

**MINUTES OF THE
VIRTUAL REGULAR MEETING OF THE HIGHLAND PARK CITY COUNCIL**

APRIL 6, 2020

Council convened at 7:00 p.m. with Council President Clyburn presiding.

Present: Council Pro Tem Patrick, Councilmember Lewis, Councilmember Bates, Councilmember Armstrong and Council President Clyburn (5).

Absent: (0).

A quorum being present, Council was declared in session.

APPROVAL OF AGENDA

Moved by Council Pro Tem Patrick
Supported by Councilmember Bates

To approve the agenda as submitted. Yeas (5), Nays (0), Absent (0).

**BID OPENING
04-06-20-5**

The Clerk stated this was the place and time to open bids for Financial Audit Services.

4 (four) bids were received:	Alan C. Young & Associates, P.C. 7310 Woodward Ave. Detroit, MI 48202 Bid Amount: \$32,400	Rehmann 1500 W. Big Beaver Rd. Troy, MI 48084 Bid Amount: \$35,000
	Yeo & Yeo 691 N. Squirrel Rd. Ste. 100 Auburn Hills, MI 48326 Bid Amount: \$38,000	Gabridge & Co. 3940 Peninsular Dr. Grand Rapids, MI 49546 Bid Amount: \$44,830

Moved by Council Pro Tem Patrick
Supported by Councilmember Lewis

To refer the bids to the Director of Finance and to authorize the director to negotiate changes as needed. Yeas (5), Nays (0), Absent (0).

CITY COUNCIL
04-06-20-6a

Moved by Council Pro Tem Patrick
Supported by Councilmember Bates

To adopt and adjust the Virtual Meeting Policy for City Council. Yeas (5), Nays (0), Absent (0).

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04-06-20-6b

The instructions on how to attend the virtual meetings were received and filed.

FINANCE
04-06-20-7

The following resolution was submitted for approval.

**TO DELAY THE PUBLIC HEARING AND ADOPTION OF THE FISCAL YEAR 2021
BUDGET DUE TO THE STATE OF MICHIGAN EXECUTIVE ORDERS RELATING TO THE
CORONAVIRUS-19**

Moved by Council Pro Tem Patrick
Supported by Councilmember Bates

WHEREAS, Governor Whitmer, by Executive Order 2020-04, declared a 'State of Emergency' across the State of Michigan due to the novel coronavirus (COVID-19), and

WHEREAS, Governor Whitmer, by Executive Order 2020-20 did place a temporary restriction on use of public places of public accommodation, and

WHEREAS, Governor Whitmer, by Executive Order 2020-21, did require a temporary suspension of activities not required to sustain or protect life, and

WHEREAS, pursuant to Section 3-1 of the City Charter, "The City shall have power to manage and control the finances... to do any act to advance the interest, good government, and prosperity of the City and its inhabitants, and to protect the public peace, morals, health, safety, and general welfare" and the City may "take "action as may be required, not inconsistent with law", and

WHEREAS, pursuant to Section 5-1 of the City Charter, "The City Council shall exercise all of the legislative powers of the City" and "shall provide for the public peace and health, and for the safety of persons and property", and

WHEREAS, pursuant to Section 5-3 (f), the City Council "shall determine its own rules and order of business", and

WHEREAS, pursuant to Section 8-5, "Each budget proposal will be filed with the City Council on or before the third (3rd) Monday in April" and "A copy thereof shall be available for public inspection in the Clerk's office for preview by the public at least 14 days prior to the public budget hearing", and

WHEREAS, pursuant to Section 8-6, "The budget must be adopted on or before the Friday following the second (2nd) Monday in May", and

WHEREAS, meeting the budget procedures and timeline as listed in the Charter would cause unnecessary exposure to city employees and the public as participants in the process thereby putting at risk the health of all participants, and

WHEREAS, the City of Highland Park is obliged to honor in both spirit and intent the safety precautions implemented by the Governor,

BE IT RESOLVED that the City of Highland Park City Council delay the public hearing and adoption of the fiscal year 2021 budget to a date not to exceed the last council meeting date of the current year which would be June 15, 2020. Yeas (5), Nays (0), Absent (0).

TREASURER
04-06-20-8

The following resolution was submitted for approval.

