neglect or destruction of City property.

Being habitually tardy, absent, or absent without authorization.

Unsatisfactory work performance.

Disregard of safety rules or common safety practices.

Disobeying general work rules (smoking in non-smoking areas, parking in undesignated areas, personal phone calls, etc.)

Examples of Group II Offenses:

Willfully performing unsatisfactory work or concealing unsatisfactory work.

Deliberately restricting output.

Taking part in any disturbance, boisterous conduct or horseplay which might endanger others or interfere with the performance of their duties.

Abuse of the public, verbal or physical.

Making or publishing false, vicious, or malicious statements concerning any employee, department head, or the City.

Leaving place of work during working hours without permission.

Sleeping on the job during working hours.

Physical contact of a sexual nature; sexual, racial, ethnic or religious related jokes, comments, insults, cartoons, innuendoes; or personal conduct or mannerisms that could be construed as offensive. Note: when incidents of harassment occur they are to be reported immediately to your Department Head and/or City Manager.

Examples of Group III offenses:

Absence of three (3) consecutive working days without notice or leave and without justifiable reason for failure to report.

Willful disobedience to the proper directive of a supervisor, or other acts of insubordination.

Use, possession or being under the influence of any intoxicating beverage, illegal drug or narcotic during working hours.

Theft or intentional removal from premises of City property, tools, equipment, records, or other materials, without proper authorization.

Being convicted of a felony while employed by the City.

Threatening, intimidating or coercing fellow employees.

Engaging in any of the following during working hours or breaks or on City premises:
(a) provoking a fight; (b) instigating a fight; (c) fighting

Falsifying City records.

Disciplinary Action

It is the policy of the City to treat discipline as a secondary method to encourage employee conformance and development. But when necessary, discipline will be given in a consistent, impersonal manner. Each offense will be treated in accordance with established policies, and discipline will be more severe if repetition occurs.

Disciplinary action or measure shall follow the following procedure:

Group I Discipline:

First Offense.....counseling memo
Second Offense.....written warning
Third Offense.....suspension without pay
Fourth Offense.....suspension without pay and
recommendation for discharge

Group II Discipline:

First Offense.....written warning
Second Offense.....suspension without pay
Third Offense.....recommendation for discharge

Group III Discipline:

This group of offenses shall be grounds for immediate suspension without pay with recommendation for discharge.

Grievance Procedure

A grievance shall be considered to exist if there is a violation of these personnel rules, or if an

employee alleges "unfair treatment."

Step 1 - Oral discussion with immediate supervisor and grievant must take place first. If not resolved in Step I, then proceed.

Step 2 - Whenever a grievance arises it shall first be reduced to writing and then taken up with the appropriate supervisor who shall give a written decision to the grievance within three (3) working days from the date it is received. A copy of this decision will be sent to the department head.

Step 3 - If a decision is unsatisfactory to the grievant, the grievance shall be referred to the department head in written form. This writing will contain all facts pertinent to the grievance. The department head shall give a written decision within seven (7) working days after receiving the appeal from Step 1. A copy of this decision will be sent to the City Manager.

Step 4 - If the decision is still unsatisfactory to the grievant, the grievance shall be referred to the grievance committee. This committee shall be composed of the City Manager, City Clerk, the department head involved, and one (1) member of the grievant's choosing. The committee may conduct a hearing and shall give a written decision within ten (10) working days from the date the grievance is referred to the committee.

The grievance must be presented within five (5) working days of the date of its occurrence or the date on which the condition causing the grievance becomes known, or it will not be considered unless there is mutual consent. There should be a sincere desire on the part of each of the parties to settle grievances in the shortest possible time.

No salary deduction will be made if any employee is called into a meeting during working hours at the request of the City. Reasonable and necessary time off from the job without loss of pay or other benefits will be provided for investigating and processing grievances. Time limits may be extended at any step by mutual agreement.

Resignation

Employees who are resigning will submit all resignations in writing to the department head with a copy to the City Clerk. Hourly employees are requested to give two (2) weeks' notice in advance of last day of work. Salaried employees are requested to give three (3) weeks' notice in advance of last day worked. Employees are expected to return all City of Charlotte property in their possession or control immediately upon termination of employment. An exit interview will be arranged and conducted by your department head and human resources.

Layoff And Recall

If a layoff should become necessary, employees will be laid off on the basis of their skill, ability and/or length of service. When other factors are equal, length of service will be controlling.

Employees will be recalled in accordance with their ability, length of service and needs of the city at time of recall. They shall be placed in positions available, provided they are capable of performing the assigned work.

Recalls will be made by certified mail to the employee's last known address. A recalled employee who does not report to work within seven (7) days after date of notice will be considered to have quit.

Discharge

The following can result in discharge from employment:

1. Failure to appear for work after three (3) days without proper notice to supervisor.
2. Failure to return to work within seven (7) days after being recalled from being laid off as described in section III-E.
3. Failure to return to work within ninety (90) days after being discharged from the armed services.
4. Disciplinary action as described in Section III-C.

Discrimination

We will give equal treatment to all applicants for employment and to all employees in accordance with Title VII of the Federal Civil Rights Acts. We will not discriminate in hiring applicants or dealing with employees because of race, color, religion, sex, national origin, age or disability.

Hiring, work assignments, rate of pay, promotion, layoff, and recall will be based on skill and ability, physical fitness, length of service, satisfactory attendance and satisfactory conduct, productivity and quality of work.

IV. EMPLOYEE BENEFITS

Non-Union Full Time
Fire Department (Not Including Shift Fire Personnel)
Building Inspector

Eligibility

In order to qualify to receive fringe benefits, an employee must be designated as a full-time employee. Employees who work less than the regular 40 hours per week (180 hours in a 28-day period for fire department) are not considered full-time employees. Seasonal building positions are not eligible for benefits.

Adjusted Work Schedules

If a work schedule in which the employee regularly works more than 8 hours in one day, but no more than 40 regular hours in a workweek is created by the Department Head, all benefit days, including, but not limited to vacation, sick, disability, and personal are calculated based upon a 40 hour work week and five 8-hour work days. If the work week or work day is adjusted by the Department Head, all references to “days” for the purpose of calculating or using benefits will be converted to hours based on an 8 hour day and 40 hour work week. i.e. 1 day becomes 8 hours.

In no case shall an adjusted work day/week create an overtime situation.

Paid Holidays are paid out at the number of hours on that day that would normally be worked.

All paid leave, including but not limited to, personal/vacation/sick/disability leave will be taken in the number of hours that would normally be worked.

Life Insurance

Group term life insurance is provided for each full-time employee effective the first of the month following 30 days from date of employment. This includes coverage for Accidental Death and Dismemberment. This insurance will be at City expense. Refer to your insurance certificate or contact the City Clerk for amount of coverage.

Workers Compensation

When an employee has an on-the-job injury, the employer will pay sick leave (if the employee has that available) during the first seven (7) consecutive calendar days. In the event that an employee is off work for more than fourteen (14) consecutive calendar days, worker’s compensation benefits are paid for the original seven (7) days. In this case, it is the employee’s responsibility to submit to the payroll department, a copy of their worker’s compensation benefits payment, and the detailed explanation of benefits. Upon receipt, the amount will be deducted from their next payroll check, and

corresponding sick leave will be reinstated to their accrued hours.

Any work-related injury or illness, no matter how minor, must be reported to the employee's supervisor immediately. If medical assistance is required, the Human Resources/City Clerk's office will send him or her to an approved medical facility. Worker's Compensation regulations require that within 24 hours of an illness and/or injury a report and a claim form completed and submitted.

Light Duty

In the event that the employee is determined by a medical officer to be able to perform light duty, the availability will be determined by the Department Head. The employee will provide a medical slip indicating the provisions of light duty restrictions in 14 day increments.

Jury Duty

Employees may be granted leave of absence for required jury duty. All employees shall receive their regular compensation when a report of jury duty and pay form is completed by the Clerk of the Court each week and the jury duty paycheck (excluding mileage) is turned into the City by the employee. An employee excused from jury duty during regular working hours shall immediately return to work as quickly as possible.

Employees shall notify their Department Head or his/her designee as soon as possible upon receiving notice to report for jury duty. Employees seeking regular compensation referred to above will be responsible for ensuring that a report of jury duty and pay form is completed by the Clerk of the Court each week and the amount of jury duty compensation is paid to the City in order to receive full regular pay.

When an employee is subpoenaed to a court of law to testify in a case relating to City property, or while on duty witnesses an event in which he is called to testify, he/she shall receive regular full pay upon payment to the City of any jury fees received (excluding mileage). The employee will be required to return to work immediately after testifying. If they wish to observe any other portion of the hearing, they may do so upon approval of their department head and with personal or vacation time deducted.

Sick Leave And Disability

Part-time employees hired before January 1, 2007 shall be eligible to accumulate sick leave based on the fraction of a forty-hour week they are scheduled to work. Part-time employees will earn no more than 5 hours sick leave per month. Part time employees hired after January 1, 2007 will be ineligible for sick leave and disability.

When an absence is for more than three (3) consecutively-scheduled work days, the employee may be required to file a Physician's Certificate. A Payroll Change and Request form for Sick Leave shall be filled out immediately and signed by the employee (when possible) and the Department Head, and turned into Payroll before payment for an absence will be made.

An employee injured during any gainful employment other than with the City, which is covered by Workers Compensation or other disability, shall not be eligible for sick or disability benefits.

Employee-Earned Sick/Disability Leave: On July 1, 2010, accrued disability days credited to an employee shall be converted to sick leave hours at the rate of eight (8) sick leave hours for each disability day and added to the employee's accrued sick leave. Effective July 1, 2010, all eligible full time employees shall be entitled to sick leave credit of 6.667 hours for each completed month of service, except that no leave credit can be earned during a leave of absence without pay.

The amount of leave time charged to an employee during any absence shall be equal to the number of regularly scheduled hours the employee would have worked during such absence. Leave credit will not be allowed in advance of being earned

An employee may accumulate earned sick leave in an amount not to exceed four hundred eighty (480) hours; provided, however, an employee hired prior to July 1, 2010 may retain sick leave accumulated as of June 30, 2010 up to seven hundred twenty (720) hours which amount shall be that employee's maximum allowed accumulation. An employee's maximum allowed accumulation shall be reduced by the number of hours of sick leave used in each year (July 1 to June 30) in excess of the amount earned in said year, if any, but in no case will an employee's maximum allowed accumulation be less than four hundred eighty (480) hours. If an employee's actual accumulation is less than four hundred eighty (480) hours, earned sick leave shall be accumulated up to four hundred eighty (480) hours.

Payment of Unused Employee-earned Sick/Disability Leave: Payment of unused employee-earned Sick Leave, not to exceed the maximum allowed accumulation, shall be made to the employee upon retirement with the Municipal Employees Retirement System or to his/her beneficiary upon death. The amount of this will be verified by the City Clerk's office on retirement.

Payment of one-half (1/2) of the unused employee-earned Sick Leave/Disability Leave accumulation will be paid to the employee upon leaving employment after ten (10) full years of employment with the City

Those employees whose sick leave accumulation reaches the maximum allowed accumulation authorized herein shall be paid annually at the rate of one-half (1/2) of the employee's regular hourly rate of pay for each hour of sick leave earned and unused in excess of the maximum accumulation as of June 30 in each year. Payment shall be made by July 31 of each year based on the regular hourly rate of pay in effect on June 30.

City Paid Disability Leave: City paid Disability Leave will be provided in conjunction with Sick Leave for long-term critical illness or non-job related injury for up to twenty-six (26) weeks. (See schedule on page 20)

Application for City paid Disability Leave is made by submitting to the City Clerk the proper City forms provided by the City Clerk's office. This form will include a Physician's Certificate to be

completed by the attending physician and a portion for the employee to fill out. This written notice of claim must be presented to the City Clerk's office within fifteen (15) days of the occurrence of the injury or illness for the employee to be eligible for disability benefits.

City paid Disability Leave will be provided for full-time employees starting thirty (30) days from the date of employment. An employee must be absent from work longer than one week before becoming eligible for disability benefits. City paid Disability Leave payments will commence on the fifteenth (15th) working day (see schedule on page 18).

