

The regular meeting of the Greenville City Council was called to order by Mayor Hoppough, in the Council Chambers, in the Municipal Complex located at 415 S. Lafayette Street, Greenville, Michigan 48838 at 7:30 p.m.

Present: Mayor Hoppough; Councilpersons Lehman, Cunliffe, Warner, Moss, and Schuleit; City Manager Bosanic; and Clerk-Treasurer Rasmussen.

Absent: Councilperson Scoby.

Councilperson Schuleit MOVED: The Consent Agenda be approved as presented. Councilperson Lehman seconded. Unanimously adopted.

The Consent Agenda consisted of the following:

1. Approval of minutes for the special City Council meeting held May 02, 2017.
2. Approval of minutes for the regular City Council meeting held May 09, 2017.
3. Approval of payroll reports for regular pay period April 21, 2017 in the amount of \$115,460.24. Approval of accounts payable report for pay period ending May 10, 2017 in the amount of \$261,487.32.
4. Approval of minutes for the regular Planning Commission meeting held April 27, 2017.
5. Approval of minutes for the regular Downtown Development Authority meeting held April 11, 2017.

Council held a public hearing to receive comment on a recommendation from the Planning Commission to vacate a portion of Marvel Drive from West Oak Street to West Judd Street and relocate it 115 feet to the east.

Mayor Hoppough opened the public hearing at 7:52 p.m.

Jim Cameron of Alexander Street, presented a printed statement.

Mike Blanding of 803 W Judd, spoke about plantings and trees.

After receiving no further comments, Mayor Hoppough closed the public hearing at 7:57 p.m.

Council considered an award for a bid for an Installment Purchase Agreement in connection with televising equipment for the Public Services Department and the approval of Resolution 17-15 authorizing execution and delivery of an installment purchase agreement.

Councilperson Lehman RESOLVED: WHEREAS, City of Greenville (the “City”), desires to acquire a new Cues Camera Inspection Truck – Multi Conductor TV Inspection System and related equipment and appurtenances to be used by the City (the “Property”); and

WHEREAS, Act 99, Public Acts of Michigan, 1933, as amended (“Act 99”), provides a means by which the City may borrow money for the purchase of lands, property or equipment for public purposes, to be paid for in installments over a period of not to exceed the lesser of the useful life of the property or fifteen years; and

WHEREAS, the City has entered into a contract with MTech Company (the “Vendor”), to acquire the Property (the “Purchase Contract”); and

WHEREAS, the City has requested proposals from financial institutions to purchase the interest of the Vendor in the Purchase Contract and accept assignment thereof, and to finance the purchase of the Property by entering into an Installment Purchase Agreement pursuant to which the City will make payments of principal and interest to the lender; and

WHEREAS, the proposal of Commercial Bank (the “Bank”) was the lowest responsive proposal and the Bank is willing to enter into an installment purchase agreement in the amount up to \$202,870; and

WHEREAS, this City’s outstanding principal balance of all installment purchases, including the principal amount of the Installment Purchase Agreement authorized by this resolution, shall not exceed one and one-quarter percent (1-1/4%) of the taxable value of the real and personal property in the City.

NOW, THEREFORE, BE IT HEREBY RESOLVED as follows:

1. Purchase of the Property is hereby found to be a public purpose and in the best interest of the health, safety and welfare of the City.
2. The City authorizes the Mayor and the Clerk/Treasurer, or either one or of them acting alone (the “Authorized Officers”), to accept the proposal of the Bank.
3. The City authorizes and directs the Authorized Officers to execute and deliver an Installment Purchase Agreement between the City and the Bank in such form as recommended by the City’s bond counsel and approved by the Authorized Officers (the “Agreement”) in an amount of not to exceed \$202,870, as finally determined by the Authorized Officers, with an interest rate on the principal amount outstanding of 1.64% per annum, and a final maturity of not more than 5 years, as finally determined by the Authorized Officers.
4. The City hereby agrees to include in its budget each year, commencing with the present fiscal year, if applicable, a sum that will be sufficient to pay the principal of and interest coming due under the Agreement. In addition, the City hereby pledges to levy ad valorem taxes on all taxable property in the City each year in an amount necessary to make its debt service payments