RESOLUTION TO EXTEND 2020 CITY OF HIGHLAND PARK INCOME TAX DEADLINES

Moved by Councilmember Lewis
Supported by Councilmember Bates

WHEAREAS, the Governor of the State of Michigan, Gretchen Whitmer has an Executive Order No. 2020-26 -- Extension of April 2020 Michigan Income Tax Filing Deadlines and

WHEAREAS, under sections 6, 7, 8, 9 and 10 of Executive Order No. 2020-26 pertain to filing of City Income Tax return and

WHEAREAS, Executive Order No. 2020-26 temporarily provides for City Income Tax deadline to be extended from April 30, 2020 to July 31, 2020 for all taxpayers.

NOW, THEREFORE, BE IT RESOLVED, that the City of Highland Park comply with the Governor of the State of Michigan, Gretchen Whitmer, Executive Order No. 2020-26 -- Extension of April 2020 Michigan Income Tax Filing Deadlines. Yeas (5), Nays (0), Absent (0).

ENGINEERING
04-06-20-9

The following resolution was submitted for approval.

RESOLUTION AUTHORIZING THE SUBMISSION FOR FEDERAL AID FUNDING FROM WAYNE COUNTY FEDERAL AID COMMITTEE FOR FY2023 ST-U ROAD REPAIR WITHIN THE CITY OF HIGHLAND PARK

Moved by Councilmember Lewis
Supported by Councilmember Bates

WHEREAS, the Engineering Department received a notice of available infrastructure funding from the Wayne County Federal Aid Committee for community request of local matching funding for eligible roads within the City of Highland Park; The City of Highland Park received \$1.8 million in funding through the FY2020 STP-U program; and

WHEREAS, as part of the application the City of Highland Park may be able to receive up to 81.85% percent federal aid and 20% local match for road repair. The City of Highland Park to submit final plans to Michigan Department of Transportation (MDOT) for obligation by February 1st, 2023 and proof of 18.15% local match. If funding cannot be matched, a grace period of one month will be provided to the city. Thereafter, the funding may be reallocated to alternate city projects; and

WHEREAS, the Engineering Department is requesting an approval to submit for funding for the federal aid eligible road due on March 30, 2020; and

BE IT RESOLVED that the Highland Park City Council approves the submission of the Wayne County Federal Aid Committee FY2023 STP-U Funding project application and commitment attached to this resolution and will comply with its terms. Yeas (5), Nays (0), Absent (0).

CITY ADMINSTRATOR
04-06-20-10a

The following resolution was submitted for approval.

RESOLUTION TO REPAIR SINKHOLE IN DHHS PARKING LOT

Moved by Councilmember Bates
Supported by Councilmember Lewis

WHEREAS. Article III, Paragraph 3.1(s) of the Sublease between the City of Highland Park ("Lessor") and the Department of Technology, Management & Budget ("Lessee") for 13233 Hamilton Avenue states that "The Lessor shall keep the Leased premises in good repair and ... free from dangerous or defective conditions ... at the Lessor's sole expense..."; and

WHEREAS, DHHS notified Highland Park of a significant sinkhole in the parking lot that is a safety issue; and

WHEREAS, the City is under contract with Century Cement to repair/replace up to 69 sinkholes in the City to be paid out of Act 51 funds; and

WHEREAS, since this sinkhole is in a parking lot, it is not covered under Act 51 funds; and

WHEREAS, Century Cement made a temporary repair until such time as the weather permits a permanent fix; and

WHEREAS, based upon Century Cement's contractual rates, this repair/replacement is estimated to be up to \$18,000; and

NOW, THEREFORE, BE IT RESOLVED by the City of Highland Park that Century Cement be paid up to \$18,000 to repair /replace the sinkhole and fulfill Highland Park's lease obligations to the State of Michigan. Yeas (5), Nays (0), Absent (0).

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04-06-20-10b

Moved by Council Pro Tem Patrick
Supported by Councilmember Bates

To accept the Letter of Engagement from Miller Canfield as bond counsel in connection with the proposed issuance of limited tax general obligation for 2020 capital improvement bonds to finance part of the costs of certain capital improvements to the City's sewage disposal system for \$24,500. Yeas (5), Nays (0), Absent (0).

