

**OFFICIAL MINUTES OF MAYVILLE
VILLAGE COUNCIL SPECIAL MEETING
ACT 33 HEARING
MARCH 21, 2023
(Official)**

The Village Council of Mayville, Michigan held a Special Meeting at the Fire Hall on March 21st, 2023. The meeting was called to order at 7:00 p.m. by Village President Barbara Valentine, with the following Officers and Trustees present: Rod Buhl, Susan Shaver and Kelly Torrey.

Absent - Steve Charette

Employees Present – Police Chief Louis Cook, Zoning Administrator\ Enforcement Bernie Milot, Fire Chief Terry Blackmer, Assistant Fire Chief Terry Wingert and Clerk Kayla Reed

Guests – 29

NOTICE IS HEREBY GIVEN:

1. That the Village of Mayville, Village Council, Tuscola County, Michigan, has previously established a special assessment district for the purpose of funding a portion of the cost of police and fire operations and the purchase and maintenance of equipment and vehicles, all in conformance with Act 33 of the Public Acts of Michigan of 1951 ("Act") as amended.
2. The Council has determined that the special assessment be established in order to raise the amount of \$48,191.75. This amount represents three mills on the taxable value of real property, not otherwise exempt, within the Village of Mayville.
3. The Special Assessment Roll for the Assessment District has been filed in the office of the Village Clerk for public examination.
4. The Village Council will meet and hold a public hearing at the Village of Mayville Fire Hall, which is located at 6044 Trend St., Mayville, Michigan, 48744, on March 21, 2023, at 7:00 o'clock p.m., Michigan Time, for the purpose of reviewing and considering any objections to and confirming the special assessment roll. Appearance and protest of the special assessment at the hearing is required in order to appeal the amount of the special assessment to the Michigan Tax Tribunal. An owner of or party in interest in the property to be assessed, or his or her agent, may appear in person to protest the special assessment, or may protest the special assessment by letter filed with the Village Clerk at or prior to the time of the hearing, in which case appearance in person is not required. If the special assessment is protested as provided above, the owner or any party having an interest in the real property may file a written appeal of the special assessment with the Michigan Tax Tribunal or other court of competent jurisdiction within 30 days after the confirmation of the special assessment roll.
5. The annual special assessment which is being considered is 3 mills (\$3.00 per \$1,000) of the assessed value of all of the lands and premises located within the Village which are not otherwise exempt, which is estimated to generate the amount of \$48,191.75 per year.
6. The Village Council has designated the following special assessment district against which the cost of the police and fire department operations and the purchase, maintenance and operation of equipment are to be assessed: Each of the real properties located within the boundaries of the Village
7. PLEASE TAKE FURTHER NOTICE that the question of raising money for police and fire protection by special assessment must be submitted to the electors of the Village if the owners of 10 percent of the land in the special assessment district petition for a referendum.
8. If the Village Council approves the making of the special assessment, such assessment may be levied against properties that benefit thereby. Act 186 of the Public Act of Michigan, 1973, as amended, provides that the special assessment must be

protested at the hearing held for the purpose of confirming the special assessment roll before the Michigan Tax Tribunal may acquire jurisdiction of any dispute involving the special assessment. Appearance and protest at the hearing is required in order to appeal the amount of the special assessment to the Michigan Tax Tribunal. An owner of or party in interest in property to be assessed, or his or her agent, may appear in person to protest the special assessment, or may protest the special assessment by letter filed with the Village Clerk at or prior to the time of the hearing, in which case appearance in person is not required.

THIS NOTICE IS GIVEN BY ORDER OF THE VILLAGE COUNCIL.

Kayla Reed

Village of Mayville Clerk

Published in the following newspaper: The Mayville Monitor on Wednesday, March 15, 2023.

This notice is given pursuant to and in full compliance with Open Meeting Act, being Act 267, Public Acts of Michigan 1976.

Special Guest\ Presentation - Village Attorney Adam Flory with Smith Bovill
Adam explained the Act\Statute in its entirety. Also explained only 2 meetings were required and the Village has had 4. Tonight is the final and is to confirm the Special Assessment Roll.

Public Comments - Received one written Objection from Clare Roller. Read by Adam to the Public.

Clare Fryers - 103 E Turner St - Objects
Doug Daniels - Property Owner 19 E Ohmer Rd. - Objects
Sue Marlow - 116 E Turner St - Objects
Richard Dotson - 6021 Fourth St - Objects
Al Sugden - 5841 Fulton St - Objects
Judy Chesney - 6140 Fox St - Objects
Terri Terbush - 111 E Turner St - Objects
Floyd Johnson - 6235 Third St - Objects
Andrew Hrabcak -6043 Lincoln St - Objects
Kerry Horton - 406 Orchard St - Strongly Objects
Nathan Ptaszenski -Owns Properties 6029 Third St & 729 Turner St - Objects
Linda Baldwin - 6033 Fifth St - Objects
Diane Caitlyn - 6336 First St - Objects
Patty Dunham - 6043 Fifth St - Objects
Noel Mauer - 306 W Main St - Objects
Marge Sugden -5841 Fulton St - Objects
Joan Johnson - 6235 Third St - Objects
Roseanne Childs - 6337 Second St - Objects
Chad Childs - 6337 Second St - Objects

Kristen Valentine - 49 W. Main St - In Support

Resident voiced concern of the Act 33 funds being used for Police cruiser funding.
Council Response is that the Act 33 statute allows for Police and Fire but the Village is using the Act 33 assessment solely for the Fire Truck.

