

OFFICIAL MINUTES OF MAYVILLE VILLAGE COUNCIL MEETING APRIL 16, 2024 (Official)

The Village Council of Mayville, Michigan held a **Regular** Meeting at the Village Hall on April 16th, 2024. The meeting was called to order at 7:00pm. by Steve Charette, Village President, with the following officers and Trustees present: Kathy Freeland, Ben Huntley, and Beau Shaver.

Absent - Kristen Valentine

Employees Present – Police Chief Louis Cook, Fire Chief Terry Blackmer, DPW Joe Werner & Lavern Franks, and Clerk Kayla Reed.

Guests – 4

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

Acknowledgment of Special Guest and or Presentations - Deputy Brian Harris - came to introduce himself and inform the village of his candidacy for Tuscola County Sheriff.

Consent Agenda-

Approval of Budget Hearing Special Council Meeting Minutes for March 19, 2024 -

Motion by B. Shaver 2nd by K. Freeland to Approve Budget Hearing Special Council Meeting Minutes for March 19, 2024

Yays - 4 Nays – 0

Motion Carried

Approval of Regular Council Meeting Minutes for March 19, 2024 -

Motion by K. Freeland 2nd by B. Shaver to Approve Regular Council Meeting Minutes for March 19, 2024

Yays - 4 Nays – 0

Motion Carried

Approval of Regular Council Meeting Minutes for April 02, 2024 -

Motion by B. Shaver 2nd by B. Huntley to Approve Regular Council Meeting Minutes for April 02, 2024

Yays - 4 Nays – 0

Motion Carried

Approval of Bills as Presented -

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

Roll call vote - B. Shaver- Y K. Valentine- Abs. K. Freeland- Y B. Huntley- Y S. Charette - Y

Motion carried

Action Items -

USDA Invoice Request -

Motion by B. Shaver 2nd by K. Freeland to Approve progress payment #6 to American Excavating for \$196,308.00 to be submitted to USDA for payment.

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

Motion by B. Shaver 2nd by B. Huntley to Approve 1 invoice to Spicer Group for \$36,652.50 be submitted to USDA for payment.

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

Ambulance Contract -

Motion by B. Shaver 2nd by K. Freeland to table contract payment until the Village Representative, Janis Wickham, comes and presents the financial report and is available for questions.

Yays - 4 Nays – 0

Motion Carried

Audit Engagement Letter -

Motion by K. Freeland 2nd by S. Charette to Approve presented Audit Engagement & fees.

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

DPW Dump Truck Updated Installment Purchase Agreement Resolution - ** See Attached**

Motion by B. Shaver 2nd by S. Charette to Approve and Accept the updated Resolution Approving an Installment Purchase Agreement to finance the acquisition of a Dump Truck, Authorizing Execution of said Installment Purchase Agreement, and Authorizing the undertaking of all other necessary and required acts in connection with said purchase.

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

Dump Truck Installment Purchase Agreement (IPA) -

Motion by S. Charette 2nd by B. Shaver to Approve the IPA for 2010 dump truck as presented.

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

VILLAGE OF MAYVILLE
TUSCOLA COUNTY, MICHIGAN

RESOLUTION APPROVING AN INSTALLMENT PURCHASE AGREEMENT TO
FINANCE THE ACQUISITION OF A DUMP-TRUCK VEHICLE, AUTHORIZING
EXECUTION OF SAID INSTALLMENT PURCHASE AGREEMENT, AND
AUTHORIZING THE UNDERTAKING OF ALL OTHER NECESSARY AND
REQUIRED ACTS IN CONNECTION WITH THE ACQUISITION AND FINANCING
OF SAID PURCHASE.

RESOLUTION NO. 24-0416

DATED: April 16, 2024

At a ^{Regular}~~special~~ meeting of the Village of Mayville Village Council, Tuscola County, Michigan, held at the Village of Mayville Governmental Office, 6104 Fulton St., Mayville, MI 48744 on April 16, 2024, at 7:00 p.m. the following Resolution was introduced and adopted:

PRESENT: S. Charette, K. Freeland, B. Huntley,
B. Shaver

ABSENT: K. valentine

RESOLUTION APPROVING AN INSTALLMENT PURCHASE AGREEMENT TO
FINANCE THE ACQUISITION OF A DUMP-TRUCK VEHICLE, AUTHORIZING
EXECUTION OF SAID INSTALLMENT PURCHASE AGREEMENT, AND AUTHORIZING
THE UNDERTAKING OF ALL OTHER NECESSARY AND REQUIRED ACTS IN
CONNECTION WITH THE ACQUISITION AND FINANCING OF SAID PURCHASE.