Disability benefits will not be paid for any claim covered by Workers Compensation or for an injury that result from other gainful employment which is covered by Worker's Compensation or other disability plan; for suicide attempts; or for injury resulting from acts of war.

Successive periods of disability will be considered one period of disability unless subsequent periods of disability:

1. Result from causes entirely unrelated to the cause of the previous disability.
2. Commence after the employee has returned to active full-time work for the City for at least two (2) consecutive weeks.

SCHEDULE OF PAYMENT FOR DISABILITY LEAVE

EMPLOYEE LEAVE CITY PAID			
<u>WEEK</u>	<u>DAYS USED</u>	<u>DISABILITY DAYS</u>	<u>TOTAL</u>
1	5	0	5
2	5	0	5
3	4	1	5
4	4	1	5
5	3	2	5
6	3	2	5
7	2	3	5
8	2	3	5
9	1	4	5
10	1	4	5
11	0	5	5
12-26	0	5	5

Employee Responsibility: To be eligible for Sick Leave pay the employee must be available by telephone, during those times the employee requests pay for Sick Leave absence, at the employee's residence, physician's office or hospital. An answering device is not an acceptable substitute. An employee who is not so available shall be ineligible for any Sick Leave payment. This provision will not apply to medically verified illness and/or disability.

Employment may terminate for any employee who is off work continuously for six months, whether covered by Sick Leave, Disability Leave, or Workers Compensation, or a combination of any leave, including Unpaid Family Medical Leave. An extension of this six-month period may be granted upon written request to the City Manager.

Long Term Disability Insurance. The City will provide long term disability insurance with a monthly benefit equal to 66 2/3% of the employee's regular wages up to a maximum monthly benefit of \$5000 for disabilities the duration of which exceeds the maximum benefit under this section. Benefits paid under the long term disability insurance shall commence following the twenty-six (26) weeks of disability leave under this section.

Family And Medical Leave (FMLA Application – Appendix C)

Eligibility

A covered employee is one who has been employed for at least 12 months by the City and has at least 1250 working hours of service with the employer during the previous 12 month period from the date the leave is requested. Public agencies are covered without regard to the number of employees employed. Overtime hours are counted when earned but they are counted on an hour-for-hour basis, even if the employee was eligible for overtime pay. Returning military Reservists and National Guard members, under USERRA, have their military time counted. The months and hours they would have worked should be combined with the months employed and the hours actually worked to meet the 1,250 hours worked in the previous year. Personal, sick, and compensatory leave time are not counted.

Qualifying Events

Under FMLA, Employees are entitled to up to 12 work weeks of leave during any 12 month period for one of the following:

1. Birth of or care of a child
2. Child adoption or foster care
3. Care of a spouse, son, daughter or parent if such individual has a serious health condition
4. Serious health condition of the employee which disables him/her from performing the functions of his/her position. A serious health condition is an illness, injury, impairment, or physical or mental condition that involves in-patient care in a hospital, hospice, or residential medical care facility or requires continuing treatment by a health care provider (M.D. or D.O.)
5. Episodic conditions of less than three days that require periodic treatment by a health care provider (such as asthma or diabetes)
6. Incapacity due to pregnancy, or for prenatal care
7. Serious conditions, such as cancer, that may not be incapacitating but without treatment would result in a period of incapacity of more than three consecutive days

For purposes of FMLA leave, the term “12-month period” shall be defined to mean a rolling 12-

month period measured backward from the date an employee uses FMLA leave.

The National Defense Authorization Act of 2008 (NDAA) amendments to FMLA allows eligible employees to take up to 12 weeks of leave in the applicable 12 month period for any “qualifying exigency” arising out of the active duty or call to active duty status of a spouse, son, daughter, or parent. Qualifying exigencies include:

1. Issues arising from a covered military member’s short notice deployment (i.e., deployment on seven or less days of notice) for a period of seven days from the date of notification;
2. Military events and related activities, such as official ceremonies, programs, or events sponsored by the military or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty status of a covered military member;
3. Certain childcare and related activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis, enrolling or transferring a child in a new school or day care facility, and attending certain meetings at a school or a day care facility if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member;
4. Making or updating financial and legal arrangements to address a covered military member’s absence;
5. Attending counseling provided by someone other than a health care provider for oneself, the covered military member, or the child of the covered military member, the need for which arises from the duty or call to active duty status of the covered military member;
6. Taking up to five days of leave to spend time with a covered military member who is on short-term temporary, rest and recuperation leave during deployment;
7. Attending to certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of 90 days following the termination of the covered military member’s active duty status, and addressing issues arising from the death of a covered military member;
8. Any other event that the employee and employer agree is a qualifying exigency.

The NDAA Amendments also allows eligible employees to take up to 26 weeks of job protected leave in a single 12-month period to care for a covered servicemember with a serious injury or illness.

Guidelines

Where the City and employee agree, leave may be taken intermittently or on a reduced leave schedule in the event of the birth of a child, adoption, or foster care of a child. Employees, however, have a right to take leave on an intermittent or reduced leave schedule (half days) when medically necessary to care for a spouse, child or parent who has a serious health condition, or if the employee has a serious health condition.

In such cases, the taking of such leave will result in a reduction of the 12-week leave allowance only by the amount of leave actually taken. If an employee requests intermittent leave, or leave on a reduced schedule, that is foreseeable based on planned medical treatment, the employer may require such an employee to transfer temporarily to an available alternative position provided the employee has the equivalent pay and benefits and this position better accommodates recurring periods of leave than the employee's regular employment position.

Where leave is necessitated by the serious health condition of the employee or family member, and is foreseeable based on planned medical treatment, the employee must give at least 30 days' notice (except if treatment requires earlier leave) and shall schedule the treatment so as to not unduly disrupt the employer's operation.

The City requires the employee to first utilize any accrued paid Vacation Leave, Sick Leave or Personal Leave prior to taking unpaid family leave as specified under the Family Medical Leave Act. Nothing requires that the employer provide sick or paid medical leave. In the event of spouses employed by the same employer, the aggregate number of work weeks of leave to which both are entitled is limited to 12 work weeks during any 12 month period, except due to the serious health condition of the employee himself/herself, or in the case of military caregiver leave for which a combined total of 26 weeks is allowed.

The City may require employees to provide medical certification by a doctor of the eligible employee or family member, including the date the serious health condition began, probable duration, appropriate medical facts regarding the condition, a statement that the eligible employee is needed to care for the family member, and an estimate of the amount of time needed for such care.

In the event of the employee's own illness, a medical statement is required that the employee is unable to perform the functions of the position of the employee. The City (at its expense) may require the employee to obtain the opinion of a second health care provider and in the event of a conflict, the opinion of a third health care provider whose decision is final and binding. The employer may also require the eligible employee to obtain subsequent recertification on a reasonable basis.

Employees with chronic conditions, or who are pregnant, are not required to see a health care provider during every absence once medical certification by a doctor has been provided to the City.

At the end of the leave under the Family Medical Leave Act, the employee is entitled to be restored to the position held when the leave commenced or restored to an equivalent position with equivalent benefits and pay.

The employer is required to maintain coverage under any group health plan for the duration of the leave at the level and under the conditions coverage would have been provided if the employee had continued in employment continuously for the duration of the leave.

An employee is not entitled to the accrual of any seniority or employment benefits during any period

of leave, or any right, benefit, or position of employment to which the employee would have been entitled had the employee not taken leave.

In the event an employee takes a leave for his own medical condition, the City requires the employee to provide a certificate from his health care provider that the employee is able to resume work.

The City may deny job restoration to a salaried employee who is among the highest paid 10% of the employees employed by the employer where such denial is necessary to prevent "substantial and grievous economic injury" to the operations of the employer. The employer must notify the employee of the intent to deny job restoration and, where the employee elects not to return to the employment after receiving such notice, restoration can be denied.

The City may recover premiums paid for maintaining health coverage under a group health plan during the period of the leave in the event an employee fails to return from leave after the period to which the employee is entitled has expired and the employee's failure to return is for a reason other than:

- A. The continuation of reoccurrence or onset of a serious health condition that entitles the employee to leave because of his own illness or that of a family member.
- B. Other circumstances beyond the control of the employee.

Personal Leave- Full Time Employees

Full-time regular employees with one (1) year seniority are allowed up to twenty-four (24) hours a year with pay for Personal Leave. It is intended that this leave is to be used for personal business purposes which cannot be conducted during non-work hours and is not to be used to extend vacations, holidays, entertainment etc. without permission from the Department Head or his/her designee. Personal Leave time must be approved by the Department Head.

Personal Leave days not used by July 1 of each year may be added to the employee's accumulated Sick Leave. If the employee has reached the maximum allowed accumulation of sick leave, the employee may cash those days that exceed these amounts at one-half pay. This payment will be made on or before August 1.

Personal Leave – Part Time Employees

Regular part-time employees hired before January 1, 2007 (regularly scheduled to work a minimum of 24 hours per week) shall be granted personal leave in proportion to the fraction of forty (40) hour week they are regularly scheduled to work. Personal leave hours credited shall not exceed fifteen (15) per year. Part time personnel are not eligible for Personal Leave if hired after January 1, 2007.

Funeral Leave

A maximum of three (3) days Funeral Leave time with pay may be utilized, if necessary, on the death of a full time employee's immediate family member, upon notice to the Department Head and/or City Clerk's office. Immediate family shall be interpreted as including: spouse, child, father, mother,

sister, sister-in-law, brother, brother-in-law, father-in-law, mother-in-law, grandparents, grandchildren and step relations of the employee's immediate family.

A maximum of two (2) days Sick Leave time may be utilized if necessary for attendance at non-immediate family funerals with permission of the Department Head or his/her designee.

Extended funeral leave in extenuating circumstances may be authorized by the Department Head or City Manager. An employee may utilize Personal Leave or take leave without pay if authorized.

Retirement

Each regular full-time employee shall become a member of the Michigan Municipal Employees Retirement System B-4 Plan program with the F-55 rider (Employee to contribute 4.36%). Full time employees hired after July 1, 2010 shall be eligible for the MERS B-4 plan with the F-55(25) rider and contribute 4.36% of gross annual wages) The City Manager may be exempted from this requirement if a request, in writing, is approved by the City Council. Department Heads may opt for the Defined Contribution plan through MERS

An employee must have ten (10) years of service to be vested in the retirement plan. The definition of retirement is when an employee draws retirement benefits under the City's retirement plan with M.E.R.S. An employee leaving employment with the City shall not be considered a retired employee under any circumstances other than as stated in the above definition.

Health Insurance

Medical and Hospital Insurance: The City will pay 100% of the premiums for single, two-person, and full family coverage, but not for family continuation coverage, under the Blue Cross/Blue Shield MVF-2 with ML and prescription drug rider, or an equivalent plan, as the hospital, medical and surgical insurance plan for regular full-time employees. Effective September 1, 2010, the prescription drug plan shall be modified to increase employee co-pays to \$10.00 for generic drugs and \$40.00 for name brand drugs. Effective January 1, 2010, the insurance plan will be changed to the Blue Care Network/HRA plan.

Dental Insurance: The City will pay 100% of the cost for the current dental plan established or its equivalent for full family coverage for regular full-time employees.

Vision Care: The City shall provide and pay 100% of the cost for a Vision Insurance plan for full family coverage for regular full-time employees.

These coverages will not be provided at City expense in the case of an employee who is on layoff or on a leave of absence without pay for more than 30 days. The City will pay the health insurance premiums for an employee receiving disability insurance payments or Workers Compensation for up to a maximum of six (6) months.

Insurance eligibility: Eligibility, coverage and benefits under the listed insurance plans and other

insurance plans set forth are subject to the terms and conditions, including waiting period or other time limits, contained in the contracts between the City and the carrier. Any rebates or refunds on premiums paid by the City shall accrue to the City. The City reserves the right to select the carrier, to change carriers, and to become self-insured.

Health Insurance for Retired Employees: The City shall make hospitalization, medical, and dental insurance available to retired employees through the present group carrier at the retired employee's expense. Should a retired employee opt not to obtain any insurance through the City's group carrier within 30 days upon their retirement, they are not eligible to sign up at a later date. Should a retired employee who has opted in decide to cancel their insurance due to coverage through a spouse or family member, they will not have the option to return to the City's insurance at any date.

