

City of Marquette, MI



Meeting Agenda City Commission

**Monday, December 9, 2024
6:00 PM
Commission Chambers**

300 West Baraga Ave
Marquette, Michigan 49855

Call to Order, Pledge of Allegiance and Roll Call

Approval of the Agenda

Announcements

Boards and Committees

1. Appointment(s)

Jane Fitkin to the Planning Commission for an unexpired term ending 02-15-27

Public Comments - Comments may not exceed three minutes per person. Please state your name and physical address when making public comments.

Presentation(s)

2. Cliffs-Dow Project Update by Project Team: Richard Baron and Nicolas Tatro, Foley Baron, Metzger & Juip, PLLC, Special Counsel to City; Tom Anthos and Ryan Whaley, TriMedia Environmental & Engineering

3. Local Development Finance Authority, by Brian Cherry

4. Consent Agenda - Roll Call Vote

4.a. Approve the minutes of the November 25, 2024 regular Commission meeting

4.b. Approve the minutes of the December 9, 2024 joint work session

4.c. Approve the total bills payable in the amount of \$814,710.89

4.d. Aggregate Material Purchase

4.e. Housing Commission MERS 457 Resolution- Roll Call Vote

Public Comments - Comments may not exceed three minutes per person. Please state your name and physical address when making public comments.

Comments from the Commission

Comments from the City Manager

Adjournment

Kyle Whitney, City Clerk

If you require assistance to participate in any meeting, program or activity offered by the City of Marquette, please provide advanced notice to City of Marquette ADA Coordinator Eric Stemen at 906-225-8978 or via email at estemen@marquettemi.gov.

City of Marquette, MI

300 West Baraga Avenue
Marquette, MI 49855

Agenda Date: 12/9/2024

Consent Agenda - Roll Call Vote

Approve the minutes of the November 25, 2024 regular Commission meeting

ALTERNATIVES:

As determined by the Commission.

ATTACHMENTS:

Description

- ▣ Nov 25 minutes



Meeting Minutes City Commission

Monday, November 25, 2024
6:00 PM
Commission Chambers

Call to Order, Pledge of Allegiance and Roll Call

Present: Davis, Gottlieb, Hanley, Larson, Ottaway, Schloegel
Absent: Mayer

Mayor Pro Tem Paul Schloegel moved to excuse Commissioner Cody Mayer due to personal reasons, seconded by Commissioner Maichael Larson and Carried Unanimously.

Approval of the Agenda

Commissioner Sally Davis moved to Approve the agenda as presented, seconded by Commissioner Jerney Ottaway and Carried Unanimously.

Announcements

Mayor Hanley said City offices are closed Wednesday through Friday of this week, in recognition of the Thanksgiving holiday. She also highlighted the upcoming Community Conversation on Belonging, sponsored by the City Office of Arts and Culture and Innovate Marquette. The forum, set for Dec. 3, is an opportunity for residents and visitors to share their stories, challenges and idea about what it means to belong in Marquette.

Public Comments - Comments may not exceed three minutes per person. Please state your name and physical address when making public comments.

Margaret Brumm spoke about cigarette butt recycling and said people need to be made aware of how to dispose of lithium batteries.

Alex Conklin said the building he rents an apartment in sold recently and is being converted into a single-family home. He said the tenants had discussed forming a housing cooperative, as it is becoming more difficult to find affordable housing. He said he would like to discuss City Code amendments that could help tenants in similar situations.

Presentation(s)

1. Life Saving Efforts, by Detective Captain Chris Aldrich

Marquette Police Department Detective Captain Chris Aldrich spoke about an

emergency situation that occurred recently in the City's Baraga Gym. He said a resident on Nov. 11 suffered a medical emergency while in the gym and Pam Waters and Michael Watts were among the residents that assisted during the crisis. Aldrich said Ms. Waters, a retired nurse, recognized that the victim needed CPR and immediately began administering CPR, with the assistance of Mr. Watts. The two offered assistance until first responders arrived on scene and utilized an AED that had only recently been installed in the gym. The victim survived the incident, and Aldrich said he is certain the outcome would have been much worse if not for the quick response.

