

Regular Council Meeting of the City of Melvindale was held in the Council Chambers on Wednesday, October 18, 2017 at 7:30 p.m.

The meeting was called to order by Stacy L. Bazman and roll call was taken:

PRESENT COUNCIL MEMBERS: Marsee, Barnes, Land, Louvet, Cybulski, Densmore

The Pledge of Allegiance was led by Mayor Stacy L. Bazman

Invocation – None

Proclamation – Paul Colossimo, 100th Birthday

Presentation – Bond Counsel, TANS

ALSO PRESENT: Kalley Hess, Treasurer; Richard Ortiz, City Administrator/Finance Director; Lawrence J. Coogan, Corporation Counsel; John Allen, Chief of Police; Joseph Murray, Fire Chief; Bradley Burns, Chief Building Official/Building Inspector; Larrie Ordus, DPW Director.

17-10-262 Moved by Marsee and supported by Barnes, to accept the resolution authorizing the issuance of notes in anticipation of operating taxes next succeeding fiscal year not to exceed 2,345,000.00.

Passed Unanimously

WHEREAS, it is hereby determined that it is necessary to borrow the sum of not to exceed Two Million Three Hundred Forty-Five Thousand Dollars (\$2,345,000), in anticipation of the collection of the unpaid operating taxes for the next succeeding fiscal year of the City beginning January 1, 2018 (the “Operating Taxes”), which Operating Taxes are first due and payable on July 1, 2018, for the purpose of obtaining funds to meet operating expenses of the City; and

WHEREAS, Act No. 34 of the Public Acts of 2001, as amended (“Act 34”), authorizes the borrowing of money through the issuance of general obligation notes in anticipation of the collection of the unpaid Operating Taxes for the next succeeding fiscal year in an amount not to exceed fifty percent (50%) of the operating tax levy for the current fiscal year when the Operating Taxes for the next fiscal year are not as yet known; and

WHEREAS, the amount included for Operating Taxes in the budget for the fiscal year ending December 31, 2017 was \$4,695,325; and

WHEREAS, the City expects to receive an offer from Comerica Bank to purchase the general

obligation notes.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City borrow for the above purpose the sum of not to exceed Two Million Three Hundred Forty-Five Thousand Dollars (\$2,345,000), issue the general obligation notes of the City (the "Notes") in anticipation of the collection of the Operating Taxes for the fiscal year beginning January 1, 2018.

2. The Notes shall bear interest at a rate not to exceed 6% per annum, be dated as of the date of delivery, and be due and payable September 1, 2018, which is the estimated time of collection of a sufficient amount of the Operating Taxes for the fiscal year beginning January 1, 2018, to pay the Notes in full. The Notes shall be payable in lawful money of the United States of America at such bank or trust company in the State of Michigan qualified to act as paying agent as shall be designated by the original purchaser. The Notes shall be in the denomination of \$100,000, or multiples or combinations of \$5,000 in excess thereof, as shall be designated by the original purchaser of the Notes.

3. Hereafter from the first collections of the Operating Taxes for the fiscal year beginning January 1, 2018, there shall be set aside in a separate depository account (the "Note Repayment Fund" or the "Fund") a portion of each dollar which is not less than 125% of the percentage that the principal amount of the Notes bears to the amount of the Operating Taxes, to be used for the payment of the principal of and interest on the Notes and any other notes hereafter issued in anticipation of said taxes, and until the amount so set aside shall be sufficient for such payments, collections of the Operating Taxes shall be used for no other purpose. The right is reserved to issue additional notes of equal standing as to the Operating Taxes pledged for payment of the Notes with the Notes authorized by this resolution, subject to the limitations fixed by law.

4. The full faith and credit of the City is hereby irrevocably pledged for payment of principal of and interest on the Notes and in case of the insufficiency of the Operating Taxes pledged for the payment thereof, the City shall pay the Notes from any funds legally available therefor, and, if necessary, within applicable constitutional, charter and statutory limitations, levy sufficient taxes on all

taxable property in the City for the payment thereof.

5. The Mayor and City Clerk of the City shall execute the Notes on behalf of the City, and the City's seal or a facsimile thereof shall be imprinted or printed thereon, and the executed notes shall be delivered to the City Administrator/Finance Director of the City who shall deliver the Notes to the purchaser thereof upon the receipt of the purchase price therefor. Printed notes may be executed with facsimile signatures of the foregoing officers, in which case the Notes shall not be valid unless authenticated in a manner approved by the City Administrator/Finance Director. The foregoing officers are hereby authorized to execute and deliver a temporary note or notes and exchange, when available, final printed notes therefor at the request of the original purchaser. The Notes may be issued in book-entry only form.

6. The City Council hereby declares that it has pursued a negotiated sale of the Notes because of the flexibility provided in adjusting the timing of the sale of the Notes and the terms of the Notes at the time of sale. The City Administrator/Finance Director is authorized to negotiate the sale of the Notes within the parameters authorized in this resolution.