Vacation – Full Time Employees

Each full time employee will receive earned vacation credit each year on his/her anniversary date of hire. Vacation pay will be calculated using the employee's regular base pay.

Vacation – Part Time Employees

Regular part-time employees hired before January 1, 2007 (regularly scheduled to work 24 hours or more per week) shall earn vacation credit based on the average scheduled work day not to exceed 5 hours. Part time employees hired after January 1, 2007 are not eligible for vacation.

Vacation Crediting, Employees Hired Before July 1, 2010

Length of Service	Vacation Allowance
12 to 36 months	Eighty (80) hours
37 to 120 months	One hundred twenty (120) hours
121 to 180 months	One hundred sixty (160) hours
181 months and over	Two hundred (200) hours

Vacation Crediting, Employees Hired After July 1, 2010

Length of Service	Vacation Allowance
12 to 36 months	Eighty (80) hours
37 to 120 months	One hundred twenty (120) hours
121 months and over	One hundred sixty (160) hours

The amount of vacation leave charged to an employee during his or her leave shall be equal to the number of regularly scheduled days/hours he would otherwise have worked during his/her absence on such leave.

Vacation leave shall be used during the twelve month period following its having been credited to the employee; provided, however, employees may "carry over" no more than forty (40) hours

vacation leave to be used in the six months following their anniversary date. Employees may be paid after their anniversary date of hire for up to forty (40) hours vacation leave that is not used or carried over.

Procedure: The time at which an employee shall take his/her vacation shall be determined by the Department Head and/or Human Resources Department. Requests for vacation leave shall be governed by seniority if more than one request is submitted for the same period. Sufficient advance notice of not less than two (2) weeks shall be given to the Department Head or his/her designee to allow for vacation scheduling and to arrange work schedules accordingly. All Vacation Leave shall be requested in writing on a form provided by the City.

Eligibility: All full-time employees and eligible part-time employees shall accumulate and receive vacation leave benefits within the limits prescribed herein. Vacation leave shall be based on length of continuous service. No vacation leave shall be earned by an employee during a leave of absence without pay.

Holidays

The following are designated as holidays:

<u>Holiday</u>	<u>Date</u>
New Year's Day	January 1
President's Day	3rd Monday in February
Good Friday (1/2 day)	Friday before Easter-close at noon
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	4th Thursday in November
Day after Thanksgiving	4th Friday in November
Christmas Eve Day	December 24
Christmas Day	December 25
New Year's Eve	December 31

If the holiday falls on a Sunday, the following Monday will be observed as a holiday. If a holiday falls on a Saturday, the preceding Friday will be observed. In the event that Christmas or New Years Eve falls on a Sunday, the following Monday and Tuesday will be observed for the Christmas Holidays.

Each employee who works the full scheduled work day before and the full scheduled work day after a holiday will be paid straight time base rate for that holiday.

If an employee does not work the day prior to or immediately following a holiday, he/she shall not be compensated for such holiday unless the absence on such day was scheduled or excused at

management's discretion. If the holiday occurs during an employee's vacation, that day will be paid as holiday pay, and the employee will not be charged for a vacation day.

An employee will not receive holiday pay for holidays that fall on normal days off when they were not scheduled to work.

Longevity

All regular full-time employees actively employed by the City who have completed five (5) full years of full-time employment with the City as of November 15 of any year shall be entitled to a longevity bonus for prescribed length of service with the City as indicated in the following rules and schedule of payment.

1. Longevity pay shall be computed on a percentage of the employee's regular annual base salary or wage, excluding overtime pay or premium pay. The percentage computation shall be made on that basic salary which an employee is being paid on the first regularly scheduled pay period of the fiscal year in which longevity pay is due.
2. Longevity pay shall be based on full-time, continuous service. Following completion of five (5) years of such service by November 15th of any year and continuing in subsequent years of service, each employee shall receive annual longevity payments as provided in the schedule below. Employees whose service with the City terminates for any reason, including retirement, between November 15 dates, shall be eligible for a calendar months' pro-rated payment of their longevity pay, payable upon separation.
3. Payments to employees who become eligible by November 15 of any year shall be due the subsequent December 1.

LONGEVITY PAYMENT SCHEDULE

<u>Continuous Service</u>	<u>Annual Payment</u>
5 years or more and less than 10 years	2.00% of annual wage
10 years or more and less than 15 years	3.00% of annual wage
15 years or more and less than 20 years	4.00% of annual wage
20 years and over	5.00% of annual wage

Maximum benefit \$1,500

Payment Of Unused Accumulated Benefits

Payment of unused Vacation, and Longevity will be made to the employee upon termination of his/her employment with the City or to his/her beneficiary upon death. Employees vested in the Retirement plan (10 years employed with the City) but not retiring, will be paid one half (1/2) of

unused employee-earned sick Leave/Disability Leave accumulated upon termination of employment. Benefits will be pro-rated up to the last day worked.

Employees eligible for retirement will be paid 100% of unused employee-earned sick leave/disability leave.

Probationary employees who are laid off become terminated. Accumulated vacation and personal leave benefits will be pro-rated to the last day worked.

Payment for these benefits will be paid on the payday of the pay period for the last day worked.

Education/Tuition Benefits

Each regular full-time employee shall be eligible for reimbursement of 100% of tuition costs of a pre-approved program towards a certificate or a degree. Programs must be job specific and approval must be authorized by the Department Head or City Manager.

All course fees, to include manuals, books, enrollment, etc., shall initially be purchased by the individual requesting the course. Upon successful completion of the course, employees shall submit a request for reimbursement for up to 100%, with a maximum of \$1000 per fiscal year, of the cost for tuition, only.

FIRE DEPARTMENT - SHIFT CAPTAINS/ASST FIRE CHIEF

Eligibility

A fire department shift work employee, by law, is not to exceed 212 working hours in a four (4) week period.

The employee's 54-hour week times 4 weeks = 216 hours
-212 limit of hours
 4 hours balance

This balance of four (4) hours is to be paid at 1/2 times regular base pay rate.

Kelly Days

Fire Department employees get 24 hours off in every 12-week period for a "Kelly Day".

If during any four (4) week period between the allotted Kelly Days, the employee is off a day (for vacation, sick leave, personal day, etc.) when he/she is scheduled to work, the employer will not pay the four hours (4) at 1/2 times their regular base pay rate for that period.

Call Back Time

For all other Call Back Time (fire, meetings, etc.) employees will be paid 1-1/2 times their regular pay rate regardless of prior days off on scheduled work days.

Earned Time Off

All employees of the Fire Department shall have the option to exchange overtime hours worked for earned time off (ET0) at the rate of time and one-half (1-1/2) under the following conditions:

- A) The maximum amount of ETO hours that can be banked are as follows:
 - 1) 24 hour shift employees 108 hours
- B) Any usage of ETO will be charged and deducted from the ETO bank. ETO time used will be forwarded to Finance Director.
- C) The ETO option will be made during the pay period that it is earned. ETO shall be banked to the nearest one-half (1/2) hour or paid in full.
- D) ETO shall be used in increments of 1 hour or more
- E) An employee may utilize ETO only with the approval of the Fire Chief or person so

designated.

- F) Employees will be granted ETO in accordance with a first come, first serve basis, provided shift coverage is maintained.
- G) Accumulated ETO in any amount shall be paid to the employees upon request. Payment will be issued as soon as practical. Payment will be made at the wage rate ETO was earned.

Life Insurance

Group term life insurance is provided for each full-time employee, effective the first of the month following 30 days of employment. This will be at City expense. Refer to your insurance certificate or contact the City Clerk's Office for amount of coverage.

Workers Compensation

The City in accordance with State Law, provides "Worker's Compensation." No employee shall receive duplicate payments from sick leave and worker's compensation.

In the event that an employee is off work for more than fourteen (14) days, worker's compensation benefits are paid for the original seven (7) days. In this case, it is the employee's responsibility to submit to the payroll department, a copy of their worker's compensation benefits payment, and the detailed explanation of benefits. Upon receipt, the amount will be deducted from their next payroll check, and corresponding sick leave will be reinstated to their accrued hours.

Any work-related injury or illness, no matter how minor, must be reported to the employee's supervisor immediately. If medical assistance is required, the Human Resources/City Clerk's office will send him or her to an approved medical facility. Worker's Compensation regulations require that within 24 hours of an illness and/or injury a report and a claim form completed and submitted.

Light Duty

In the event that the employee is determined by a medical official to be able to perform light duty, the availability of light duty will be determined by the Fire Chief. The employee will provide a medical slip indicating the provisions of light duty restrictions in 14 day increments.

Sick Leave And Disability

Sick Leave shall not be considered a privilege, which an employee may use at his discretion, but shall be used in the case of necessity. To be paid available Sick Leave, the employee shall notify the Department Head or his/her designee prior to the time set for reporting to work.

All full-time employees shall be eligible to accumulate sick leave from the first month of service.

When an absence is for more than three (3) consecutive duty days, the employee may be required to file a Physician's Certificate. A Payroll Change and Request form for Sick Leave shall be filled out immediately and signed by the employee (when possible) and the Department Head, and turned into Payroll before payment for an absence will be made.

An employee injured during any gainful employment other than with the City, which is covered by Workers Compensation or other disability, shall not be eligible for sick or disability benefits.

Employee-Earned Sick/Disability Leave: On July 1, 2010, accrued disability days credited to an employee shall be converted to sick leave hours at the rate of twenty-four (24) sick leave hours for each disability day and added to the employee's accrued sick leave. Effective July 1, 2010, all eligible full time employees shall be entitled to Sick Leave credit of eleven (11) hours for each completed month of service, except that no leave credit can be earned during a leave of absence without pay.

The amount of leave time charged to an employee during any absence shall be equal to the number of regularly scheduled hours the employee would have worked during such absence. Leave credit will not be allowed in advance of being earned

An employee may accumulate earned sick leave in an amount not to exceed six hundred forty-eight hours (648) hours; provided, however, an employee hired prior to July 1, 2010 may retain sick leave accumulated as of June 30, 2010 up to one thousand eighty (1080) hours which amount shall be that employee's maximum allowed accumulation. An employee's maximum allowed accumulation shall be reduced by the number of hours of sick leave used in each year (July 1 to June 30) in excess of the amount earned in said year, if any, but in no case will an employee's maximum allowed accumulation be less than six hundred forty-eight (648) hours. If an employee's actual accumulation is less than six hundred forty-eight (648) hours, earned sick leave shall be accumulated up to six hundred forty-eight (648) hours.

Payment of Unused Employee-earned Sick Leave: Payment of unused employee-earned Sick Leave, not to exceed the maximum allowed accumulation, shall be made to the employee upon retirement with the Municipal Employees Retirement System or to his/her beneficiary upon death. The amount of this will be verified by the City Clerk's office on retirement.

Payment of one-half (1/2) of the unused employee-earned Sick Leave/Disability Leave accumulation will be paid to the employee upon leaving employment after ten (10) full years of employment with the City. Those employees whose sick leave accumulation reaches the maximum allowed accumulation authorized herein shall be paid annually at the rate of one-half (1/2) of the employee's regular hourly rate of pay for each hour of sick leave earned and unused in excess of the maximum accumulation as of June 30 in each year. Payment shall be made by July 31 of each year based on the regular hourly rate of pay in effect on June 30.

City Paid Disability Leave: City paid Disability Leave will be provided in conjunction with employee-earned sick leave for long-term critical illness or non-job related injury for up to

twenty-six (26) weeks.

City paid Disability Leave will be approved after the proper City forms provided by the City Clerk's office are filled out and filed with the City Clerk. This form will include a Physician's Certificate to be completed by the attending physician and a portion for the employee to fill out. This written notice of claim must be presented to the City Clerk's office within fifteen (15) days of the occurrence of the injury or illness for the employee to be eligible for disability benefits.

City paid Disability Leave will be provided for full-time employees starting thirty (30) days from the date of employment. Fire Department Shift employees must be absent from work longer than five work days before becoming eligible for disability benefits. City paid Disability Leave payments will commence on the fifteenth (15th) calendar day.

Disability benefits will not be paid for any claim covered by Workers Compensation or for an injury that result from other gainful employment which is covered by Worker's Compensation or other disability plan; for suicide attempts; or for injury resulting from acts of war.