Pam Waters then spoke briefly. She said there were a lot of people assisting on-site that day and she said that it felt somewhat awkward to be recognized for something she was trained to do. That said, she said she was happy to accept this honor, as she thought it was important to highlight kindness. She said it is a deep honor to accept recognition from a grateful community for an act of human kindness.

Commissioners praised the actions of those being honored, with Commissioner Davis praising the decision to install an AED in the gym only a few months ago. She also said that this is a reminder that people should take CPR and life-saving training.

2. Lake Superior Community Partnership Update, by Chief Executive Officer Christopher Germain

LSCP CEO Chris Germain offered an update on the LSCP.

He reviewed membership numbers for the organization and discussed staff and the history of the LSCP. He highlighted the ways in which the LSCP supports economic development in the city and in the county, touching on the idea that expending some effort improving external partnerships can actually benefit Marquette County.

The presentation highlighted LSCP efforts related to childcare, air service, and housing (including private-public efforts to address housing shortages), among other topics.

3. Election Board, by City Clerk Kyle Whitney

City Clerk Kyle Whitney discussed the activities of the City's Election board from the previous year, noting that the board's role is limited and almost entirely prescribed by state law: the board verifies candidates for local office, appoints election workers for each election and tests tabulator programming prior to each election. He said there will soon be two seats open on the board.

Whitney also shared information about the recent Presidential Election, in which nearly 11,000 votes were in the City. He talked about the impacts of recent changes to election laws and processes in Michigan, and discussed the local results of the recent election, including the fact that voters approved four of the five proposed

City Charter amendments.

4. Consent Agenda - Roll Call Vote

Commissioner Jermeay Ottaway moved to Approve the Consent Agenda as written, seconded by Commissioner Cary Gottlieb and Carried Unanimously by Roll Call Vote.

- 4.a. Approve the minutes of the November 11, 2024 regular Commission meeting
- 4.b. Approve the total bills payable in the amount of \$2,205,373.22
- 4.c. Final Payment - Community Master Plan
- 4.d. Fire Safety Systems Service Agreement
- 4.e. Resolution- Support for House Bills 4274 and 4275 of 2023 - Roll Call Vote
- 4.f. Resolution- Support for Marquette Sawyer Regional Airport - Roll Call Vote
- 4.g. Sale of Surplus Equipment
- 4.h. Used Sweeper Purchase

New Business

5. 2025 City Commission Meeting Schedule

Commissioner Michael Larson moved to Approve the 2025 City Commission meeting schedule, seconded by Mayor Pro Tem Paul Schloegel and Carried Unanimously.

Public Comments - Comments may not exceed three minutes per person. Please state your name and physical address when making public comments.

There was no public comment at this point.

Comments from the Commission

Commissioner Davis pointed out the resolutions adopted on tonight's Consent Agenda (supporting the regional airport and two proposed house bills) and wished everyone a Happy Thanksgiving.

Commissioner Gottlieb said he was personally disappointed to see the failure of the proposal to eliminate term limits for appointees to the city's volunteer advisory boards and committees. As these term limits can make it difficult to keep the board and committee rosters filled, he said he hopes the community will now step up and volunteer for these boards in larger numbers than in recent history.

Commissioner Larson thanked tonight's presenters.

Mayor Pro Tem Schloegel said Happy Thanksgiving and he also mentioned the recent passing of David Boyd, who was very involved across the community throughout his life. He said Mr. Boyd was a great community asset, and said he was inspired by Mr. Boyd.

Commissioner Ottaway said the Senior Center is a great community and he thought it

was amazing that there were people on-hand to save a life during an emergency. He also wished Commissioner Davis a happy birthday.

Mayor Hanley said it was great to see how the emergency situation in the gym turned out.

Comments from the City Manager

City Manager Karen Kovacs said there are some lithium battery disposal instructions on the MCSWMA's website at www.recycle906.com. She said residents should read the information there, and should call if they have questions.

She said, in response to the earlier public comment, that the Land Development Code does allow for cooperative housing and urged the tenants to make contact with staff in order to discuss their options.

Finally, she recognized Senior Services Director Maureen McFadden and Captain Aldrich for their involvement in the emergency response in the Baraga Gym.

Adjournment

Mayor Hanley adjourned the meeting at 7:03 p.m.