WHEREAS, the Village Council has determined to purchase a Dump-Truck vehicle within the Village of Mayville owned by the Village (the "Project") and finance a portion of the cost thereof through an installment purchase; and

WHEREAS, the Village has contracted with Midwest Tractor & Equipment Co. Inc. (the "Seller") to complete the Project for the approximate sum of \$75,000.00.

WHEREAS, under the provisions of Act 99 of the Public Acts of Michigan of 1933, as amended ("Act 99"), the Village is authorized to enter into an agreement for the acquisition of real and personal property for public purposes, to be paid for in installments over a period not to exceed 15 years or the useful life of the property acquired as determined by resolution of the Village Council (whichever is the lesser time period); and

WHEREAS, the outstanding balance of all such installment purchases by the Village under Act 99, exclusive of interest, shall not exceed one and one-quarter percent (1-1/4%) of the

equalized assessed value of the real and personal property in the Village on the date of such agreement or agreements; and

WHEREAS, the acquisition of the Project pursuant to an installment purchase agreement will not result in the outstanding balance of all such purchases to be in excess of the limitations contained in Act 99 as set forth above; and

WHEREAS, the Village requested proposals for financing the acquisition of the Project through an installment purchase agreement pursuant to Act 99; and

WHEREAS, the proposal of Frankenmuth Credit Union (the "Financial Institution"), has been determined to be the most-desirable, responsive proposal received within the time allotted for response.

WHEREAS, the Village Council has had presented to it at this meeting the form Installment Purchase Agreement (the "Agreement") to be entered into by the Village, the Financial Institution and the Seller in connection with such financing, and it is the desire of the Village Council to approve and authorize the execution of such Agreement; and

WHEREAS, the Village Council desires to authorize the undertaking of all such acts necessary to complete the construction and financing of the Project.

WHEREAS, the Village Council has determined that the adoption of the instant Resolution will serve to effectuate the goal and desires described herein and will be in the best interests of the residents and property owners of the Village of Mayville.

NOW, THEREFORE, BE IT RESOLVED:

1. That the acquisition of the Project is hereby found and declared to be for valid public purposes and in the best interests of the health, safety and welfare of the residents and property owners of the Village.

2. That the contract for purchase of the Dump-Truck vehicle was awarded to the Seller for the approximate sum of \$75,000.00. The total cost of the project is \$75,000.00.

3. That the proposal of the Financial Institution is hereby approved and that the cost of the Project in the amount of \$75,000.00 shall be financed through the Financial Institution through an installment purchase agreement at a bank qualified tax-exempt interest rate of 6.50% per annum, or the rate which is in effect as of the date of closing under this Agreement for a term of five (5) years by the payment of equal monthly payments of principal and interest, commencing on June 1, 2024, and each anniversary date thereafter through 2029 as set forth on the Payment Schedule attached as Exhibit "A" to the Agreement.

4. That the Agreement is hereby approved substantially in the form presented at this meeting with such additions, changes and modifications as shall be approved by the Village President, who is empowered to approve such additions, changes and modifications without the need for an additional meeting on such issues.

5. That the Project has a useful life extending beyond the term of the Agreement in 2029.

6. The Village hereby agrees that the payment of principal and interest shall be made from the Village General Fund. In addition, the Village hereby pledges its full faith and credit to the extent that the General Fund is insufficient for the payments required under the Agreement.

7. The Village covenants that, to the extent permitted by law, it shall take all actions within its reasonable control necessary to maintain the exclusion of the interest component of the payments due under the Agreement from the adjusted gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"). The Village designates its obligation to pay the Financed Purchase Price under the Agreement as a qualified tax-exempt obligation pursuant to Section 265(b)(3) of the Code and does not reasonably anticipate that qualified tax-exempt obligations of the Village will exceed \$10,000,000 during the 2029 calendar year.

8. The Village President and the Village Treasurer and the Village Manager, or either of them or any of them, are hereby directed and authorized to execute such additional certificates and other documents as shall be necessary to effectuate the closing contemplated by the Agreement.

