

OFFICIAL MINUTES OF MAYVILLE VILLAGE COUNCIL MEETING OCTOBER 17, 2023 (Official)

The Village Council of Mayville, Michigan held a **Regular Meeting** at the Village Hall on October 17th, 2023. The meeting was called to order at 7:00pm. by Steve Charette, Village President, with the following officers and Trustees present: Kathy Freeland, Beau Shaver.

Absent - Kristen Valentine

Employees Present – Police Chief Louis Cook, DPW Employees Joe Werner & Ray Herington, Fire Chief Terry Blackmer, & Clerk Kayla Reed.

Guests – 13

Pledge of Allegiance - Invocation led by - Police Chief Louis Cook

Acknowledgment of Special Presentations - Samantha Cain with Weinlander Fitzhugh Presented Village Audit for the year ending 3/31/23. Audit can be viewed online at <https://treas-secure.state.mi.us/DocumentSearch>

Motion by S. Charette 2nd by B. Shaver to Approve the Audit for Village of Mayville year ending March 31, 2023, performed by Weinlander and Fitzhugh.

Roll call vote - K. Freeland- Y B. Shaver - Y K. Valentine - Absent S. Charette - Y
Motion Carried

Communications -

Consent Agenda-

Approval of Regular Council Meeting Minutes for September 19, 2023 -

Motion by K. Freeland 2nd by S. Charette to Approve Regular Council Meeting Minutes for September 19, 2023

Roll Call Vote - K. Valentine - Absent B. Shaver- Y K. Freeland - Y S. Charette- Y
Motion Carried

Approval of Bills as Presented -

Motion by B. Shaver 2nd by K. Freeland to Approve Bills as presented.

Roll call vote - K. Freeland - Y K. Valentine - Absent B. Shaver - Y S. Charette - Y
Motion carried

Action Items -

USDA Invoice Request -

Motion by B. Shaver 2nd by K. Freeland, to Approve 1 invoice for Progress Payment #8 to Fisher Contracting for \$166,053.44 be submitted to USDA for payment.

**Roll call vote - B. Shaver - Y K. Valentine - Absent K. Freeland- Y S. Charette - Y
Motion carried**

Motion by K. Freeland 2nd by S. Charette, to Approve 1 invoice to Spicer Group for \$5,791.88 be submitted to USDA for payment.

**Roll call vote - K. Freeland- Y B. Shaver - Y K. Valentine - Absent S. Charette - Y
Motion carried**

Elementary Halloween Parade -

Motion made by K. Freeland 2nd by S. Charette to Approve the 2023 Elementary Halloween parade on Oct 31, 2023 at 1:15pm.

Yays - 3 Nays - 0

Motion Carried

Notice of Intent to Bond Resolution - **See Attached Resolution** For Lagoon Phase 2. The Village has been awarded a USDA Grant in the amount of \$9,999,000 and loan in the amount of \$4,501,000 at 2.125% poverty interest rate for 40 years.

Motion made by S. Charette 2nd by B. Shaver to Adopt the Resolution Authorizing Publication of Notice of Intent to Issue Bonds.

**Roll call vote - K. Freeland - Y K. Valentine- Absent B. Shaver - Y S. Charette - Y
Motion carried**

As Needed -

Motion by S. Charette 2nd by B. Shaver to move into Closed Session at 7:31 pm to discuss a Client Attorney protected opinion, which is material exempt from discussion & disclosure by State & Federal Statute pursuant to MCL 15.268 & MCL 15.243 subpart 1 & subpart G.

**Roll call vote - K. Freeland- Y B. Shaver - Y K. Valentine - Absent S. Charette - Y
Motion carried**

Motion by B. Shaver 2nd by K. Freeland to reopen to Public Meeting at 7:56pm.

**Roll call vote - K. Freeland - Y K. Valentine- Absent B. Shaver - Y S. Charette - Y
Motion carried**

Proposed Workman's Comp Settlement -

Motion by S. Charette 2nd by K. Freeland to Approve Settlement Regarding Proposed Workmans Comp Claim.

**Roll call vote - B. Shaver - Y K. Valentine - Absent K. Freeland- Y S. Charette - Y
Motion Carried**

RESOLUTION AUTHORIZING PUBLICATION OF
NOTICE OF INTENT TO ISSUE BONDS

At a regular meeting of the Village Council of the Village of Mayville, Tuscola County, Michigan, held on October 17, 2023.

PRESENT: Steve Charette, Kathy Freeland & Beau Shaver

ABSENT: Kristen Valentine

The following resolution was offered by S. Charette and seconded by B. Shaver:

WHEREAS, the Village of Mayville (the "Village") proposes to issue its revenue bonds (the "Bonds") under Act 94, Public Acts of Michigan, 1933, as amended ("Act 94"), to finance the cost of the second phase of improvements to the Village of Mayville sewage disposal system (the "System") including without limitation, the rehabilitation and repair of and the construction of new transfer structures and valves for lagoon cells #1 and #2, and the connection of all lagoon cells, together with related appurtenances (the "Project"); and

WHEREAS, a notice of intent to issue the Bonds must be published in order to comply with the requirements of Section 33 of Act 94.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Mayville, Tuscola County, Michigan, as follows:

1. The Project shall consist of the sewage disposal system improvements described in the preamble hereto.

2. The maximum principal amount of Bonds expected to be issued for the Project is \$4,600,000, and the balance of the cost of the Project is expected to be paid from the proceeds of a federal grant.

3. The Bonds shall be authorized by proper proceedings subsequent to this resolution.

4. The Clerk is hereby instructed to publish the notice attached hereto as Exhibit A once in a newspaper of general circulation in the Village of Mayville.