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04-06-20-10c

Moved by Councilmember Lewis
Supported by Councilmember Armstrong

To accept the Letter of Engagement from Miller Canfield as bond counsel in connection with the proposed issuance of limited tax general obligation for 2020 capital improvement bonds to finance part of the costs of water supply system for \$61,000. Yeas (5), Nays (0), Absent (0).

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04-06-20-10d

The following resolution was submitted for approval.

**RESOLUTION AUTHORIZING NOTICE OF INTENT REGARDING ACT 94
REQUIREMENTS AND DECLARATION OF INTENT TO REIMBURSE
(SEWAGE DISPOSAL SYSTEM IMPROVEMENTS)**

Moved by Council Pro Tem Patrick
Supported by Councilmember Bates

WHEREAS, the City of Highland Park, County of Wayne, State of Michigan (the "City"), intends to issue and sell bonds in one or more series pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), in an aggregate amount not to exceed Two Million Five Hundred Thousand Dollars (\$2,500,000) (the "Bonds"), for the purpose of paying all or a part of the costs of acquiring, constructing, installing, repairing and improving certain capital improvements in the City, including sinkholes, sanitary sewer conduits, sewer lining, and conducting a flow metering and CCTV study, together with all necessary interests in land, rights- of way, appurtenances and attachments thereto (the "Project"); and

WHEREAS, the City has been advised by the Michigan Department of Environmental Quality that financial assistance to accomplish the acquisition and construction of the Project is available through the Clean Water Revolving Fund ("CWRF") loan program administered by the Michigan Finance Authority; and

WHEREAS, the City has made application for participation in the CWRF loan program; and

WHEREAS, a notice of intent to issue the Bonds must be published before the issuance of the Bonds in order to comply with the requirements of Section 517 of Act 34; and

WHEREAS, in order to be reimbursed from proceeds of the Bonds, the City must state its intention to do so in advance.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk is authorized and directed to publish a notice of intent to issue bonds in the *Michigan Chronicle*, a newspaper of general circulation in the City.
2. The notice of intent shall be published as a display advertisement not less than one-quarter (1/4) page in size in substantially the form attached to this resolution as Exhibit A.
3. The City Council does hereby determine that the foregoing form of Notice of Intent to Issue Bonds and the manner of publication directed is the method best calculated to give notice to the City's electors and taxpayers residing in the boundaries of the City of the City's intent to issue the Bonds, the maximum amount of the Bonds, the purpose of the Bonds, the source of payment for the Bonds and the right of referendum relating thereto, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.
4. 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) As of the date hereof, the City reasonably expects to reimburse itself for the expenditures described in (b) below with proceeds of debt to be incurred by the City.
 - (b) The expenditures described in this paragraph (b) are for the paying of the costs of the Project which were paid or will be paid subsequent to sixty (60) days prior to

the date hereof from revenues of the sewage disposal supply system or the general funds of the City.

- (c) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$2,500,000.

5. The Mayor, City Administrator, City Clerk and Finance Director are authorized and directed to take other steps as necessary or convenient to carry out the purposes of this resolution.

6. The City Council hereby confirms the retention of Miller, Canfield, Paddock and Stone, P.L.C. ("Miller Canfield") as bond counsel in connection with the issuance of the Bonds. The fees of Miller Canfield shall be paid from the proceeds of the sale of the Bonds, or other money legally available therefor. The City has been advised that Miller Canfield has represented the Michigan Finance Authority in the past and may be representing the Michigan Finance Authority presently in connection with various unrelated matters and the City consents to the representation of the Michigan Finance Authority by Miller Canfield in connection with these unrelated matters.

7. The City hereby confirms the appointment of Robert W. Baird & Co., Incorporated, to act as its Municipal Advisor with respect to the Bonds. The fees of the Municipal Advisor shall be paid from the proceeds of the sale of the Bonds, or other money legally available therefor.

8. All resolution and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded. Yeas (5), Nays (0), Absent (0).

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04-06-20-10e

The following resolution was submitted for approval.