Successive periods of disability will be considered one period of disability unless subsequent periods of disability:

1. Result from causes entirely unrelated to the cause of the previous disability.
2. Commence after the employee has returned to active full-time work for the City for at least two (2) consecutive weeks.

SCHEDULE OF PAYMENT FOR DISABILITY LEAVE

EMPLOYEE LEAVE CITY PAID

Week	Sick Leave Hours	City Disability Hours	Total
1	54	0	54
2	54	0	54
3	43	11	54
4	43	11	54
5	32	22	54
6	32	22	54
7	22	32	54
8	22	32	54
9	11	43	54
10	11	43	54
11-26	0	54	54

Employee Responsibility: To be eligible for Sick Leave pay the employee must be available by telephone, during those times the employee requests pay for Sick Leave absence, at the employee's residence, physician's office or hospital. An answering device is not an acceptable substitute. An employee who is not so available shall be ineligible for any Sick Leave payment. This provision will not apply to medically verified illness and/or disability.

Employment may terminate for any employee who is off work continuously for six months, whether covered by Sick Leave, Disability Leave, or Workers Compensation, or a combination of any leave, including Family Medical Leave. An extension of this six-month period may be granted upon written request to the City Manager.

Family And Medical Leave
(FMLA Application – Appendix C)

Eligibility

A covered employee is one who has been employed for at least 12 months by the City and has at least 1250 working hours of service with the employer during the previous 12 month period from the date the leave is requested. Public agencies are covered without regard to the number of employees employed. Overtime hours are counted when are earned but they are counted on an hour-for-hour basis, even if the employee was eligible for overtime pay. Returning military Reservists and National Guard members, under USERRA, have their military time counted. The months and hours they would have worked should be combined with the months employed and the hours actually worked to meet the 1,250 hours worked in the previous year. Personal, sick, and compensatory leave time are not counted.

Qualifying Events

Under FMLA, Employees are entitled to up to 12 work weeks of leave during any 12 month period for one of the following:

1. Birth of or care of a child
2. Child adoption or foster care
3. Care of a spouse, son, daughter or parent if such individual has a serious health condition
4. Serious health condition of the employee which disables him/her from performing the functions of his/her position. A serious health condition is an illness, injury, impairment, or physical or mental condition that involves in-patient care in a hospital, hospice, or residential medical care facility or requires continuing treatment by a health care provider (M.D. or D.O.)
5. Episodic conditions of less than three days that require periodic treatment by a health care provider (such as asthma or diabetes)
6. Incapacity due to pregnancy, or for prenatal care
7. Serious conditions, such as cancer, that may not be incapacitating but without treatment would result in a period of incapacity of more than three consecutive days

The National Defense Authorization Act of 2008 (NDAA) amendments to FMLA allows eligible employees to take up to 12 weeks of leave in the applicable 12 month period for any “qualifying exigency” arising out of the active duty or call to active duty status of a spouse, son, daughter, or parent. Qualifying exigencies include:

1. Issues arising from a covered military member’s short notice deployment (i.e., deployment on seven or less days of notice) for a period of seven days from the date of notification;
2. Military events and related activities, such as official ceremonies, programs, or events sponsored by the military or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty status of a covered military member;
3. Certain childcare and related activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis, enrolling or transferring a child in a new school or day care facility, and attending certain meetings at a school or a day care facility if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member;
4. Making or updating financial and legal arrangements to address a covered military member’s absence;
5. Attending counseling provided by someone other than a health care provider for oneself, the covered military member, or the child of the covered military member, the need for which arises from the duty or call to active duty status of the covered military member;
6. Taking up to five days of leave to spend time with a covered military member who is on short-term temporary, rest and recuperation leave during deployment;
7. Attending to certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of 90 days following the termination of the covered military member’s active duty status, and addressing issues arising from the death of a covered military member;
8. Any other event that the employee and employer agree is a qualifying exigency.

The NDAA Amendments also allows eligible employees to take up to 26 weeks of job protected leave in a single 12-month period to care for a covered servicemember with a serious injury or illness.

Guidelines

Where the City and employee agree, leave may be taken intermittently or on a reduced leave schedule in the event of the birth of a child, adoption, or foster care of a child. Employees, however, have a right to take leave on an intermittent or reduced leave schedule (half days) when medically necessary to care for a spouse, child or parent who has a serious health condition, or if the employee has a serious health condition.

In such cases, the taking of such leave will result in a reduction of the 12-week leave allowance only

by the amount of leave actually taken. If an employee requests intermittent leave, or leave on a reduced schedule, that is foreseeable based on planned medical treatment, the employer may require such an employee to transfer temporarily to an available alternative position provided the employee has the equivalent pay and benefits and this position better accommodates recurring periods of leave than the employee's regular employment position.

Where leave is necessitated by the serious health condition of the employee or family member, and is foreseeable based on planned medical treatment, the employee must give at least 30 days' notice (except if treatment requires earlier leave) and shall schedule the treatment so as to not unduly disrupt the employer's operation.

The City requires the employee to first utilize any accrued paid Vacation Leave, Disability/Sick Leave or Personal Leave prior to taking unpaid family leave as specified under the Family Medical Leave Act. Nothing requires that the employer provide sick or paid medical leave. In the event of spouses employed by the same employer, the aggregate number of work weeks of leave to which both are entitled is limited to 12 work weeks during any 12 month period, except due to the serious health condition of the employee himself/herself, or in the case of military caregiver leave for which a combined total of 26 weeks is allowed.

The City may require employees to provide medical certification by a doctor of the eligible employee or family member, including the date the serious health condition began, probable duration, appropriate medical facts regarding the condition, a statement that the eligible employee is needed to care for the family member, and an estimate of the amount of time needed for such care.

In the event of the employee's own illness, a medical statement is required that the employee is unable to perform the functions of the position of the employee. The City (at its expense) may require the employee to obtain the opinion of a second health care provider and in the event of a conflict, the opinion of a third health care provider whose decision is final and binding. The employer may also require the eligible employee to obtain subsequent recertification on a reasonable basis.

Employees with chronic conditions, or who are pregnant, are not required to see a health care provider during every absence once medical certification by a doctor has been provided to the City.

At the end of the leave under the Family Medical Leave Act, the employee is entitled to be restored to the position held when the leave commenced or restored to an equivalent position with equivalent benefits and pay.

The employer is required to maintain coverage under any group health plan for the duration of the leave at the level and under the conditions coverage would have been provided if the employee had continued in employment continuously for the duration of the leave.

An employee is not entitled to the accrual of any seniority or employment benefits during any period of leave, or any right, benefit, or position of employment to which the employee would have been entitled had the employee not taken leave.

In the event an employee takes a leave for his own medical condition, the City requires the employee to provide a certificate from his health care provider that the employee is able to resume work.

The City may deny job restoration to a salaried employee who is among the highest paid 10% of the employees employed by the employer where such denial is necessary to prevent "substantial and grievous economic injury" to the operations of the employer. The employer must notify the employee of the intent to deny job restoration and, where the employee elects not to return to the employment after receiving such notice, restoration can be denied.

The City may recover premiums paid for maintaining health coverage under a group health plan during the period of the leave in the event an employee fails to return from leave after the period to which the employee is entitled has expired and the employee's failure to return is for a reason other than:

- A. The continuation of reoccurrence or onset of a serious health condition that entitles the employee to leave because of his own illness or that of a family member.
- B. Other circumstances beyond the control of the employee.

Personal Leave

Full-time regular employees with one (1) year seniority are allowed up to two (2) days a year with pay for Personal Leave. It is intended that this leave is to be used for personal business purposes which cannot be conducted during non-work hours and is not to be used to extend vacations, holidays, entertainment etc. without permission from the Department Head or his/her designee. Personal Leave time must be approved by the Department Head.

Personal Leave days not used by July 1 of each year may be added to the employee's accumulated Sick Leave. If the employee has reached the maximum allowed accumulation of sick leave, the employee may cash those days that exceed these amounts at one-half pay. This payment will be made on or before August 1.

Funeral Leave

A maximum of one and one half (1.5) days Funeral Leave time with pay may be utilized, if necessary, on the death of a full time employee's immediate family member, upon notice to the Department Head and/or City Clerk's office. Immediate family shall be interpreted as including: spouse, child, father, mother, sister, sister-in-law, brother, brother-in-law, father-in-law, mother-in-law, grandparents, grandchildren and step relations of the employee's immediate family.

A maximum of one (1) days Sick Leave time may be utilized if necessary for attendance at non-immediate family funerals with permission of the Department Head or his/her designee.

Extended funeral leave in extenuating circumstances may be authorized by the Department Head or City Manager. An employee may utilize Personal Leave or take leave without pay if authorized.

Retirement

Each regular full-time Fire Dept shift employee shall become a member of the Michigan Municipal Employees Retirement System B-4 Plan program with the F-55 rider (Employee to contribute 4.36%). Fire Department employees are not covered under FICA (social security). The City will contribute matching funds up to \$2500 for Fire Department Captains and Assistant Fire Chief who wish to invest in the ICMA 457 Retirement Plan in lieu of Social Security contributions. After the \$2,500 match has been met, the Fire Captain and Assistant Fire Chief will receive an additional contribution of \$1,000 a calendar year.

An employee must have ten (10) years of service to be vested in the retirement plan. The definition of retirement is when an employee draws retirement benefits under the City's retirement plan with M.E.R.S. An employee leaving employment with the City shall not be considered a retired employee under any circumstances other than as stated in the above definition.

Health Insurance

Medical and Hospital Insurance: The City will pay 100% of the premiums for single, two-person, and full family coverage under the Blue Cross/Blue Shield MVF-2 with ML and prescription drug rider, or an equivalent plan, as the hospital, medical and surgical insurance plan for regular full-time employees.

Dental Insurance: The City will pay 100% of the cost for the current dental plan established or its equivalent for full family coverage for regular full-time employees.

Vision Care: The City shall provide and pay 100% of the cost for a Vision Insurance plan for full family coverage for regular full-time employees.

These coverages will not be provided at City expense in the case of an employee who is on layoff or on a leave of absence without pay for more than 30 days. The City will pay the health insurance premiums for an employee receiving disability insurance payments or Workers Compensation for up to a maximum of six (6) months.

Insurance eligibility: Eligibility, coverage and benefits under the listed insurance plans and other insurance plans set forth are subject to the terms and conditions, including waiting period or other time limits, contained in the contracts between the City and the carrier. Any rebates or refunds on premiums paid by the City shall accrue to the City. The City reserves the right to select the carrier, to change carriers, and to become self-insured.

Health Insurance for Retired Employees: The City shall make hospitalization, medical, and dental insurance available to retired employees through the present group carrier at the retired employee's expense. Should a retired employee opt not to obtain any insurance through the City's group carrier within 30 days upon their retirement, they are not eligible to sign up at a later date. Should a retired

employee who has opted in decide to cancel their insurance due to coverage through a spouse or family member, they will not have the option to return to the City's insurance at any date.

Retirement Health Care Savings Plan

For fire department shift employees, the City currently has plans available through the MERS Health Care Savings Plan or the ICMA Health Care Savings Plan. The participation agreements shall be administered as outlined in the plan and employees may participate on a voluntary basis.

The City shall match up to \$500 from July 1, 2006 – June 30, 2007 for eligible fire shift employees. On July 1, 2007 the matching amount will increase to \$1,000. It will be the employee's responsibility to contact the Clerk's office to request the plan participation agreement.

Vacation

Each full time employee will receive earned vacation credit each year on his/her anniversary date of hire. Vacation pay will be calculated using the employee's regular base pay.

Vacation Crediting –Employees Hired Before July 1, 2010

Length of Service	Vacation Allowance
12 to 36 months	One hundred eight (108) hours
37 to 120 months	One hundred sixty-two (162) hours
121 to 180 months	Two hundred sixteen (216) hours
181 months and over	Two hundred seventy (270) hours

Vacation Crediting -- Employees Hired After July 1, 2010

Length of Service	Vacation Allowance
12 to 36 months	One hundred eight (108) hours
37 to 120 months	One hundred sixty-two (162) hours
121 months and over	Two hundred sixteen (216) hours

The amount of vacation leave charged to an employee during his or her leave shall be equal to the number of regularly scheduled days he would otherwise have worked during his/her absence on such leave.