Jessica Hanley, Mayor

Kyle Whitney, City Clerk

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City of Marquette, MI

300 West Baraga Avenue

Marquette, MI 49855

Agenda Date: 12/9/2024

Consent Agenda - Roll Call Vote

Approve the minutes of the December 9, 2024 joint work session

ALTERNATIVES:

As determined by the Commission.

ATTACHMENTS:

Description

- ▣ 12-04-24 Joint Work Session Minutes



City of Marquette, MI

300 West Baraga Ave
Marquette, Michigan 49855

Meeting Agenda City Commission

WORK SESSION

Wednesday, December 4, 2024

5:15 PM

Municipal Service Center, 1100
Wright Street

Joint Work Session - Marquette City Commission and Planning Commission

Call to Order, Pledge of Allegiance and Roll Call

Present: Davis, Gottlieb, Hanley, Larson, Mayer, Ottaway, Schloegel

Announcements

The Mayor had no announcements.

Public Comments - Comments may not exceed three minutes per person. Please state your name and physical address when making public comments.

There were no public comments.

1. General Community Planning and Land Development Code Discussion

The Planning Commission and City Commission convened to discuss key topics including the Housing Action Plan and the development of a Climate Action Plan. There was a general agreement on prioritizing a Climate Action Plan in the forthcoming Strategic Plan. The formation of a task force to oversee the development of a Climate Action Plan was also considered. Additionally, the meeting covered the upcoming review of the Land Development Code and possible areas that may require further examination.

Public Comments - Comments may not exceed three minutes per person. Please state your name and physical address when making public comments.

There were no public comments.

Adjournment

The meeting was adjourned at 6:24 p.m.

Jessica Hanley, Mayor

Kyle Whitney, City Clerk

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City of Marquette, MI

300 West Baraga Avenue
Marquette, MI 49855

Agenda Date: 12/9/2024

Consent Agenda - Roll Call Vote
Aggregate Material Purchase

BACKGROUND:

Annually, the City purchases large quantities of various aggregate materials for use in its maintenance of properties, roads, and utility systems. The largest purchases are 4,500 tons of sand for ice control purposes, as well as 4,000–5,000 tons of gravel for utility repairs and maintenance of gravel streets and shoulders.

In September 2023, quotes were requested for 1-year and 3-year unit pricing on various aggregate materials from A. Lindberg and Sons, Oberstar, Smith Construction, and Associated Constructors, all of Marquette, Michigan.

FISCAL EFFECT:

The City will spend approximately \$140,000 per year, each of the 3 years, for the purchase of aggregate materials used in maintenance operations. The repair and maintenance line items of the operating budgets for the Local Street Fund, Major Street Fund, Water Fund, Sewer Fund and Sidewalk Fund contain funding for the purchase of this material. The actual quantities used will be charged to the appropriate funds as the material is used.

RECOMMENDATION:

Authorize the purchase of aggregate materials from A. Lindberg and Sons of Ishpeming, Michigan at the 3-year unit prices quoted in the amount not-to-exceed \$140,000 annually through FY 2026.

ALTERNATIVES:

As determined by the Commission.

ATTACHMENTS:

Description

- ▣ Aggregate Quote

PROPOSAL - 1 YEAR CONTRACT / 3 YEAR CONTRACT

The Bidder will provide the estimated amount of the following aggregates at his plant, to be loaded on trucks furnished by the City of Marquette if called upon to do so.

Annual Requirement			1 yr price per ton	3 yrs price per ton
1000 Tons	M.D.O.T.	22A Aggregate	@\$ <u>9⁰⁰</u>	@\$ <u>9⁰⁰</u>
150 Tons	M.D.O.T.	23A Aggregate	@\$ <u>9⁰⁰</u>	@\$ <u>9⁰⁰</u>
150 Tons	M.D.O.T.	6A Aggregate	@\$ <u>16⁰⁰</u>	@\$ <u>16⁰⁰</u>
50 Tons	M.D.O.T.	31A Aggregate	@\$ <u>18⁰⁰</u>	@\$ <u>18⁰⁰</u>
1000 Tons		Topsoil	@\$ <u>18⁰⁰</u>	@\$ <u>18⁰⁰</u>
50 Tons	M.D.O.T.	3" Minus	@\$ <u>9⁰⁰</u>	@\$ <u>9⁰⁰</u>
1000 Tons	M.D.O.T.	Ice Control Sand	@\$ <u>9⁰⁰</u>	@\$ <u>9⁰⁰</u>
100 Tons	M.D.O.T.	R.A.P	@\$ <u>18⁰⁰</u>	@\$ <u>18⁰⁰</u>
Credit per ton for broken asphalt pavement delivered by the City to Bidder's plant site.			@\$ <u><0.0></u>	@\$ <u><0.0></u>