**NOTICE OF INTENT RESOLUTION
2020 CAPITAL IMPROVEMENT BONDS (LIMITED TAX GENERAL OBLIGATION)**

Moved by Council Pro Tem Patrick
Supported by Councilmember Bates

WHEREAS, pursuant to the provisions of Part 43 of Act 451, Public Acts of Michigan, 1994, as amended ("Act 451"), when the State of Michigan Department of Environmental Quality ("MDEQ") has ordered, or has issued a permit for, the installation, construction, alteration, improvement or operation of a sewage system, solid waste facility or waterworks system in a municipality, and the plans therefor have been prepared and approved by the state department or commission having the authority by law to grant the approval, the legislative body of the municipality may issue and sell the necessary bonds for the construction, installation, alteration, operation or improvement thereof, including the treatment works and such other facilities as may be so ordered or set forth in the permit as being necessary to provide for the effective operation of the system; and

WHEREAS, the City of Highland Park (the "City"), pursuant to MDEQ Administrative Consent Order #ACO-399-06-2017, dated July 28, 2017, as now in force or hereafter amended or extended (the

"Order"), is required to make certain modifications to its waterworks system, which improvements are necessary in order for the City to meet its obligations under relevant federal and state law; and

WHEREAS, the City desires to comply with the Order and make the improvements required thereby, including the improvements set forth the Final Project Plan - Drinking Water Revolving Fund prepared by Metro Consulting Associates, LLC, dated April 26, 2019, as the same is supplemented and amended from time to time, and any permits issued authorizing such work (the "Project"); and

WHEREAS, the City Council, pursuant to Part 43 of Act 451, intends to authorize the issuance and sale of one or more series of general obligation limited tax bonds for the purpose of defraying all or part of the cost of the current phases of the Project necessary to comply with the Order; and

WHEREAS, a notice of intent to issue bonds must be published at least forty-five (45) days before issuance of the Bonds in order to comply with the requirements of Section 4307(2) of Act 451 and of Section S(g) of Act 279, Public Acts of Michigan, 1909, as amended; and

WHEREAS, it is necessary to authorize the publication of a notice of intent to issue general obligation limited tax bonds for the Project, in one or more series, in the principal amount of not to exceed Fourteen Million Eight Hundred Thousand Dollars (\$14,800,000) (the "Bonds").

WHEREAS, in order for the City to be reimbursed from Bond proceeds for Project expenditures made prior to the receipt of the proceeds of the Bonds, the City must declare its intention to reimburse such expenditures.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk is hereby authorized and directed to publish a notice of intent to issue the Bonds in the *Michigan Chronicle*, a newspaper of general circulation in the City, as a display advertisement at least one-quarter (1/4) page in size.
2. Said notice of intent shall be in substantially the form attached to this resolution as Appendix A.
3. The City Council does hereby determine that the foregoing form of notice of intent to issue bonds and the manner of publication directed is the method best calculated to give notice to the taxpayers and electors of the City of the City's intent to issue the Bonds, the purpose of the Bonds, the security for the Bonds, and the right of referendum relating thereto, and that the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.
4. 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) As of the date hereof, the City reasonably expects to reimburse itself for the expenditures described in (b) below with proceeds of debt to be incurred by the City.
 - (b) The expenditures described in this paragraph (b) are for the paying of the costs of the Project which were paid or will be paid subsequent to sixty (60) days prior to the date hereof from revenues of the water

- supply system or the general funds of the City.
- (c) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$14,800,000.

5. The Mayor, City Administrator, City Clerk and Finance Director are authorized and directed to take other steps as necessary or convenient to carry out the purposes of this resolution.

6. The City Council hereby confirms the retention of Miller, Canfield, Paddock and Stone, P.L.C. ("Miller Canfield") as bond counsel in connection with the issuance of the Bonds. The fees of Miller Canfield shall be paid from the proceeds of the sale of the Bonds, or other money legally available therefor. The City has been advised that Miller Canfield has represented the Michigan Finance Authority in the past and may be representing the Michigan Finance Authority presently in connection with various unrelated matters and the City consents to the representation of the Michigan Finance Authority by Miller Canfield in connection with these unrelated matters.

7. The City hereby confirms the appointment of Robert W. Baird & Co., Incorporated, to act as its Municipal Advisor with respect to the Bonds. The fees of the Municipal Advisor shall be paid from the proceeds of the sale of the Bonds, or other money legally available therefor.

8. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded. Yeas (5), Nays (0), Absent (0).

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04-06-20-Xf

The following resolution was submitted for approval.