7. The City Council hereby designates the Notes to be "qualified tax exempt obligations" within the meaning of the Internal Revenue Code of 1986, as amended (the "Code").

8. Any of the following: City Administrator/Finance Director and City Clerk of the City, are each hereby authorized to adjust the final Note details set forth herein to the extent necessary or convenient to complete the transaction authorized herein, and in pursuance of the foregoing are authorized to exercise the authority and make the determinations authorized pursuant to Section 315(1)(d) of Act 34, Public Acts of Michigan, 2001, as amended, including but not limited to, determinations regarding interest rates, prices, discounts, maturities, principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, the place of delivery and payment, and other matters, provided that the principal amount of the Note issued shall not exceed the principal amount authorized in this resolution, the interest rate per annum on the Bonds shall not exceed six percent (6%), and the Note shall mature in not more than one (1) annual installment.

9. The Mayor, City Clerk, and City Administrator/Finance Director of the City are each authorized to file any and all applications with the Michigan Department of Treasury so as to seek approval for the Notes and to file such other documents as may be required to secure such approval, including any necessary waivers.

10. The City hereby covenants that, to the extent permitted by law, it shall take all actions within its control necessary to maintain the exclusion of the interest on the Notes from adjusted gross income for general federal income tax purposes under the Code, including, but not limited to, actions relating to the rebate of arbitrage earnings, if applicable, and the expenditure and investment of note proceeds and moneys deemed to be note proceeds.

11. The representation of the City by Miller, Canfield, Paddock and Stone, P.L.C. as note counsel is hereby approved, notwithstanding Miller, Canfield's periodic representation of the potential parties to the transaction, including Comerica Bank, in unrelated matters.

12. 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: Marsee, Barnes, Land, Louvet, Cybulski, Densmore

NAYS: Members: none

RESOLUTION DECLARED ADOPTED:

City Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Melvindale, County of Wayne, State of Michigan, at a regular meeting held on October 18, 2017, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

City Clerk

17-10-263 Moved by Marsee and supported by Barnes, to approve the **Regular** City Council Meeting Minutes dated October 4, 2017.

Yeas: Marsee, Barnes, Land, Louvet, Cybulski,

Nays: none

Abstain: Densmore

Motion Passes

Audience Participation

17-10-264 Moved by Barnes and supported by Louvet, to close the Regular Council Meeting at 7:38 p.m.

Passed Unanimously

17-10-265 Moved by Barnes and supported by Louvet, to open the Public Hearing at 7:38 p.m. for the purpose of discussion of the Police and Fire Special Assessment.

Passed Unanimously

17-10-266 Moved by Barnes and supported by Louvet to close the Public Hearing at 7:41 p.m.

Passed Unanimously

17-10-267 Moved by Marsee and supported by Barnes, to open the Regular Meeting at 7:41 p.m.

Passed Unanimously

17-10-268 Moved by Marsee and supported by Louvet, to approve the resolution for Police and Fire Special Assessment.

Whereas, the Common Council for the City of Melvindale is levying the Special 2017 Assessment to maintain the current level of Police and Fire Protection for the protection and wellbeing of its citizens as permitted by MCLA 41.801 et seq; and,

Whereas, the City Clerk published a Notice of Public Hearing regarding the estimate of the expenses for Police and Fire protection, the amount of the Special Assessment levied for such Police and Fire protection and for the distribution of the Special Assessment levy in the News Herald Newspaper; and,

Whereas, a Public Hearing was held on October 18, 2017 at 7:30 p.m. before the Common Council for the City of Melvindale where citizens were given the opportunity to state their comments and objections to the estimate of the expenses for Police and Fire protection, the amount of the Special Assessment levied for such Police and Fire protection and for the distribution of the Special Assessment levy; and,

Now, THEREFORE, BE IT RESOLVED by the Common Council for the City of Melvindale that:

1. It is estimated that the cost and expenses of Police and Fire protection, exclusive of healthcare and pension is \$3,525,415; and

2. The amount of the Special Assessment shall be 10 Mills which is estimated to generate **\$1,500,833**; and
3. The City Administrator or his designee shall spread the assessment on the taxable value of all property in the City of Melvindale except lands exempt from collection of taxes under the general property tax act.

Passed Unanimously

17-10-269 Moved by Cybulski and supported by Land, to temporarily change the curfew for October 30th and October 31st (Angels Night/Halloween), from 10 p.m. to 8 p.m. for everyone under the age of 18.