The Bidder will provide the estimated amount of the following aggregates deposited in the appropriate manner at the locations, times and dates specified by the Superintendent of Public Works for the City of Marquette if called upon to do so.

Annual Requirement			1 yr price per ton	3 yrs price per ton
4000 Tons	M.D.O.T.	22A Aggregate	@\$ <u>14⁰⁰</u>	@\$ <u>14⁰⁰</u>
200 Tons	M.D.O.T.	23A Aggregate	@\$ <u>14⁰⁰</u>	@\$ <u>14⁰⁰</u>
200 Tons	M.D.O.T.	6A Aggregate	@\$ <u>21⁰⁰</u>	@\$ <u>21⁰⁰</u>
600 Tons	M.D.O.T.	31A Aggregate	@\$ <u>24⁰⁰</u>	@\$ <u>24⁰⁰</u>
1000 Tons		Topsoil	@\$ <u>23⁰⁰</u>	@\$ <u>23⁰⁰</u>
250 Tons	M.D.O.T.	3" Minus	@\$ <u>14⁰⁰</u>	@\$ <u>14⁰⁰</u>
7000 Tons	M.D.O.T.	Ice Control Sand	@\$ <u>12⁰⁰</u>	@\$ <u>12⁰⁰</u>
1500 Tons	M.D.O.T.	R.A.P	@\$ <u>23⁰⁰</u>	@\$ <u>23⁰⁰</u>
Credit per ton for broken asphalt pavement loaded by City onto Bidder's trucks at the Municipal Service Center.			@\$ <u><0.0></u>	@\$ <u><0.0></u>

Delivery to Service Center only!

Priced as a package and cannot be separated without prior authorization

AGGREGATE MATERIAL PROPOSAL FORM

Name: A. Lindberg & Sons INC.

Signed: Raul Alderete

Title: Aggregate Supervisor

Firm: _____

Address: 599 Washington St.

Ishpeming,

Phone No. 906-250-0851 Mob.

906-486-4459 Office

BIDS SHALL BE IN SEALED ENVELOPES, CLEARLY IDENTIFYING THE BID TITLE

City of Marquette, MI

300 West Baraga Avenue
Marquette, MI 49855

Agenda Date: 12/9/2024

Consent Agenda - Roll Call Vote

Housing Commission MERS 457 Resolution- Roll Call Vote

BACKGROUND:

The Marquette Housing Commission is requesting the adoption of a 457 deferred compensation plan from the Municipal Employees' Retirement System of Michigan (MERS) for Housing Commission employees. Although the City and the Housing Commission have separated their payroll and MERS reporting/payment responsibilities, they are still considered as a reporting unit of the City and require consent of the governing body of the parent municipality to move forward. If approved, the Housing Commission retains all reporting and administrative responsibility for their plans with MERS.

FISCAL EFFECT:

None by this action.

RECOMMENDATION:

Approve the resolution adopting the MERS 457 Supplemental Retirement Program for the Marquette Housing Commission and authorize all necessary signatures relating to the implementation of the plan.

ALTERNATIVES:

As determined by the Commission.

ATTACHMENTS:

- Description
- ▣ Resolution

MERS Uniform 457 Supplemental Retirement Program Resolution



1134 Municipal Way Lansing, MI 48917 | 800.767.2308 | Fax 517.703.9711

www.mersofmich.com

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

WHEREAS, the Municipal Employees Retirement Act of 1984 (the “Act”), MCL 38.1536(2)(a) (MERS Plan Document (Section 71) authorizes the Municipal Employees’ Retirement Board (the “Board”) to “establish additional programs including but not limited to defined benefit, defined contribution, ancillary benefits, health and welfare benefits, and other postemployment benefit programs,” and on November 8, 2011, the Board adopted the MERS 457 Deferred Compensation Plan.