9. All resolutions or parts of resolutions insofar as they conflict with the provisions hereof are rescinded to the extent of such conflict.


This RESOLUTION was offered by Council member B. Shaver, supported by Council member S. Charette at a meeting on April 16, 2024. The members of the Village Council voted as follows:

YEAS: Members K. Freeland, B. Huntley, B. Shaver
S. Charette


NAYS: Members _____

ABSTAIN: Members _____

The foregoing Resolution was duly adopted at a ^{Regular}~~special~~ meeting of the Village of Mayville Village Council held on April 16, 2024



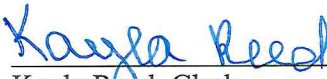
Steven Charette
President of the Village of Mayville



Kayla Reed
Clerk of the Village of Mayville

RESOLUTION DECLARED ADOPTED: CERTIFICATION

I, Kayla Reed, Clerk of the Village of Mayville, do hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted at a ^{Regular}~~special~~ meeting of the Village of Mayville Village Council held on April 16, 2024; that the meeting was conducted and public notice of the meeting was given pursuant to and in compliance with the Michigan's Open Meetings Act; that a quorum of the Council was present and voted in favor of the resolution; and that the minutes of the meeting will be or have been made available as required by the Open Meetings Act.



Kayla Reed, Clerk
Village of Mayville
Tuscola County, Michigan

Catch Basin at Post Office Driveway -

Motion by S. Charette 2nd by K. Freeland to Approve the replacement of the Catch Basin at Post Office Driveway by American Excavating in the quoted amount of \$2,000.

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

Spicer Letter Agreement for MDOT Category B Grant Application -

Motion by B. Shaver 2nd by B. Huntley to Approve the letter agreement from Spicer as presented for application of the MDOT Category B Grant.

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

Motion by B. Shaver 2nd by B. Huntley to take 4 minute recess at 7:41pm

Yays - 4 Nays – 0

Motion Carried

Motion by B. Shaver 2nd by K. Freeland to open meeting at 7:45pm

Yays - 4 Nays – 0

Motion Carried

Basement Furnace Replacement -

Motion by B. Shaver 2nd by S. Charette to Approve Estimate #42776 from Thumb Cooling and Heating for replacement of basement furnace with air conditioning in the amount of \$10,865.28

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

Veteran Street Light Banners - Larsen Graphics provided an estimate in the amount of \$1866.00 for 14 banners, 28 pictures and art prep.

Motion by K. Freeland 2nd by B. Huntley Approve Sale\Sponsorship to the Community for Veteran Street Banners at a cost of \$70.00 per picture which is one side of banner for a total of 28 pictures and 14 banners.

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

Manager Report - Verbal by Village Manager Barbara Valentine.

Turner Drain Assessment Delinquency - Council handed the issue over to Village Attorney Adam Flory

Motion by B. Shaver 2nd by B. Huntley to apply \$566.50 to utility account 247-00 for past storm sewer charges over the last 10 years and to have Village Attorney handle the File.

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

Department Reports -

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

Fire Department Report – Monthly report presented by Fire Chief Terry Blackmer. Chief Blackmer has been Negotiating with Rich Township and they have accepted a 4 year contract for 9 sections effective 5/1/24 - 4/30/2028 in the amounts as follows...

May 1 2024: \$485.05 per section Total \$4365.45
May 1 2025: \$672.20 per section Total \$6049.80
May 1 2026: \$934.56 per section Total \$8411.04
May 1 2027: \$1291.00 per section Total \$11,619

Rich Township Fire Contract -

Motion by K. Freeland 2nd by B. Huntley to Approve the Rich Township 4 year Fire Contract as presented.

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

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

Zoning Report – Monthly report submitted by Zoning Administrator Kelly Torrey.

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

Presented the need for a State of Michigan Flag & Pole in the Meeting Hall.

Walmart.com has kits containing Flag, 7ft pole and metal spear top for \$164.50.

Will look for cheaper.

Motion by S. Charette 2nd by B, Huntley to Approve up to \$200.00 for the purchase of a State of Michigan Flag, Pole & topper.

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

Public Comments - None

Adjournment – Motion by B. Shaver, 2nd by K. Freeland to adjourn at 8:42pm.

Yays - 4 Nays – 0

Motion Carried

Meeting Adjourned.



Kayla Reed
Village Clerk



Steve Charette
Village President