**NOTICE OF INTENT RESOLUTION
2020 WATERWORKS SYSTEM LIMITED TAX GENERAL OBLIGATION BONDS**

Moved by Council Pro Tem Patrick
Supported by Councilmember Armstrong

WHEREAS, pursuant to the provisions of Part 43 of Act 451, Public Acts of Michigan, 1994, as amended ("Act 451"), when the State of Michigan Department of Environmental Quality ("MDEQ") has ordered, or has issued a permit for, the installation, construction, alteration, improvement or operation of a sewage system, solid waste facility or waterworks system in a municipality, and the plans therefor have been prepared and approved by the state department or commission having the authority by law to grant the approval, the legislative body of the municipality may issue and sell the necessary bonds for the construction, installation, alteration, operation or improvement thereof, including the treatment works and such other facilities as may be so ordered or set forth in the permit as being necessary to provide for the effective operation of the system; and

WHEREAS, the City of Highland Park (the "City"), pursuant to MDEQ Administrative Consent Order #ACO-399-06-2017, dated July 28, 2017, as now in force or hereafter amended or extended (the

"Order"), is required to make certain modifications to its waterworks system, which improvements are necessary in order for the City to meet its obligations under relevant federal and state law; and

WHEREAS, the City desires to comply with the Order and make the improvements required thereby, including the improvements set forth the Final Project Plan - Drinking Water Revolving Fund prepared by Metro Consulting Associates, LLC, dated April 26, 2019, as the same is supplemented and amended from time to time, and any permits issued authorizing such work (the "Project"); and

WHEREAS, the City Council, pursuant to Part 43 of Act 451, intends to authorize the issuance and sale of one or more series of general obligation limited tax bonds for the purpose of defraying all or part of the cost of the current phases of the Project necessary to comply with the Order; and

WHEREAS, a notice of intent to issue bonds must be published at least forty-five (45) days before issuance of the Bonds in order to comply with the requirements of Section 4307(2) of Act 451 and of Section S(g) of Act 279, Public Acts of Michigan, 1909, as amended; and

WHEREAS, it is necessary to authorize the publication of a notice of intent to issue general obligation limited tax bonds for the Project, in one or more series, in the principal amount of not to exceed Fourteen Million Eight Hundred Thousand Dollars (\$14,800,000) (the "Bonds").

WHEREAS, in order for the City to be reimbursed from Bond proceeds for Project expenditures made prior to the receipt of the proceeds of the Bonds, the City must declare its intention to reimburse such expenditures.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk is hereby authorized and directed to publish a notice of intent to issue the Bonds in the *Michigan Chronicle*, a newspaper of general circulation in the City, as a display advertisement at least one-quarter (1/4) page in size.
2. Said notice of intent shall be in substantially the form attached to this resolution as Appendix A.
3. The City Council does hereby determine that the foregoing form of notice of intent to issue bonds and the manner of publication directed is the method best calculated to give notice to the taxpayers and electors of the City of the City's intent to issue the Bonds, the purpose of the Bonds, the security for the Bonds, and the right of referendum relating thereto, and that the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.
4. 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) As of the date hereof, the City reasonably expects to reimburse itself for the expenditures described in (b) below with proceeds of debt to be incurred by the City.
 - (b) The expenditures described in this paragraph (b) are for the paying of the costs of the Project which were paid or will be paid subsequent to sixty (60) days prior to the date hereof from revenues of the water supply system or the

general funds of the City.

- (c) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$14,800,000.

5. The Mayor, City Administrator, City Clerk and Finance Director are authorized and directed to take other steps as necessary or convenient to carry out the purposes of this resolution.

6. The City Council hereby confirms the retention of Miller, Canfield, Paddock and Stone, P.L.C. ("Miller Canfield") as bond counsel in connection with the issuance of the Bonds. The fees of Miller Canfield shall be paid from the proceeds of the sale of the Bonds, or other money legally available therefor. The City has been advised that Miller Canfield has represented the Michigan Finance Authority in the past and may be representing the Michigan Finance Authority presently in connection with various unrelated matters and the City consents to the representation of the Michigan Finance Authority by Miller Canfield in connection with these unrelated matters.

7. The City hereby confirms the appointment of Robert W. Baird & Co., Incorporated, to act as its Municipal Advisor with respect to the Bonds. The fees of the Municipal Advisor shall be paid from the proceeds of the sale of the Bonds, or other money legally available therefor.

8. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded. Yeas (50, Nays (0), Absent (0).

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04-06-20-10g

The following resolution was submitted for approval.

**RESOLUTION AUTHORIZING NOTICE OF INTENT REGARDING ACT 94
REQUIREMENTS AND DECLARATION OF INTENT TO REIMBURSE
(WATER SUPPLY SYSTEM IMPROVEMENTS)**

Moved by Councilmember Lewis

Supported by Councilmember Armstrong

WHEREAS, the City Council of the City of Highland Park, County of Wayne, State of Michigan (the "City"), intends to issue and sell revenue bonds, pursuant to Act 94, Public Acts of Michigan, 1933, as amended ("Act 94"), in an amount not to exceed Four Million Five Hundred Thousand Dollars (\$4,500,000) in one or more series for the purpose of paying all or part of the cost of acquiring, constructing, installing, repairing and improving certain improvements to the City's water supply system, including water mains and service lines, meter hookup, flushing and testing, together with all necessary interests in land, and all related sites, structures, equipment, appurtenances and attachments thereto (the "Project"); and

WHEREAS, the Revenue Bond Act, Act 94, Public Acts of Michigan, 1933, as amended ("Act 94"), provides a means for financing the purchase, acquisition, construction, improvement, enlargement, extension, and repair of public improvements such as the Project through the issuance of revenue bonds; and

WHEREAS, the issuance of bonds, in one or more series, payable from revenues of the water supply system under Act

94, and other available revenues of the City, in a total amount not to exceed Four Million Five Hundred Thousand Dollars (\$4,500,000) (the "Bonds") for the purpose of financing all or part of the Project represents the most practical means to that end; and

WHEREAS, a notice of intent to issue bonds must be published before the issuance of the aforesaid bonds in order to comply with the requirements of Section 33 of Act 94, Public Acts of Michigan, 1933, as amended; and

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

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk is hereby authorized and directed to publish a notice of intent to issue bonds in the *Michigan Chronicle*, a newspaper of general circulation in the City.

2. Said notice of intent shall be published as a one-quarter (¼) page display advertisement in substantially the form set forth in Exhibit A hereto and by this reference made a part hereof.

3. The City Council of the City does hereby determine that the foregoing form of Notice of Intent to Issue Bonds and the manner of publication directed is the method best calculated to give notice to the water supply system's users and the electors residing in the boundaries of the City of this City's intent to issue the bonds, the purpose of the bonds, the security for the bonds and the right of referendum relating thereto, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.

4. 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) As of the date hereof, the City reasonably expects to reimburse itself for the expenditures described in (b) below with proceeds of debt to be incurred by the City.
- (b) The expenditures described in this paragraph (b) are for the costs of acquiring and constructing the Project which were paid subsequent to sixty (60) days prior to the date hereof or which will be paid prior to the issuance of the bonds from the general fund or sanitary sewer fund of the City.
- (c) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$4,500,000.

5. The Mayor, City Administrator, City Clerk and Finance Director are authorized and directed to take other steps as necessary or convenient to carry out the purposes of this resolution.

6. The City Council hereby confirms the retention of Miller, Canfield, Paddock and Stone, P.L.C. as bond counsel in connection with the issuance of the Bonds. The fees of bond counsel shall be paid from the proceeds of the sale of the Bonds, or other money legally available therefor. The City has been advised that Miller Canfield has represented the Michigan Finance Authority in the past and may be representing the Michigan Finance Authority presently in connection with various unrelated matters and the City consents to the representation of the Michigan Finance Authority by Miller Canfield in connection with these unrelated matters.

7. The City hereby confirms the appointment of Robert W. Baird & Co., Incorporated, to act as its Municipal Advisor with respect to the Bonds. The fees of the Municipal Advisor shall be paid from the proceeds of the sale of the Bonds, or other money legally available therefor.

8. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded. Yeas (5), Nays (0), Absent (0).

ADJOURNMENT

Moved by Council Pro Tem Patrick
Supported by Councilmember Bates

To adjourn the meeting, motion carried, meeting adjourned at 8:25 p.m.

CERTIFICATE

I hereby certify that the attached is a copy of the minutes of the Regular Meeting held the 6th of April 2020 and that said minutes are available for public inspection at the address designated on the posted public notice.



Cidia Wicker-Brown, Deputy City Clerk