

CALL TO ORDER

IN REGULAR SESSION, Tuesday, November 16, 2021 at 7:00 P.M., in the Council Chambers of City Hall, 323 West Michigan Avenue, Marshall, MI 49068. City Council was called to order by Mayor Caron.

ROLL CALL

Roll was called:

Present: Council Members: Mayor Caron, Gates, Rice, and Wolfersberger.

Also Present: City Manager Tarkiewicz.

Absent: Council Members Schwartz, Traver, and Underhill.

Moved Wolfersberger, supported Gates, to excuse Council Members Schwartz, Traver, and Underhill. On a voice vote – **MOTION CARRIED.**

INVOCATION/PLEDGE OF ALLEGIANCE

Mayor Caron led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Moved Wolfersberger, supported Rice, to approve the agenda with the removal of item 8A. MAEDA presentation and the addition of the MSCPA invoice in the amount of \$791,049.91 and item 12D Building Authority Articles of Incorporation Amendment. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON AGENDA ITEMS

None.

CONSENT AGENDA

Moved Gates, supported Rice, to approve the Consent Agenda:

- A. Schedule a public hearing for Monday, December 6, 2021 to hear public comment on the Zoning Ordinance Amendment and Code of Ordinances Amendment to repeal Hoop Houses and to prohibit such use;
- B. Minutes of the City Council Work Session and Regular Session held on Monday, November 1, 2021;
- C. Approve city bills in the amount of \$1,392,213.68.

On a roll call vote – ayes: Gates, Rice, Wolfersberger, and Mayor Caron; nays: none. **MOTION CARRIED.**

PRESENTATIONS AND RECOGNITION

None.

INFORMATIONAL ITEMS

None.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

None.

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. Prospect Street Watermain and Street Improvements Engineering:

Moved Wolfersberger, supported Gates, to approve the approve the design engineering proposal from ENG, Inc. in the amount of \$46,222.50 for the Prospect Street Watermain and Street Improvement Project. On a roll call vote – ayes: Wolfersberger, Mayor Caron, Gates, and Rice; nays: none. **MOTION CARRIED.**

B. Electric Substation Project:

Moved Gates, supported Rice, to adopt the Resolution Declaring Intent to Reimburse for expenditures related to the Electric Substation project. On a roll call vote – ayes: Gates, Rice, Mayor Caron, and Wolfersberger; nays: none. **MOTION CARRIED.**

RESOLUTION #2021-39

**RESOLUTION DECLARING INTENT TO REIMBURSE
(ELECTRIC SUBSTATION PROJECT)**

CITY OF MARSHALL

County of Calhoun, State of Michigan

Minutes of a regular meeting of the City Council of the City of Marshall, County of Calhoun, State of Michigan, held on November 16, 2021 at 7:00 p.m., Eastern Standard Time.

PRESENT: Members: Mayor Caron, Gates, Rice, and Wolfersberger.

ABSENT: Members: Schwartz, Traver, and Underhill.

The following preamble and resolution were offered by Member Gates and supported by Member Rice:

WHEREAS, the City of Marshall, County of Calhoun, State of Michigan (the "City"), has determined it to be necessary to acquire, construct, furnish and equip

improvements to the City's municipal electric system, consisting generally of a new electrical substation, together with all necessary interests in land, and all related sites, structures, equipment, appurtenances and attachments thereto (the "Project"); and

WHEREAS, the City, through its Local Development Finance Authority (the "LDFA"), intends to issue and sell bonds to finance all or part of the Project;

WHEREAS, said bonds are to be issued in one or more series, in the aggregate principal sum of not to exceed \$6,000,000; and

WHEREAS, the City intends at this time to state its intentions to be reimbursed from proceeds of the bonds for any expenditures undertaken by the City or the LDFA for the Project prior to issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

(a) The City reasonably expects to reimburse itself with proceeds of the Bonds for certain costs of the Project which were paid or will be paid from the general fund or electric fund of the City or the general fund of the LDFA subsequent to sixty (60) days prior to today.

(b) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$6,000,000.

(c) A reimbursement allocation of the capital expenditures described above with the proceeds of the Bonds will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the Bonds to reimburse the City for a capital expenditure made pursuant to this resolution.

2. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Members: Gates, Rice, Wolfersberger, and Mayor Caron.

NAYS: None.

RESOLUTION DECLARED ADOPTED.

Trisha Nelson, City Clerk

I hereby certify that the attached is a true and complete copy of a resolution adopted by the City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on November 16, 2021, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976 and that minutes of the meeting were kept and will be or have been made available as required by said Act.

Trisha Nelson, City Clerk

C. Establish Special Meeting:

Moved Gates, supported Wolfersberger, to a to establish a special meeting for Thursday, December 2, 2021 at 6:00 p.m. for the purpose of entering into Closed Session to review City Manager candidate applications. On a voice vote – **MOTION CARRIED.**

D. Building Authority Articles of Incorporation:

Moved Rice, supported Gates, to approve the Marshall Building Authority Amendments to the Articles of Incorporation recommended by bond counsel. On a roll call vote – ayes: Rice, Mayor Caron, Wolfersberger, and Gates; nays: none. **MOTION CARRIED.**

APPOINTMENTS/ELECTIONS

None.

PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

ADJOURNMENT

The meeting was adjourned at 7:21 p.m.

Joe Caron, Mayor

Trisha Nelson, City Clerk