Vacation leave shall be used during the twelve month period following its having been credited to

the employee; provided, however, employees may be permitted to "carry over" no more than fifty-four (54) hours vacation leave to be used in the six months following their anniversary date. Employees may be paid after their anniversary date of hire for up to fifty-four (54) hours vacation leave that is not used or carried over.

Procedure: The time at which an employee shall take his/her vacation shall be determined by the Department Head and/or Human Resources Department. Requests for vacation leave shall be governed by seniority if more than one request is submitted for the same period. Sufficient advance notice of not less than two (2) weeks shall be given to the Department Head or his/her designee to allow for vacation scheduling and to arrange work schedules accordingly.

Eligibility: All full-time employees and eligible part-time employees shall accumulate and receive vacation leave benefits within the limits prescribed herein. Vacation leave shall be based on length of continuous service. No vacation leave shall be earned by an employee during a leave of absence without pay.

Holidays

The following are designated as holidays:

<u>Holiday</u>	<u>Date</u>
New Year's Day	January 1
President's Day	3rd Monday in February
Good Friday (1/2 day)	Friday before Easter-close at noon
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	4 th Thursday in November
Day after Thanksgiving	4 th Friday in November
Christmas Eve Day	December 24
Christmas Day	December 25
New Year's Eve	December 31

If the holiday falls on a Sunday, the following Monday will be observed as a holiday. If a holiday falls on a Saturday, the preceding Friday will be observed. In the event that Christmas or New Years Eve falls on a Sunday, the following Monday and Tuesday will be observed for the Christmas Holidays.

Holiday Pay will be paid at 2x24 hours for the scheduled Officer with the other two officers being paid 12 hours straight time for any non-worked holiday.

If an employee does not work the day prior to or immediately following a holiday, he/she shall not be compensated for such holiday unless the absence on such day was scheduled or excused at management's discretion. If the holiday occurs during an employee's vacation, that day will be paid as holiday pay, and the employee will not be charged for a vacation day.

An employee will not receive holiday pay for holidays that fall on normal days off when they were not scheduled to work.

Longevity

All regular full-time employees actively employed by the City who have completed five (5) full years of full-time employment with the City as of November 15 of any year shall be entitled to a longevity bonus for prescribed length of service with the City as indicated in the following rules and schedule of payment.

1. Longevity pay shall be computed on a percentage of the employee's regular annual base salary or wage, excluding overtime pay or premium pay. The percentage computation shall be made on that basic salary which an employee is being paid on the first regularly scheduled pay period of the fiscal year in which longevity pay is due.
2. Longevity pay shall be based on full-time, continuous service. Following completion of five (5) years of such service by November 15th of any year and continuing in subsequent years of service, each employee shall receive annual longevity payments as provided in the schedule below. Employees whose service with the City terminates for any reason, including retirement, between November 15 dates, shall be eligible for a calendar months' pro-rated payment of their longevity pay, payable upon separation.
3. Payments to employees who become eligible by November 15 of any year shall be due the subsequent December 1.

LONGEVITY PAYMENT SCHEDULE

<u>Continuous Service</u>	<u>Annual Payment</u>
5 years or more and less than 10 years	2.00% of annual wage
10 years or more and less than 15 years	3.00% of annual wage
15 years or more and less than 20 years	4.00% of annual wage
20 years and over	5.00% of annual wage

Maximum benefit \$1,500

Payment Of Unused Accumulated Benefits

Payment of unused Vacation, Personal Leave, and Longevity will be made to the employee upon termination of his/her employment with the City or to his/her beneficiary upon death. Employees vested in the Retirement plan (10 years employed with the City) but not retiring, will be paid one half (1/2) of unused employee-earned Sick Leave/Disability Leave accumulated upon termination of employment. Benefits will be pro-rated up to the last day worked.

Employees eligible for retirement will be paid 100% of unused employee-earned sick leave/disability leave.

Probationary employees who are laid off become terminated. Accumulated vacation and personal leave benefits will be pro-rated to the last day worked.

Payment for these benefits will be paid on the payday of the pay period for the last day worked.

Education/Tuition Benefits

Each regular full-time employee shall be eligible for reimbursement of 100% of tuition costs of a pre-approved program towards a certificate or a degree. Programs must be job specific and approval must be authorized by the Department Head or City Manager.

All course fees, to include manuals, books, enrollment, etc., shall initially be purchased by the individual requesting the course. Upon successful completion of the course, employees shall submit a request for reimbursement for up to 100%, with a maximum of \$1000 per fiscal year, of the cost for tuition, only.

APPENDIX A – SAFETY RULES

Rev. 12-99

Rev. 05-06

CITY OF CHARLOTTE GENERAL SAFETY RULES

The City of Charlotte management is concerned with the safety and well-being of all its employees. Employees may not take any unnecessary chances in the performance of their duties.

Safety committees are very important to a safety program. Employees who serve on such committees must do so conscientiously. City of Charlotte management has established the following general safety rules which it expects all employees to know and follow.

1. Employees must be concerned about their own and others safety and demonstrate good judgment and use the safest methods and practices possible when performing their jobs. If they see another employee engaging in an unsafe or improper practice they are expected to point out the hazard involved to the employee. The employee should not take offense at these warnings since they are impersonal and intended for the good of the employee and the City of Charlotte.
2. Safety demands teamwork. Employees are expected to report on time to their designated work station. During working hours they should be alert and devote themselves exclusively to the City of Charlotte's service. The City of Charlotte offers a program of safety education to improve the employee's skills and awareness of safety issues.
3. Employees must courteously assist new employees in learning their duties.
4. If an employee is injured on the job it must be immediately reported to the individual in charge. Injuries should be reported in writing. If the injured employee is unable to make the report, then the supervisor may do so. If the person asks for, or the person in charge feels it is necessary, the injured party should receive medical attention.
5. Employees who have sustained an off-duty injury which adversely affects their ability to perform their usual assigned duties must report to the proper authority prior to going on duty. If that proper authority renders them unfit to work, they must not allow them to work. They should promptly report employees who are physically unable to perform their work to the proper individual.
6. To maintain a safe environment, employees shall keep their work areas clean and orderly at all times. They shall clean up after completing each work assignment and immediately remove items which pose a hazard.
7. Employees must not leave tools or equipment on window sills, ledges, ladders, vehicles, or similar places since they might fall or be jarred from place. They must keep all aisles,

stairways, driveways, halls and walkways free of debris, tools, equipment and other material.

8. Employees must place appropriate warning signs and/or barricade areas that are wet or freshly waxed until the area has been made safe. Employees must, as far as practicable, avoid walking or stepping on surfaces made slippery by grease, oil, wet paint, water, ice, or similar substances.
9. Employees must use personal protective gear when necessary.
10. Employees must clean, and if necessary, apply salt or other suitable materials to steps, walkways and other locations where slipping might occur.
11. Employees shall not slide down guy wires, rods, railings or ladders, jump off ladders or over excavations, pits or manholes. Employees shall not stand or attempt to stand on improvised scaffolds or supports made of boxes, barrels, chairs, stools or other unsafe means of reaching high shelves or places. Employees should be aware that horseplay can result in injury.
12. Employees must not ask unauthorized persons to assist them with their work except in cases of accident, personal injury, or other emergencies.
13. Employees (operators/mechanics) may not remove or cut out any safety switches/devices/apparatus on any type of equipment or machines. Employees shall not remove protective guards from hand tools, machines or equipment unless required to do so for maintenance. They may not operate machines or tools that do not have guards in place.
14. A supervisor of qualified employee must make an inspection immediately if an injury results from the use of tools, machine or other equipment.
15. A copy of these Safety Rules should be displayed in the workplace.

APPENDIX B – WORK RULES

WORK RULES

Effective 7-10-06

GROUP 1 OFFENSES

1. Solicitations of any kind, unauthorized by departmental management, are prohibited during working hours.
2. Abuse of break time.
3. Being habitually tardy, absent, or unauthorized absence.
4. Posting, altering or removing any matter on bulletin boards or City property unless specifically authorized by department heads.
5. Distributing written or printed matter of any description on City premises during working hours unless approved by department head.
6. Disregard of general safety rules or common safety practices.

GROUP 2 OFFENSES

1. Willfully performing unsatisfactory work or concealing unsatisfactory work.
2. Taking part in any disturbance or boisterous conduct.
3. Making false or unfounded charges or statements which slander or defame other employees or official or the City Government, or which reflect adversely on the honesty, integrity, motives, character, or efficiency of such person.
4. Damage to city owned property, waste of city owned supplies, through negligence, deliberate action, misconduct, or other culpable action.
5. Absence from duty without permission.
6. Sleeping while on duty.

GROUP 3 OFFENSES

1. Absence of three (3) consecutive working days without notice of leave and without justifiable reason for failure to report.
2. Willful disobedience or direct acts of insubordination to the proper directive of a supervisor without reasonable justification.
3. Using any intoxicating beverage, illegal drug or narcotic during working hours, or carry such substances onto the job or report for work or be at work under the influence of such substances.
4. Intentional removal from premises city property, tools, equipment, records, or other materials, without proper authorization.
5. Being charged and/or convicted of a felony while employed by the City.
6. Threatening, intimidating or coercing, fellow employees that results in a hostile work environment.
7. Engaging in any of the following during working hours or breaks or on city premises; (a) provoking a fight, (b) instigating a fight; or (c) fighting
8. Falsifying city records.
9. Unauthorized possession of firearms or explosives.

APPENDIX C
CITY OF CHARLOTTE
FAMILY AND MEDICAL LEAVE REQUEST

Application for Family and Medical Leave (FML) must be presented to City Clerk/Human Resources *as soon as possible prior to requested leave date.*

Name: _____ Date: _____

Address: _____ Phone: _____

Position: _____ Building: _____

Date of Hire: _____

Purpose of Leave: _____

Beginning Date of Leave: _____ Anticipated Return to Work Date: _____

Number of Sick Days (as of this date): _____ Number of Disability Days _____

Number of Sick Days Employee Anticipates Using: _____

Appropriate medical verification must be submitted prior to approval of the leave. Please find attached

my medical verification dated: _____

I will be supplying medical verification by: _____

Have you requested FML previously: _____ Yes _____ No

If yes, when was the completion date of the last leave? _____

Have you used more than 12 weeks of FML in the last 12 months: _____ Yes _____ No

Employee (Signature)

Date

I am aware of this request and have _____ have not _____ at this time determined how the employee's responsibilities will be filled.

Supervisor (Signature)

Date

Human Resources (Signature)

Date

☐ Approved ☐ Denied

Form revised 12-21-06



Memo

To: Honorable Mayor Armitage; City Council
From: City Manager LaPere, MPAP
Date: August 18, 2023
Re: Updates to IT Services Contract

Background

The City has contracted for professional IT Services with Michigan Network Consulting for a significant period of time. IT services is a unique professional service in that the services interact with every department of the city and impact all city operations. The last contract was adopted in 2003 and is in need of updates to reflect the current services provided. I am proposing the city enter into a 4-year term contract that will not automatically renew to provide sufficient time for administration to evaluate the IT needs and prepare bid specifications, as well as to provide for appropriate transition of service should a new firm be selected at that time. Because IT services impact every operation from emergency response to front line customer service to connectivity between facilities to payroll, it is critical that any change in service be completed in a thoughtful and deliberate manner. Another consideration for the length of term is that in addition to the transition in leadership that will occur over the next 4-6 months, administration will have two major services bid out this fiscal year, property/liability insurance and assessing services.

These amendments clarify the scope of work, including services and hours of work, and limit the term of the contract to provide the city a clear expectation of service from the IT professionals. A copy of the contract is included for Council's review.

Recommendation

I would recommend City Council adopt these contract updates.

Financial Impacts

There is no proposed change in cost of service, and this contract locks the rate for the next four years.

Suggested Motion

City Council approves the proposed updates to the IT services contract and authorizes the City Clerk to sign the amended contract.

eel

attachment

Contract for Professional IT Services

This Agreement is entered into as of the ___ day of ___ 2023, between City of Charlotte ("the City") and Ronald R Kramer/Consultants On Call ("the Consultant").