Passed Unanimously

17-10-270 Moved by Louvet and supported by Cybulski, to concur with the Public Safety's adoption of the following police department rules and regulation changes, as adopted by the Public Safety Commission, on September 10th, 2017:

Policy: Court Appearances
Policy: DNA Collection
Policy: Smoking On or In Department Property
Policy: Ride Along Program
Policy: Occupants Safety Restraint Devices
Policy: No-Idle Police Vehicles
Policy: Equal Employment Opportunity
Policy: Sick Leave and Funeral Leave
Policy: Intoxicants and Controlled Substances
Policy: Social Media

Passed Unanimously

17-10-271 Moved by Barnes and supported by Louvet, to approve creating a civil service AFSCME eligibility list for DPW and Clerical.

Passed Unanimously

17-10-272 Moved by Barnes and supported by Marsee, to approve the payout for Allen Lash.

Accrued Vacation: 122 Hours
Unused Vacation: 184 Hours
Unused Personal: 40 Hours
Unused Sick Time: 353.50 Hours

TOTAL HOURS: 699.50 Hours

699.50 Hours @ \$26.5377 = **\$18,563.12**

Pro-Rated Longevity: \$14.79
Pro-Rated Uniform: \$29.59
Pro-Rated Gun Allowance: \$345.24

GRAND TOTAL: \$18,952.74

Passed Unanimously

17-10-273 Moved by Marsee and supported by Barnes, to approve the payout for Jacob Wolan.

Accrued Vacation: 84 Hours
Unused Vacation: 32 Hours
Unused Sick Time: 72 Hours

TOTAL HOURS: 188 Hours

188 Hours @ \$18.27 = **\$3,434.76**

Pro-Rated Longevity: \$84.00

GRAND TOTAL: \$3,518.76

Passed Unanimously

17-10-274 Moved by Louvet and supported by Marsee, to authorize Richard S. Ortiz, City Administrator/Finance Director to purchase Fieldhouse turf at Kessey Fieldhouse 4300 S. Dearborn, Melvindale, Mi 48122, for the boarded side not to exceed \$90,000.00.

Passed Unanimously

17-10-275 Moved by Barnes and supported by Cybulski, to receive and place on file the September 2017 Treasurer report.

Passed Unanimously

17-10-276 Moved by Louvet and supported by Marsee, to approve the request of Michigan Storm to renovate two locker rooms at Kessey Fieldhouse, 4300 S. Dearborn, Melvindale, MI, 48122, at no cost to the City contingent upon the approval of the building department.

Passed Unanimously

17-10-277 Moved by Louvet and supported by Land, to remove from table and confirm the Mayor's appointment of Thomas O'Connor to the position of Parks & Recreation Director to begin December 1, 2017.

Passed Unanimously

17-10-278 Moved by Marsee and supported by Louvet, to approve the forty-five (45) day contract with a onetime fee of 3,000.00 for Thomas O'Connor.

- 1.) Mr. O'Connor will gather leadership's criteria and vision for Fieldhouse and Parks and Rec through several small group task force meetings. (Mission and Vision sessions \$1500 value)
- 2.) Conduct community survey on resources wanted /needed done with virtual, door to door and written methods (Outreach all 3 methods \$3000 value)

- 3.) Produce digital and social media presence with modern technology utilizing Facebook and internet (\$2500 value)
- 4.) Develop administrative tools, marketing ideas and outreach programs to drive revenue (\$1000 value)
- 5.) Meet with major sponsors and teams and vendors to solidify relationships (\$10,000 Value)
- 6.) Meet all Staff and other department heads and share information on direction of programs (\$2000 value)

Yeas: Marsee, Barnes, Land, Louvet, Cybulski

Nays: Densmore

Motion Passes

17-10-279 Moved by Marsee and supported by Louvet, to remove from table and confirm the Mayor's nomination of John Maranian, to the Historical Commission, to fill the unexpired term of Christina Drum, term expires November 20, 2019.

Passed Unanimously

17-10-280 Moved by Marsee and supported by Louvet, to remove from table and confirm the Mayor's nomination of Sean Briscoe, to the Parks & Recreation Commission, to fill the unexpired term of Christopher Decaire, term expires November 20, 2019.

Passed Unanimously

17-10-281 Moved by Marsee and supported by Barnes to, remove from table and confirm the Mayor's nomination of Rose Ann Panick, to the Library Commission, to fill the unexpired term of Margaret Amadio, term expires November 20, 2019.

Passed Unanimously

17-10-282 Moved by Barnes and supported by Louvet, to increase the pay of the senior coordinator to \$14.00 per hour.

Passed Unanimously

Second Audience Participation

17-10-283 Moved by Barnes and supported by Marsee, to receive and place on file the invoices and cover sheet and to authorize the payment of the approved invoices totaling \$882,845.81 and the electronic transfers totaling \$138,638.80.

Second Audience Participation

17-10-284 Moved by Cybulski and supported by Land, to adjourn the meeting at 8:29 p.m., no objections, so ordered.

Passed Unanimously

Stacy L. Bazman, Mayor

Cecilia S. Dally, Deputy City Clerk