5. All prior resolutions and parts of resolutions insofar as they may be in conflict with this resolution are hereby rescinded.

RESOLUTION DECLARED ADOPTED.

Yeas B. Shaver, K. Freeland, S. Charette

Nays None

STATE OF MICHIGAN)
) SS
COUNTY OF TUSCOLA)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the Village Council of the Village of Mayville, Tuscola County, Michigan, held on October 17, 2023, the original of which is on file in my office. I further certify that notice of the meeting was given pursuant to and in compliance with the Open Meetings Act.



Kayla Reed, Village Clerk
Village of Mayville

EXHIBIT A

NOTICE OF INTENT TO ISSUE
BONDS BY THE VILLAGE OF
MAYVILLE, MICHIGAN

NOTICE IS HEREBY GIVEN, that the Village of Mayville, Tuscola County, Michigan, intends to issue revenue bonds in the principal amount of not to exceed \$4,600,000 for the purpose of defraying part of the cost of the second phase of improvements to the Village of Mayville sewage disposal system (the "System") including without limitation, the rehabilitation and repair of and the construction of new transfer structures and valves for lagoon cells #1 and #2, and the connection of all lagoon cells, together with related appurtenances (the "Project"). The Village expects the revenue bonds to be sold to the United States of America acting through the United States Department of Agriculture, Rural Development ("Rural Development") program to provide low-interest rate, long-term loans for eligible projects. The cost of the Project is estimated to be \$14,500,000 and the balance of the cost of the Project is expected to be paid from the proceeds of a federal grant.

The bonds will be payable in annual principal installments not to exceed forty (40) in number and will bear interest from their date at a rate or rates to be determined at the time of sale to Rural Development but in no event to exceed 2.50% per annum. Certain of the bonds may be subject to redemption prior to maturity.

The bonds will be issued under the provisions of Act 94, Public Acts of Michigan, 1933, as amended, and a resolution of the Village Council and will be payable from the net revenues of the System and any improvements, enlargements and extensions thereto, and a statutory lien on said revenues will be established by said resolution. The Village of Mayville will covenant and agree to fix and maintain at all times while any of the bonds shall be outstanding such rates for service furnished by the System as shall be sufficient to provide for payment of the necessary expenses of operation, maintenance and administration of the System and of the principal of and interest on the bonds when due and to provide for such other expenditures and funds for the System as are required by the resolution authorizing the issuance of bonds.

RIGHT TO PETITION FOR REFERENDUM

This notice is given, by order of the Village Council of the Village of Mayville, to and for the benefit of the electors of the Village of Mayville in order to inform them of their right to petition for a referendum upon the question of the issuance of the aforesaid bonds. The bonds will be issued, without submitting such a question to a vote of the electors, unless within 45 days after the date of publication of this notice a petition requesting a referendum upon such question, signed by not less than 10% or 15,000 of the registered electors in the Village of Mayville, whichever is the lesser, shall have been filed with the undersigned Village Clerk. In the event that such a petition is filed, the bonds will not be issued unless and until the issuance thereof shall have been approved by the vote of a majority of the electors of the Village of Mayville qualified to vote and voting thereon at a general or special election.

FURTHER INFORMATION

Further information relative to the issuance of said bonds and the subject matter of this notice may be secured at the office of the Village Clerk of the Village of Mayville, 6104 Fulton Street, Mayville, Michigan 48744.

This notice is given pursuant to the provisions of Act 94, Public Acts of Michigan, 1933, as amended.

Kayla Reed
Village Clerk, Village of Mayville

Dated: October 17, 2023

President Updates - Need to clarify contests and prizes. Also, want to Thank Mayville State Bank for judging costumes and trunks and the Fire Department for judging houses.

Trick or Treat Times & Halloween Festivities -

Close Fulton St at 4:30pm for Trunk or Treat setup, Trunk or Treat from 5:30 to 6:00, Trick or Treat 6:00 - 7:00 with Whistle (Beginning & End) on Tuesday October 31st.

After Trick or Treating the Lions Club will have hot dogs and cider at the Fire Hall and the Fire Department will be doing candy checks. We will be ordering Yard Signs to advertise events.

Contests - Costume and Trunk Judging will be at 5:55pm in front of Willow Bee Yoga (for sound system availability). **Must Be Present to Win!!**

Costume - 2 age groups - 0-5 Years - 6-12 Years

Best Decorated Trunk -

Best Decorated House in Town - Must register to participate. Clerk@villageofmayville.org or 989.843.6423

Fire Department will Judge Houses on Saturday October 28th

Prizes -

Costume - 1st \$25.00 2nd \$15.00 3rd \$10.00

Best Decorated Trunk -1st \$25.00 2nd \$15.00 3rd \$10.00

Best Decorated House in Town - 1st \$50.00 2nd \$30.00 3rd \$20.00

Total Prizes \$250.00

Department Reports -

Manager Report - Monthly report presented by Village Manager Barbara Valentine.

D.P.W - Monthly report presented by Joe Werner.

Fire Department Report – Monthly report presented by Fire Chief Terry Blackmer.

Police Department Report – Monthly report presented by Police Chief Louis Cook.

Zoning Report – Monthly report presented by Kelly Torrey.

Planning Commission - Monthly report presented by Planning Chairperson Cecilia Kapcia.

Public Comments -

One resident asked a question about seeing bills, and was given a copy of the bills paid.

Adjournment – Moved by K. Freeland, 2nd by B. Shaver to adjourn at 8:27 pm.

Yays - 3 Nays – 0

Motion Carried

Meeting Adjourned.



Kayla Reed
Village Clerk



Steve Charette
Village President