1. **Independent Consultant:** Subject to the terms and conditions of this Agreement, the City hereby engages the Consultant as an independent consultant to perform the services set forth herein, and the Consultant hereby accepts such engagement.
2. **Duties, Terms, and Compensation:** The Consultant's duties, terms of engagement, compensation, and provisions for payment thereof shall be as set forth in the estimate provided to the City by the Consultant and is attached as Exhibit A, which may be amended in writing from time to time or supplemented with subsequent estimates for services to be rendered by the Consultant and agreed to by the City and which collectively are hereby incorporated by reference.
3. **Expenses:** During the term of this Agreement, the Consultant shall bill and the City shall reimburse him/her for all reasonable and pre-approved out-of-pocket expenses that are incurred in connection with the performance of the duties hereunder.
4. **Written Reports:** The City may request that project plans, progress reports, and results reports be provided by the Consultant on a periodic basis.
5. **Inventions:** Any and all inventions, discoveries, developments, and innovations conceived by the Consultant during this engagement relative to the duties under this Agreement shall be the exclusive property of the City, and the Consultant hereby assigns all right, title, and interest in the same to the City. Any and all inventions, discoveries, developments and innovations conceived by the Consultant prior to the term of this Agreement and utilized by him/her in rendering duties to the City are hereby licensed to the City for use in its operations and for an infinite duration. This license is nonexclusive and may be assigned without the Consultant's prior written approval by the City to a wholly owned subsidiary of the City.
6. **Confidentiality:** The Consultant acknowledges that during the engagement he/she will have access to and become acquainted with various trade secrets, inventions, innovations, processes, information, records, and specifications owned or licensed by the City and/or used by the City in connection with the operation of its business including, without limitation, the City's business and product processes, methods, customer lists, accounts, and procedures. The Consultant agrees that he/she will not disclose any of the aforesaid, directly or indirectly, or use any of them in any manner, either during the term of this Agreement or at any time thereafter, except as required in the course of this engagement with the City.

All files, records, documents, blueprints, specifications, information, letters, notes, media lists, original artwork/creative, notebooks, and similar items relating to the business of the City, whether prepared by the Consultant or otherwise coming into his/her possession, shall remain the exclusive property of the City. The Consultant shall not retain any copies of the foregoing without the City's prior written permission. Upon the expiration or earlier termination of this Agreement, or whenever requested by the City, the Consultant shall immediately deliver to the City all such files, records, documents, specifications, information, and other items in his/her possession or under his/her control. The Consultant further agrees that he/she

will not disclose his/her retention as an independent consultant or the terms of this Agreement to any person without the prior written consent of the City and shall at all times preserve the confidential nature of his/her relationship to the City and of the services hereunder.

7. Conflicts of Interest Non-hire Provision: During the term of this agreement, the Consultant shall devote as much of his/her productive time, energy, and abilities to the performance of his/her duties hereunder as is necessary to perform the required duties in a timely and productive manner. The Consultant is expressly free to perform services for other parties while performing services for the City. For a period of six months following any termination, the Consultant shall not, directly or indirectly, hire, solicit, or encourage to leave the City's employment, any employee, consultant, or consultant of the City or hire any such employee, consultant, or consultant who has left the City's employment or contractual engagement within six months of such employment or engagement.
8. Right to Injunction: The parties hereto acknowledge that the services to be rendered by the Consultant under this Agreement and the rights and privileges granted to the City under the Agreement are of a special, unique, unusual, and extraordinary character which gives them a peculiar value, the loss of which cannot be reasonably or adequately compensated by damages in any action at law, and the breach by the Consultant of any of the provisions of this Agreement will cause the City irreparable injury and damage. The Consultant expressly agrees that the City shall be entitled to injunctive and other equitable relief in the event of, or to prevent, a breach of any provision of this Agreement by the Consultant. Resort to such equitable relief, however, shall not be construed to be a waiver of any other rights or remedies that the City may have for damages or otherwise. The various rights and remedies of the City under this Agreement or otherwise shall be construed to be cumulative, and no one of the them shall be exclusive of any other or of any right or remedy allowed by law.
9. Merger: The merger or consolidation of the City into or with any other entity shall not terminate this Agreement.
10. Termination: Either party may terminate this Agreement at any time by 30 days written notice to the other party without cause. In addition, if the Consultant is convicted of any crime or offense, fails or refuses to comply with the written policies or reasonable directive of the City, is guilty of serious misconduct in connection with performance hereunder, or materially breaches provisions of this Agreement, the City at any time may terminate the engagement of the Consultant immediately and without prior written notice to the Consultant.
11. Independent Consultant: This Agreement shall not render the Consultant an employee, partner, agent of, or joint venturer with the City for any purpose. The Consultant is and will remain an independent consultant in his/her relationship to the City. The City shall not be responsible for withholding taxes with respect to the Consultant's compensation hereunder. The Consultant shall have no claim against the City hereunder or otherwise for vacation pay, sick leave, retirement benefits, social security, worker's compensation, health or disability benefits, unemployment insurance benefits, or employee benefits of any kind.
12. Liability: The Consultant will not hold the City liable while he/she performs any services for the said City. The Consultant will maintain their own liability insurance, with the City named as additional insured, in compliance with City policy.
13. Successors and Assigns: All of the provisions of this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, if any, successors, and assigns.

14. Choice of Law: The laws of the state of state shall govern the validity of this Agreement, the construction of its terms, and the interpretation of the rights and duties of the parties hereto.
15. Headings: Section headings are not to be considered a part of this Agreement and are not intended to be a full and accurate description of the contents hereof.
16. Waiver: Waiver by one party hereto of breach of any provision of this Agreement by the other shall not operate or be construed as a continuing waiver.
17. Assignment: The Consultant shall not assign any of his/her rights under this Agreement, or delegate the performance of any of his/her duties hereunder, without the prior written consent of the City.
18. Notices: Any and all notices, demands, or other communications required or desired to be given hereunder by any party shall be in writing and shall be validly given or made to another party if personally served or if deposited in the United States mail. If such notice or demand is served personally, notice shall be deemed constructively made at the time of such personal service. If such notice, demand, or other communication is given by mail, such notice shall be conclusively deemed given five days after deposit thereof in mail addressed to the party to whom such notice, demand, or other communication is to be given as follows:

If to the Consultant:

Consultants On Call
250E Holland Lake Drive
Sheridan, Mi 48884

If to the City:

City of Charlotte
City Manager and City Clerk
111 E. Lawrence
Charlotte, Mi 48813

Any party hereto may change its address for purposes of this paragraph by written notice given manner provided above.

19. Modification or Amendment: No amendment, change, or modification of this Agreement shall unless in writing signed by the parties hereto.
20. Entire Understanding: This document and any exhibit attached constitute the entire understanding and agreement of the parties, and any and all prior agreements, understandings, and representations are hereby terminated and canceled in their entirety and are of no further force and effect.
21. Unenforceability of Provisions: If any provision of this Agreement or any portion thereof, is invalid and unenforceable, then the remainder of this Agreement shall nevertheless remain force and effect.

IN WITNESS WHEREOF, the undersigned have executed this Agreement as of the day and year written above. The parties hereto agree that facsimile signatures shall be as effective as if originals.

City of Charlotte

Consultants On Call

By:

By:

City Clerk

Ronald R Kramer

Date:

Date:

EXHIBIT A

Duties, terms, and compensation

DUTIES: The Consultant will work with the City to improve information technology performance to maintain effective support, enhance the city's quality of services, minimize costs, and maximize the return on investment in IT. The Consultant and its staff will report directly to the City Manager.

1. Perform IT support services such as installing PCs, laptops, printers, peripherals, and related software; configuring and troubleshooting applications and hardware; and maintenance and updates to desktop and cellular phone systems, as needed.
2. Maintain an up-to-date inventory of all City IT related hardware and software, and provide the inventory to City personnel upon request.
3. Assist City personnel with software and hardware purchases, assist in the development of IT related policies and procedures, and provide remote assistance upon request.
4. Provide on-site staff a minimum of two-days per week during normal working hours, and provide on-site support staff during City Council meetings. Staff will be available for urgent matters by phone/email/text messaging during off-site hours, including 24/7 available response for emergency situations.
5. Manage computer systems and networks including complex application, database, messaging, web and other servers and associated hardware, software, communications, and operating systems necessary for the quality, security, performance, availability, recoverability and reliability of the system.
6. Ensure scheduled preventative maintenance for equipment is properly and promptly performed. Maintain maintenance records on the equipment. Assist in the development of operations, administrative and quality assurance back-up plans and procedural documentation.
7. Setup new users and edit or remove existing users. Provide server performance and capacity management services with reporting when specified thresholds are reached.
8. Support all software products of the City relating to the server and associated hardware. Manage user logins and security. Coordinate repair and maintenance work with designated City personnel to ensure repairs are conducted in a timely fashion. Able to protect law enforcement related files.
9. Scope of activity includes all City network equipment including firewalls, routers and other security devices; primary installation and maintenance of printers, network copiers/scanners, etc; primary maintenance including regular analysis, routing configuration changes and installation of patches and upgrades; alert notifications to designated City personnel in the event of failure; monitoring of network equipment including bandwidth utilization and other performance indicators, with reporting when specified thresholds are reached. Duties also include network performance and capacity management services and network troubleshooting, and maintaining network documentation and procedures.
10. Maintain virus detection programs on City servers, patch deployment, email and all other City computers and laptops. Perform security audits as requested and notify designated City personnel immediately of suspected breaches of security or intrusion detection. Configure City system to enable remote access in a secure environment and provide remote access administration as requested by designated City personnel. Execute proper disposal of obsolete equipment.
11. Provide engineering, planning and design services for major system enhancements, and installations and upgrades of new or existing systems. Examples include major server upgrades, storage system upgrades, redesign of backup systems, etc. Provide technical leadership for server technology issues. Make recommendations for future purchasing and technology needs. Install new servers, software and hardware

and transfer data when acquired. Provide strategic planning, design and installation/upgrade of core network systems. Examples include major network upgrades, provider changes, IP schema redesign, installation of “core” network devices, etc.

TERMS: This engagement shall commence upon approval of this Agreement by City Council and shall continue in full force and effect for four years (48 months) time period. The Agreement may only be extended thereafter by mutual agreement, unless terminated earlier in accordance with the terms of this Agreement.

COMPENSATION: As full compensation for the services rendered pursuant to this Agreement, the City shall pay the Consultant a monthly rate of \$6,325.00, with additional services at the hourly rate of \$85.00 per hour. Such compensation shall be payable by the normal procedures of payment after the receipt of Consultant's bi-monthly invoice for services rendered supported by reasonable documentation. If payment is not received within 30 days of submittal, a 1.5 percent late fee will be applied.

Memo

To: City Council
From: Amy E. Gilson, P.E., Director of Public Works
Date: August 16, 2023
Re: DPW Truck Purchases

You will find three memos in the packet for the purchase of budgeted vehicles for the DPW. Each of these trucks has reached the end of its useful life, and maintenance costs have been increasing on each of them. We have utilized cooperative purchasing contracts to allow for better pricing with someone else doing all the bidding work. While the cost of one truck is over budget, the other two are under budget resulting in the total being only \$43 over budget. We budgeted a total of \$244,500 for the three trucks, and the total cost will be \$244,543. Additionally, we will receive a two percent discount on the upfits if the invoices are paid within 30 days for a savings of \$1,741.88, which we should be able to do. The net result is the purchases being under budget overall.

Please let me know prior to the meeting if you have any questions.



Memo

To: Honorable Mayor Armitage; City Council
From: Amy E. Gilson, PE - Director of Public Works
Date: August 9, 2023
Re: Staff report on DPW Service Truck and Upfit Purchase

Background

In the FY 23-24 Budget, there is \$69,000 budgeted to purchase a new service truck to replace Truck # 10. The service truck is a 2012 vehicle that is in poor condition and needs to be replaced.

We have contacted the holder of the Cooperative Purchasing Contract 071B7700180 through State of Michigan and Macomb County Contract #21-18. They are able to provide the required chassis for the service truck for a cost of \$51,749.00 through those contracts. Due to current manufacturing issues, they are unable to provide a delivery date, but will place us in the queue for production.