- under the Agreement, subject to constitutional, statutory and charter tax rate limitations.
5. The City shall, at all times while any payments on the Agreement are outstanding, have control of the Property and shall maintain the same for public purposes.
 6. The useful life of the Property is hereby determined to be not less than five years.
 7. The City designates the obligations under the Agreement as “qualified tax exempt obligations” for purposes of the deduction of interest expense by financial institutions pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the “Code”).
 8. The City covenants that it will comply with all applicable requirements of the Code and, to the extent permitted by law, it shall take all actions within its control necessary to maintain the exclusion of the interest component of the payments due under the Agreement 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 proceeds of the Agreement and to prevent such proceeds from being or becoming “private activity bonds” as that term is used in Section 141 of the Code.
 9. The proceeds of the Agreement shall not be used to reimburse the City for expenses incurred prior to the declaration of official intent required by Regulation 1.150-2 of the Treasury Regulations.
 10. The firm of Dickinson Wright PLLC is employed as bond counsel to the City to prepare the documents for the issuance of the Agreement for the financing of the acquisition of the Property.
 11. The Mayor, the Clerk/Treasurer, and the City Manager, or any one or more of them, are hereby authorized to do all acts and things and to execute any documents or certificates as may be necessary or desirable, and to deliver such documents to the parties to effectuate the transaction described in the Agreement.
 12. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and they are hereby rescinded.

Councilperson Schuliet seconded. Unanimously adopted.

Council considered an ordinance to vacate a portion of the Marvel Drive Right-Of-Way

Councilperson Lehman MOVED: To introduce an ordinance to vacate a portion of the Marvel Drive Right-Of-Way as presented. Councilperson Warner seconded. Unanimously adopted.

Council considered the approval of Resolution 17-14 to approve the transfer of surplus land on Greenville West Drive for the development of 2 single-family homes for low-income families.

Councilperson Moss RESOLVED: WHEREAS, the Greenville City Charter authorizes the City to transfer surplus land upon an affirmative vote of 5 City Council members; and

WHEREAS, in a letter dated February 6, 2017, which is attached as Exhibit A, Montcalm County Habitat for Humanity ("Habitat") proposed a collaborative arrangement involving the transfer of various parcels of real estate for the mutual benefit of the parties and the community at large; and

WHEREAS, the proposed arrangement involves the transfer of surplus land on Greenville Drive from the City to Habitat upon receipt of \$6,000 from Habitat; and

WHEREAS, the City Council has determined that the collaborative arrangement is in the best interest of the City and its residents. And

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City Manager and City's legal counsel are directed to prepare any documentation needed to quit claim the following described land to Habitat for Humanity: That part of the North half of the North half of Section number Nine in Township number Nine North of Range number Eight West; between Flat River and Cooper's Addition number One to the City of Greenville, aforesaid; the West line of Lincoln Street Being the East line of said land described as follows: Commencing at the Southwest corner of the common intersection of Lincoln Street and Coffren Avenue; thence North four degrees and thirty minutes East 383.1 feet; thence North eighty-five degrees and thirty minutes West 117 feet to the water edge of Flat River; thence in a Southerly and Westerly direction following the water's edge of Flat River 340 feet more or less; thence South four degrees and thirty minutes West 162 feet to the Grand Trunk Railroad right-of-way; thence due East along the Grand Trunk right-of-way 305.5 feet to the place of beginning; Excepting therefrom that part of the Coffren Street right-of-way extension (which the City Council adopted an ordinance to vacate on May 2, 2017) south of the centerline.
2. The Mayor and City Clerk are authorized and directed to sign any documents prepared or approved by legal counsel relating to the transfer of the above-referenced property upon Habitat's payment of \$6,000 to the City.
3. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

Councilperson Warner seconded. Unanimously adopted.

Council considered the award of a bid for the purchase of a large format plotter in connection with the Engineer's Department.

Councilperson Warner MOVED: award a bid for the purchase of a large format plotter to Canon Solutions America Inc. of Itasca, Ill in the amount not to exceed \$7,257.00 as presented. Councilperson Moss seconded. Unanimously adopted.

Councilperson Moss MOVED: The meeting be adjourned. Councilperson Cunliffe seconded. Unanimously adopted.

Meeting adjourned at 8:38 p.m.

John M. Hoppough
Mayor

Norice Rasmussen
Clerk-Treasurer