The Village retained the most recent Tax information from Tuscola County ie: Taxable Values and State Equalized Values. These numbers can not be considered final as the Board of Review meetings have just

recently taken place. Some estimated Act 33 Assessment costs were shared and found to be an average of around \$125 a year.

Public Comment Closed at 7:31pm

Motion by Shaver 2nd by Torrey to Confirm the Act 33 Special Assessment Roll.

Roll call vote - Torrey - Y Buhl - Y Charette - Absent Shaver - Y Valentine - Y

Motion carried

Resolution Confirming Assessment Roll - ***See Attached*******

Motion by Shaver 2nd by Torrey to Approve and Adopt the Resolution Confirming the Act 33 Special Assessment Roll. Village of Mayville Police and Fire Special Assessment District.

Roll call vote - Buhl - Y Torrey - Y Charette - Absent Shaver- Y Valentine - Y

Motion carried

Adjournment – Moved by Torrey, 2nd by Buhl to adjourn at 7:39 pm.

Yays - 4 Nays – 0 Meeting Adjourned.



Kayla Reed
Village Clerk



Barbara Valentine
Village President

**VILLAGE OF MAYVILLE
Tuscola County, Michigan**

Resolution Confirming Assessment Roll

(Village of Mayville Police & Fire Special Assessment District)

At a special meeting of the Village Council, Tuscola County, Michigan, held at the Village of Mayville Fire Hall, which is located at 6044 Trend St., Mayville, Michigan 48744 on March 21, 2023, at 7:00 o'clock p.m. Michigan Time.

PRESENT:

Rod Buhl, Susan Shaver, Kelly Torrey & Barbara Valentine.

ABSENT:

Steve Charette

The Village President announced that this was the time fixed for hearing and considering any objections to the Village of Mayville Police & Fire Special Assessment Roll made to assess lands and premises in the Village to defray the cost of the purchase, maintenance and operation of police and fire equipment and operations affecting the following described property.

Each of the non-exempt real properties located within the boundaries of the Village of Mayville are included within the Special-Assessment District.

No written or oral objections were received except as follows:

The Village President then declared the hearing closed.

The following resolution was offered by Susan Shaver and seconded

by Kelly TORREY _____:

WHEREAS, the Village Council has previously approved the establishment of a special assessment district to provide for the purchase, maintenance and operation of police and fire equipment and operations, and has also approved the assessing of the cost of the special assessment district to the lands and premises in the special assessment district, described above; and

WHEREAS, this Council has met on this date for the purpose of hearing and considering any objections to the special assessment roll for such project.

THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF MAYVILLE, TUSCOLA COUNTY, MICHIGAN, as follows:

1. This Village Council hereby approves and adopts the Village of Mayville Police & Fire Special Assessment District Roll, together with the Certificate of the Village President, made to defray the cost of providing police and fire protection by providing for the purchase, maintenance and operation of police and fire equipment and operations. The special assessment shall be in the total amount of \$52,354.17 covering all of the parcels of land in the Village of Mayville, except lands which are exempt pursuant to Act 33 of the Michigan Public Acts of 1951, as amended, according to the relation of the benefit to each parcel of land to the total benefit to all parcels of land in such special assessment district.

2. This Village Council hereby determines that the annual assessment shall be collected each year beginning December 2023 and continuing each year thereafter as allowed under MCL 41.801 *et seq.*, or until modified or terminated by this Council, whichever first occurs. The Village Treasurer is hereby directed to spread such assessments annually on the

Village's tax rolls.

3. The assessments shall be levied and collected each year in the same manner as the Village taxes. Penalties for late payments shall be the same as the penalties for late tax payments.

4. The special assessment shall be subject to modification, pursuant to MCL 41.801 *et seq.*, on an annual basis as determined by the Village Council.

ADOPTED: YEAS: Buhl, Torrey Shaver, Valentine

NAYS: _____

STATE OF MICHIGAN)

COUNTY OF TUSCOLA) SS

I, the undersigned, the fully qualified and acting Clerk of the Village of Mayville, Tuscola County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a special meeting of the Village of Mayville Village Council, Mayville Michigan, held on March 21, 2023. The original of the proceedings is on file in my office and is available to the Public. Public notice of the meeting was given to and in compliance with Act 267, Public Acts of Michigan, 1976.

IN WITNESS, I have fixed my official signature on March 21, 2023.

Kayla Reed
Kayla Reed, Clerk
Village of Mayville