WHEREAS, this Uniform Resolution has been approved by the Board under the authority of Section 71, and the Board has authorized the MERS 457 Deferred Compensation Plan, which shall not be implemented unless in strict compliance with the terms and conditions of this Resolution.

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

WHEREAS, the Participating Employer has also determined that it wishes to encourage employees’ saving for retirement by offering salary reduction contributions;

WHEREAS, the Participating Employer has reviewed the MERS 457 Supplemental Retirement Program (“Plan”);

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

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

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

WHEREAS, the Governing Body for and on behalf of the Participating Employer is authorized by law to adopt this Resolution approving the Participation Agreement on behalf of the Participating Employer. In the event any alteration of the terms or conditions stated in this Resolution is made or occurs, it is expressly recognized that MERS and the Retirement Board, as sole trustee and fiduciary of the Plan and its trust reserves, and whose authority is nondelegable, shall have no obligation or duty to continue to administer (or to have administered) the MERS 457 Supplemental Retirement Program for the Participating Employer.

MERS Uniform 457 Supplemental Retirement Program Resolution

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

- I. The Participating Employer adopts the Plan for its Employees.
- II. The Participating Employer hereby adopts the terms of the Participation Agreement, which is attached hereto and made a part of this Resolution. The Participation Agreement sets forth the Employees to be covered by the Plan, the benefits to be provided by the Participating Employer under the Plan, and any conditions imposed by the Participating Employer with respect to, but not inconsistent with, the Plan. The Participating Employer reserves the right to amend its elections under the Participation Agreement, so long as the amendment is not inconsistent with the Plan or the Internal Revenue Code or other applicable law and is approved by the Board.
- III. The Participating Employer shall abide by the terms of the Plan, including amendments to the Plan made by the Board, all investment, administrative, and other service agreements of the Plan and the Trust, and all applicable provisions of the Internal Revenue Code and other applicable law.
- IV. The Participating Employer acknowledges that the Board is only responsible for the Plan and any other plans of the Employer administered by MERS and that the Board has no responsibility for other employee benefit plans maintained by the Employer that are not part of MERS.
- V. The Participating Employer accepts the administrative services to be provided by MERS and any services provided by a Service Manager as delegated by the Board. The Participating Employer acknowledges that fees will be imposed with respect to the services provided and that such fees may be deducted from the Participants' accounts.
- VI. The Participating Employer acknowledges that the Plan contains provisions for involuntary Plan termination.
- VII. The Participating Employer acknowledges that all assets held in connection with the Plan, including all contributions to the Plan, all property and rights acquired or purchased with such amounts and all income attributable to such amounts, property or rights shall be held in trust for the exclusive benefit of Participants and their Beneficiaries under the Plan. No part of the assets and income of the Plan shall be used for, or diverted to, purposes other than for the exclusive benefit of Participants and their Beneficiaries and for defraying reasonable expenses of the Plan. All amounts of compensation deferred pursuant to the Plan, all property and rights acquired or purchased with such amounts and all income attributable to such amounts, property or rights held as part of the Plan, shall be transferred to the Board to be held, managed, invested and distributed as part of the Trust Fund in accordance with the provisions of the Plan. All contributions to the Plan must be transferred by the Participating Employer to the Trust Fund. All benefits under the Plan shall be distributed solely from the Trust Fund pursuant to the Plan.

MERS Uniform 457 Supplemental Retirement Program Resolution

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

BE IT FINALLY RESOLVED: This Resolution shall have no legal effect under the Plan until a certified copy of this adopting Resolution is filed with MERS, and MERS determines that all necessary requirements under the 457 Supplemental Retirement Program Plan and Trust, the Participation Agreement, and this Resolution have been met. All dates for implementation of the Plan shall be determined by MERS from the date of filing with MERS of this Resolution in proper form and content. Upon MERS determination that all necessary documents have been submitted to MERS, MERS shall record its formal approval upon this Resolution, and return a copy to the Employer.