We have contacted the holder of the Cooperative Purchasing Contract RFP-RH-20-023 through Rochester Hills. They are able to provide the required upfit for the service truck for a cost of \$23,680.00 through that contract. The delivery date is anticipated to be 48-52 weeks.

Recommendation

Section 2-186 of the City Ordinances allows for the waiver of sealed bids for purchases when using a purchasing contract from another governmental agency. City Council agrees to waive the sealed bid process and approves the purchase the truck chassis from Lunghamer Ford in the amount of \$51,749.00 and purchase the service body, lift gate and appurtenances from Truck & Trailer Specialties in the amount of \$23,680.00.

Financial Impacts

The purchase price is slightly more than the amount budgeted over a year ago in the Motor Vehicle Pool. The \$6,426.00 difference will come out of reserves in the Motor Vehicle Pool and savings on other budgeted vehicles.

Suggested Motion

City Council approves the purchase of the service truck chassis from Lunghamer Ford in the amount of \$51,749.00, and it further approves the purchase of the service body, lift gate, and appurtenances from Truck & Trailer Specialties in the amount of \$23,680.00 for a total purchase price of \$75,429.00 and agrees to waive the sealed bid process.



Memo

To: Honorable Mayor Armitage; City Council
From: Amy E. Gilson, PE - Director of Public Works
Date: August 9, 2023
Re: Staff report on DPW Truck #17 and Upfit Purchase

Background

In the FY 23-24 Budget, there is \$81,500 budgeted to purchase a new truck to replace Truck # 17. The current truck is a 2008 vehicle that is in poor condition and needs to be replaced.

We have contacted the holder of the Cooperative Purchasing Contract 071B7700180 through State of Michigan and Macomb County Contract #21-18. They are able to provide the required chassis for truck #17 for a cost of \$52,850.00 through those contracts. Due to current manufacturing issues, they are unable to provide a delivery date, but will place us in the queue for production.

We have contacted the holder of the Cooperative Purchasing Contract RFP-RH-20-023 through Rochester Hills. They are able to provide the required upfit for the service truck for a cost of \$26,168.00 through that contract. The delivery date is anticipated to be 12-16 weeks.

Recommendation

Section 2-186 of the City Ordinances allows for the waiver of sealed bids for purchases when using a purchasing contract from another governmental agency. City Council agrees to waive the sealed bid process and approves the purchase the truck chassis from Lunghamer Ford in the amount of \$52,850.00 and purchase the service body, lift gate and appurtenances from Truck & Trailer Specialties in the amount of \$26,168.00.

Financial Impacts

The purchase price is slightly less than the amount budgeted over a year ago in the Motor Vehicle Pool. The \$2,482.00 savings will offset other budgeted vehicle cost overruns in the Motor Vehicle Pool.

Suggested Motion

City Council approves the purchase of the service truck chassis from Lunghamer Ford in the amount of \$52,850.00, and it further approves the purchase of the hoist, snowplow, and appurtenances from Truck & Trailer Specialties in the amount of \$26,168.00 for a total purchase price of \$79,018.00 and agrees to waive the sealed bid process.



Memo

To: Honorable Mayor Armitage; City Council
From: Amy E. Gilson, PE - Director of Public Works
Date: August 9, 2023
Re: Staff report on DPW Truck #74 and Upfit Purchase

Background

In the FY 23-24 Budget, there is \$94,000 budgeted to purchase a new truck to replace the wastewater Truck # 74. The current truck is a 2005 vehicle that is in poor condition and needs to be replaced.

We have contacted the holder of the Cooperative Purchasing Contract 071B7700180 through State of Michigan and Macomb County Contract #21-18. They are able to provide the required chassis for truck #74 for a cost of \$52,850.00 through those contracts. Due to current manufacturing issues, they are unable to provide a delivery date, but will place us in the queue for production.

We have contacted the holder of the Cooperative Purchasing Contract RFP-RH-20-023 through Rochester Hills. They are able to provide the required upfit for the wastewater truck for a cost of \$37,246.00 through that contract. The delivery date is anticipated to be 38-42 weeks.

Recommendation

Section 2-186 of the City Ordinances allows for the waiver of sealed bids for purchases when using a purchasing contract from another governmental agency. City Council agrees to waive the sealed bid process and approves the purchase the truck chassis from Lunghamer Ford in the amount of \$52,850.00 and purchase the flatbed, crane and appurtenances from Truck & Trailer Specialties in the amount of \$37,246.00.

Financial Impacts

The purchase price is slightly less than the amount budgeted over a year ago in the Motor Vehicle Pool. The \$3,904.00 savings will offset other budgeted vehicle cost overruns in the Motor Vehicle Pool.

Suggested Motion

City Council approves the purchase of the service truck chassis from Lunghamer Ford in the amount of \$52,850.00, and it further approves the purchase of the flatbed, crane, and appurtenances from Truck & Trailer Specialties in the amount of \$37,246.00 for a total purchase price of \$90,096.00 and agrees to waive the sealed bid process.

CITY OF CHARLOTTE

COUNCIL POLICY

SUBJECT	POLICY NO.	APP. DATE	PAGE
CITY OF CHARLOTTE ARMORY USE	2023-02	08/21/2023	1 of 6

1. PURPOSE

The purpose of this policy is to describe the terms and conditions pursuant to which a governmental unit may utilize the City of Charlotte Armory.

2. AUTHORITY

This policy is adopted pursuant to section 2.1(B)(5)(a) of the Charter of the City of Charlotte.

3. DPW ARMORY USE POLICY

This policy establishes guidelines for use of the Armory building for approved group activities and/or storage of property by outside entities. Failure to comply with the provisions of this policy may result in loss or denial of approval of use of the facilities, withdrawal of approval at any time without prior notice, and/or denial of future use of the facility.

I. Use of the Facility

Local or County government entities may be granted temporary, revocable permission to use the building for approved activities at no charge when not needed for official use. However, a fair market monthly rental rate will be charged for stored governmental equipment. Rate per square foot being used for storage will be calculated by the annual operating costs of the facility.

II. Applications

Request for use must be given to the Director of the Public Works at least seven days before the scheduled use. The Director of Public Works must be notified of change of responsible party, address and phone numbers.

III. Supervision and Accountability

Any person requesting the use of the Armory shall be the responsible party for the group, but the group itself will be held liable for compliance with all provisions contained in the Policy. If the primary responsible party cannot be present during the entire scheduled time, another individual must be appointed to be responsible and accountable. The responsible party listed on the application will be held

CITY OF CHARLOTTE

COUNCIL POLICY

SUBJECT	POLICY NO.	APP. DATE	PAGE
CITY OF CHARLOTTE ARMORY USE	2023-02	08/21/2023	2 of 6

responsible for maintaining the orderly conduct of all its attendees, informing all attendees of the rules by which they must abide, and for any damage to the facility and its constants. Only authorized personnel shall have access to the Armory building and certain restricted areas shall remain off-limits.

IV. Furniture

Tables and chairs are provided at no charge, and they must be returned to the configuration existing when the group arrived. Equipment, supplies, or personal belongings of any group may not be stored in building before or after the use.

V. Food and Beverages

Food and beverages (non-alcoholic) are allowed in Armory. However, the room must be left clean. No cooking is allowed. All trash must be removed by user at the conclusion of the day.

VI. Clean-up and Damage

Groups leaving food remnants, dirt, debris, or other substances on furniture, counter tops, windows, shades, walls, ceiling or floors will be assessed a minimum clean-up fee of \$50. Groups damaging furniture, carpeting, walls, shades or ceiling will be assessed a damage fee equal to the full restoration or replacement cost, which will be billed to the responsible party. The compliance checklist (see Appendix A of this policy) must be completed and signed before departure from the facility.

VII. Liability

The City of Charlotte assumes no responsibility for loss or damage to possessions of, or equipment and materials used by user groups, their volunteers; nor for any injury to any person as a result of, or in any way arising from, any given use of the facility. Signing the Application for the Use of Armory constitutes an agreement to indemnify and hold harmless the City against any and all claims, actions or causes of action, whether relating to personal injury or loss or damage to any item, which results from or in any way arises out of the use of any meeting room facility. The City is not responsible for theft or damage. An organization that has been approved for rental storage space must provide their own insurance for the stored property.

CITY OF CHARLOTTE
COUNCIL POLICY

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VIII. Audio Visual Equipment

There is no audio-visual system equipment in the Armory building, therefore any equipment used must be provided by, is the sole responsibility of, the group using the facility.

IX. Alcoholic Beverages, Smoking and Weapons

Alcoholic beverages, smoking and weapons are prohibited in the Armory or anywhere outside the building. An exception to weapons possession prohibition applies to the Charlotte Police Department and their employees.

X. Reservations and Parking

General governmental use may be scheduled from 8:00 a.m. through 5:00 p.m. Monday through Friday unless otherwise approved by the Director of Public Works. Police Department related use may extend past 5:00 p.m. provided clean up and final departure prior to 9:30 p.m.

All vehicles must be parked in approved parking spaces available on the north and east sides of the building, and in no way may interfere with the operations of the City. The overhead door on the south side of the building shall not be blocked at any time.

Approved storage of property shall be permitted in whole month increments, not greater than 12 cumulative months. Invoices shall be sent monthly.

XI. Restrictions on Use

The Armory building shall not be scheduled for the following:

- a. Non-governmental organizations.
- b. Civic or non-profit groups.
- c. Any commercial business, fee-based or promotional activity.
- d. Any meeting or activity that solicits funds or donations from attendees.
- e. Any activity that conflicts with local zoning laws.

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COUNCIL POLICY

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APPENDIX A

RULES COMPLIANCE CHECKLIST

Complete all the following steps prior to departure:

1. Pick up paper, trash and litter in all areas. _____
2. Clean and dry all tables and countertops. _____
3. Clean all chair seats, backs, legs and bases. _____
4. Restore tables and chairs to their original configuration. _____
5. Empty trash cans and take bags with you. _____
6. Pick up litter left outside the building. _____
7. Return a signed copy of checklist to the DPW at
City Hall or the DPW Garage. _____

User group name _____ Date _____

Signature of responsible party

Time of Departure

Thank you for your cooperation in maintaining the facility in excellent condition.

CITY OF CHARLOTTE
COUNCIL POLICY

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APPLICATION FOR USE OF ARMORY BUILDING

City of Charlotte
Department of Public Works
111 E. Lawrence Avenue
Charlotte, Michigan 48813
(517) 543-8858

(Read attached Armory Use Policy before completion)

Requested Date: _____ Day of the Week: _____

Start Time: _____ End Time: _____

Organization: _____

Person Responsible: _____

Municipality: _____

Address: _____

Business Phone: _____ Cell Phone: _____

Use Purpose: _____

Number of People: _____

Will Refreshments be served? _____ (Group is responsible for setup and cleanup.)

1. Is this group a governmental agency? _____ Yes _____ No
2. Is this group a profit-oriented business concern? _____ Yes _____ No
3. Do attendees pay or donate to participate in the meeting? _____ Yes _____ No

The applicant agrees to return the facilities to a clean and orderly condition at the end of the activity and pay the cost of repair or replacement of any damage to the facilities or equipment. The City of Charlotte shall not be held responsible for damage or loss of materials used or left in the building, and the applicant agrees to hold the City of Charlotte

CITY OF CHARLOTTE

COUNCIL POLICY

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harmless and blameless for damages to personal property. The applicant certifies that he/she has read the attached Armory Use Policy and received a copy, and that he/she fully understands these rules, and his/her responsibilities for compliance.

Note: In case of emergency, the Department of Public Works may cancel any approved reservation for use of the facilities; however, we will make every attempt to relocate the group, if there is another facility available.