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

I hereby certify that the above is a true copy of a Resolution adopted at the official meeting held on

_____, 20____. _____
(Signature of authorized official)

Printed name: _____ Position title: _____
(Authorized Official - printed) (Authorized Official - position)

Municipality name: _____

Received and Approved by the Municipal Employees' Retirement System of Michigan

Dated: _____, 20____ _____
(Authorized MERS signatory)

MERS 457 Participation Agreement



1134 Municipal Way Lansing, MI 48917 | 800.767.2308 | Fax 517.703.9707

www.mersofmich.com

The Employer, a participating municipality or court within the state of Michigan, hereby agrees to adopt and administer the MERS 457 Program provided by the Municipal Employees' Retirement System of Michigan, in accordance with the [MERS 457 Plan Document](#), subject to the terms and conditions herein.

I. Employer Name: _____
(Name of municipality or court)

Municipality Number: _____ **Division Number (if amendment):** _____

II. EFFECTIVE DATE: The MERS 457(b) Program will be effective as follows (choose one):

Original Adoption. The MERS 457(b) Program will be effective 1st day of _____, 20____, with respect to contributions upon approval by MERS.
(Month) (Year)

To establish a new plan or replace current 457 carrier with the MERS 457 Program.

To add the MERS 457 Program in addition to: _____
(Other plan provider)

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

Amendment. The amended MERS 457(b) Program will be effective 1st day of _____, 20____, with respect to contributions upon approval by MERS. *Please note:* You only need to mark **changes** to your plan throughout the remainder of this Agreement.
(Month) (Year)

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

Probationary Periods (select one):

Contributions will begin after the probationary period has been satisfied. Probationary periods are allowed in one-month increments, no longer than 12 months. During this probationary period, contributions will not be reported.

The probationary period will be _____ month(s).

No probationary period.

IV. CONTRIBUTIONS (check one):

Frequency:

Contributions will be remitted according to Employer's "Payroll Period" which represents the actual period amounts are withheld from participant paychecks, or within the month during which amounts are withheld. Contributions will be submitted (check one):

- | | |
|---|--|
| <input type="checkbox"/> Weekly | <input type="checkbox"/> Semi-Monthly (twice each month) |
| <input type="checkbox"/> Bi-Weekly (every other week) | <input type="checkbox"/> Monthly |

Definition of Compensation

The Definition of Compensation selected must be used when determining both employer and employee contributions. Employers may include wage information along with employee and employer contributions when submitting wage/contribution reports to MERS.

Select your Definition of Compensation:

- Base Wages Box 1 Wages of W-2 Gross Wages
- Custom Definition

Click here to view details of Base, Box 1, and Gross Wages

(To customize your definition, please complete the [Custom Definition of Compensation Addendum](#).)

V. ROTH DEFERRAL CONTRIBUTIONS:

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

MERS 457 Participation Agreement

VI. LOANS: shall be permitted shall not be permitted

If Loans are elected, please refer to the [Defined Contribution & 457 Loan Addendum](#).

VII. AUTOMATIC ENROLLMENT: shall be permitted shall not be permitted

If selected, please complete and attach the [457 Eligible Automatic Contribution Arrangement \(EACA\) Addendum](#).

VIII. EMPLOYER CONTRIBUTIONS: shall be permitted shall not be permitted

If selected, please complete and attach the [457 Employer Contribution Addendum](#).

IX. MODIFICATION OF THE TERMS OF THE PARTICIPATION AGREEMENT

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

X. ENFORCEMENT

1. This Participation Agreement may be terminated only in accordance with the [MERS 457 Plan Document](#).
2. The Employer hereby agrees to be bound by the [MERS 457 Plan Document](#) and all policies adopted by the Board as applicable to the MERS 457 Plan, as these may be amended from time to time.
3. The employer hereby acknowledges it understands that failure to properly fill out this Participation Agreement may result in the ineligibility of the program.

XI. EXECUTION

Authorized Designee of Governing Body of Municipality or Chief Judge of Court

The foregoing Participation Agreement is hereby approved by _____
(Name of Approving Employer)
on _____
(MM/DD/YYYY)

Authorized signature: _____

Name (printed): _____

Title: _____

Received and Approved by the Municipal Employees' Retirement System of Michigan

Dated: _____, 20____ Signature: _____
(Authorized MERS Signatory)