Date: _____ Signature of Responsible Party: _____

Staff Witness: _____ Date: _____

Date of Application Receipt: _____

Received by: _____

DO NOT WRITE BELOW THIS LINE

Approved: _____ Authorized Signature: _____

Date Notified: _____ Date Signed: _____

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

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



**MICHIGAN
48813**

August 18th, 2023

Charlotte City Council

RE: Establishment of a Fire Marshall Position

For several years now the fire department has been operating at a bare minimum staffing level while call volume has increased by 48 percent over the last five years. Currently, there are six full-time employees within the fire department with 2 people working each day. Overtime costs have increased significantly over this time with employees utilizing their earned time off. Vacation time is set to increase next year for half of the department staff due to employees having been employed with the City of Charlotte for more than 3 years. Recently we have been made aware that an employee will be off work for a minimum of 8 weeks for a non-related work injury. With an employee being absent from work for at least 8 weeks we estimate that this will cost the city an estimated \$14,294.40 in overtime costs that were not budgeted for in this fiscal year. We have looked at several options to reduce the amount of overtime spent not only for this particular incident but throughout the year. With an employee's absence and increased employee time off we are continuing to rely on the current staff to work more overtime than they already do. This has direct and indirect effects on the city's budget and the health and well-being of the employees. We are concerned about employee burnout and the increased possibility of being unable to cover a shift with our current staffing model. Our part-time staff is utilized on a regular basis but are unavailable during the week due to having full-time jobs.

During our last ISO (Insurance Services Office) inspection in 2018, the City of Charlotte maintained a rating of 4. We were able to accomplish this in large part due to a part-time fire inspector that was employed with the department at the time. With the creation of a Fire Marshall position, we have the ability to receive improve our rating to a 3 for all property owners within the City. Lower ISO ratings for cities provide lower insurance premiums for homeowners.

We are requesting the council's approval for the city administration to work with the union representing the employees of the fire department to create a letter of understanding for the creation of a Fire Marshalls position within the fire department. The Fire Marshall position will provide a substantial benefit to the city. A significant increase in fire inspections, provide the public with consistent contact regarding fire inspections, perform hydrant flow testing, and provide shift coverage during the day scaling back overtime costs. The Fire Marshall will work with the Fire Chief and city administration to establish a nominal fee to perform fire inspections and plan reviews on all commercial occupancies within the city limits. This fee will provide an additional \$35,000 in revenue to help offset the cost of this position. In addition to a cost recovery for fire inspections, we estimate the Fire Marshall position to cover around 500 hours of overtime annually saving the city \$16,000 dollars in overtime costs.

Respectfully,

Captain

Dan Daly

Charlotte Fire Department

July 10, 2023

Michigan Municipal League Annual Meeting Notice

(Please present at the next Council, Commission or Board Meeting)

Dear Official:

The Michigan Municipal League Annual Convention will be held in Traverse City, October 18-20, 2023. The League's "**Annual Meeting**" is scheduled for 4:30 pm on Wednesday, October 18 in Governors' Hall A at the Grand Traverse Resort & Spa. The meeting will be held for the following purposes:

1. Election of Trustees. To elect five members of the Board of Trustees for terms of four years each (see #1 on page 2).
2. Policy. A) **To vote on the Core Legislative Principles document.**

In regard to the proposed League Core Legislative Principles, the document is available on the League website at <https://mml.org/resources-research/delegate/>. If you would like to receive a copy of the proposed principles by fax, please call Monica Druksis at the League at 800-653-2483.

B) If the League Board of Trustees has presented any resolutions to the membership, they also will be voted on. (See #2 on page 2.)

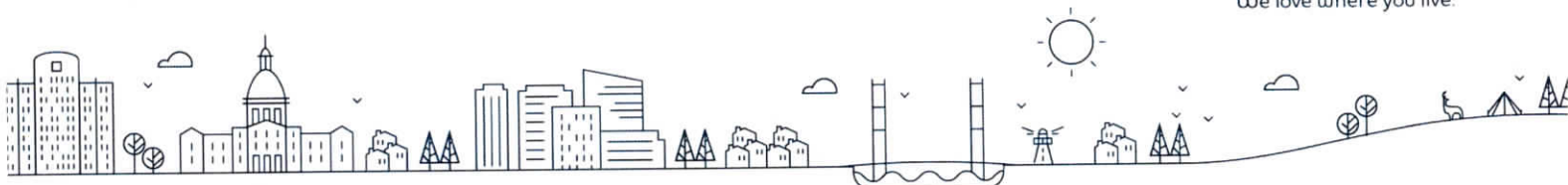
In regard to resolutions, member municipalities planning on submitting resolutions for consideration by the League Trustees are reminded that under the Bylaws, they must be submitted to the Trustees for their review by **September 18, 2023.**

3. Other Business. To transact such other business as may properly come before the meeting.

Designation of Voting Delegates

Pursuant to the provisions of the League Bylaws, you are requested to designate by action of your governing body one of your officials who will be in attendance at the Convention as your official representative to cast the vote of the municipality at the Annual Meeting, and, if possible, to designate one other official to serve as alternate. Please submit this information through the League website by visiting <https://mml.org/resources-research/delegate/> **no later than September 18, 2023.**

We love where you live.



Regarding the designation of an official representative of the member to the annual meeting, please note the following section of the League Bylaws:

"Section 4.4 - Votes of Members. Each member shall be equally privileged with all other members in its voice and vote in the election of officers and upon any proposition presented for discussion or decision at any meeting of the members. Honorary Members shall be entitled to participate in the discussion of any question, but such members shall not be entitled to vote. The vote of each member shall be cast by its official representative attending the meeting at which an election of officers or a decision on any proposition shall take place. Each member shall, by action of its governing body prior to the annual meeting or any special meeting, appoint one official of such member as its principal official representative to cast the vote of the member at such meeting, and may appoint one official as its alternate official representative to serve in the absence or inability to act of the principal representative."

1. Election of Trustees

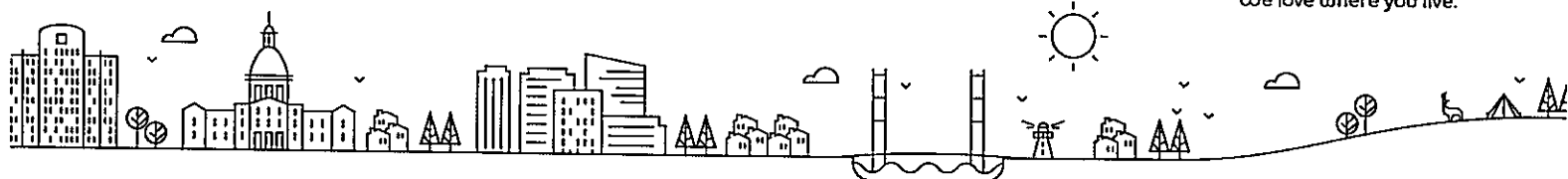
Regarding election of Trustees, under Section 5.3 of the League Bylaws, five members of the Board of Trustees will be elected at the annual meeting for a term of four years. The regulations of the Board of Trustees require the Nominations Committee to complete its recommendations and post the names of the nominees for the Board of Trustees on a board at the registration desk at least four hours before the hour of the business meeting.

2. Statements of Policy and Resolutions

Regarding consideration of resolutions and statements of policy, under Section 4.5 of the League Bylaws, the Board of Trustees acts as the Resolutions Committee, and "no resolution or motion, except procedural and incidental matters having to do with business properly before the annual meeting or pertaining to the conduct of the meeting, shall be considered at the annual meeting unless it is either (1) submitted to the meeting by the Board of Trustees, or (2) submitted in writing to the Board of Trustees by resolution of the governing body of a member at least thirty (30) days preceding the date of the annual meeting." Thus, the deadline this year for the League to receive resolutions is **September 18, 2023**. Please submit resolutions to the attention of Daniel P. Gilmartin, Executive Director/CEO at 1675 Green Rd., Ann Arbor, MI 48105. **Any resolution submitted by a member municipality will go to the League Board of Trustees, serving as the resolutions committee under the Bylaws, which may present it to the membership at the Annual Meeting or refer it to the appropriate policy committee for additional action.**

Further, "Every proposed resolution submitted to the Board of Trustees by a member shall be stated in clear and concise language and shall be accompanied by a statement setting forth the reasons for recommending the proposed resolution. The Board shall consider the proposal at a Board meeting prior to the next annual meeting and, after consideration, shall make a recommendation as to the advisability of adopting each such resolution or a modification thereof.

We love where you live.



3. Posting of Proposed Resolutions and Core Legislative Principles

The proposed Michigan Municipal League Core Legislative Principles and any new proposed Resolutions recommended by the Board of Trustees for adoption by the membership will be available on the League website, or at the League registration desk to permit governing bodies of member communities to have an opportunity to review such proposals and delegate to their voting representative the responsibility for expressing the official point of view of the member at the Annual Meeting.

The Board of Trustees will meet on Tuesday, October 17, 2023 at the Grand Traverse Resort & Spa for the purpose of considering such other matters as may be requested by the membership, in addition to other agenda items.

Sincerely,

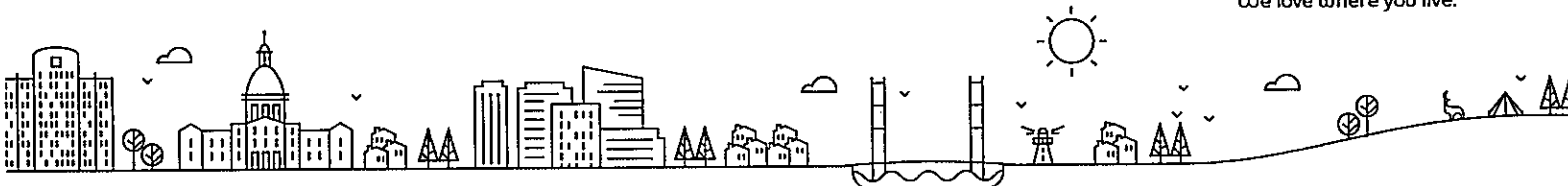


Barbara Ziarko
President
Councilmember, City of Sterling Heights



Daniel P. Gilmartin
Executive Director & CEO

We love where you live.



MML Annual Convention 2023

Agenda

October 17, 2023

2:00 – 4:00 pm

MML League Board of Trustees Meeting

6:30 – 8:30 pm

MML League Board of Trustees Dinner

October 18, 2023

7:30 am – 6:00 pm

Registration open

8:00 – 9:00 am

First Timers Breakfast

9:00 – 10:30 am

Opening General Session

From Conflict to Conversation

10:30 – 11:30 am

Community Excellence Award Presentations

11:30 am – 1:00 pm

Networking Lunch

11:30 am – 1:00 pm

MWIMG Annual Meeting & Luncheon
(additional fee)

1:00 – 4:00 pm

Concurrent workshops

- Walking While Black: L.O.V.E. Is The Answer, a film by A.J. Ali
- Empowering Your Community to Act on Justice40
- Council-Manager Relations
- Human Trafficking
- ART-ificial Intelligence and Your Community

4:30 – 5:30 pm

Annual Business Meeting

6:00 – 8:00 pm

Welcome Reception

October 19, 2023

7:30 am – 5:00 pm

Registration Open

7:30 – 9:00 am

Networking Breakfast

7:30 – 9:00 am

Michigan Association of Mayors (MAM)
Annual Meeting & Breakfast (additional fee)

9:00 – 10:30 am

Morning General Session

Reconnecting to Our Sense of Place

10:30 – 11:30 am

Concurrent Breakout Sessions

- State Revolving Loan Funds 101
- Michigan as a Receiver Place for Climate Migration
- Rural Community Perspectives and Priorities with Michigan's Office of Rural Development
- Investing for Community Well-Being and Local Wealth Building
- MML Legislative Update

11:30 am – 12:30 pm

Networking Lunch

12:30 – 1:30 pm

Afternoon General Session

**Embracing Regional Character in the Mitten
State: TED Talk Style**

2:00 – 5:00 pm

Education Tours

- **Downtown Traverse City Walking Tour
(Future Planning on Foot)**
- **Meaningful Experiences for All on Our
Great Lakes**
- **Immerse Yourself in the Botanic
Garden at Historic Barns Park**
- **History and Innovation at the Grand
Traverse Commons**
- **Common grounds Co-op Tour**

October 20, 2023

7:30 – 10:30 am

Registration Open

7:30 – 9:00 am

Networking Breakfast

7:00 – 9:00 am

**Michigan Black Caucus-Local Elected Officials
(MBC-LEO) Breakfast (additional fee)**

9:00 – 10:00 am

Concurrent Breakout Sessions

- **Telling Our Stories: Michigan
Communities Should Learn to Brag**
- **Movin' on Up: Retrofits for Existing
Buildings**

10:15 am – 12:00pm

**Closing General Session and Community
Excellence Award Presentation**

12:00 pm

Adjourn