

City of Allen Park Regular Council Meeting Minutes  
Tuesday, April 26, 2022

Mayor Gail McLeod called the Meeting to order at 6:00 PM in The City Council Chambers  
Roll Call showed present: Councilman Felice “Tony” Lalli, Councilman Daniel Loyd, Councilman Matthew E. Valerius, Councilman Gary Schlack, Councilman Charles Blevins, and Councilman Dennis Marcos

Motion by Schlack  
Supported by Lalli  
RESOLVED, to approve the Agenda as presented  
MOTION ADOPTED – 22-0426-0068

Motion by Marcos  
Supported by Loyd  
RESOLVED, to approve the Minutes for the Regular Meeting of March 22, 2022 as presented  
MOTION ADOPTED – 22-0426-069

Motion by Blevins  
Supported by Valerius  
RESOLVED, to Accept and File the City Administrators operational updates/reports/documents and submissions  
MOTION ADOPTED – 22-0426-070

Motion by Lalli  
Supported by Marcos  
RESOLVED, to approve the CONSENT AGENDA as follows:  
**A. Purchasing Actions**  
1. Claims & Accounts 2. Payroll Report  
**B. Licenses & Permits**  
1. Scrap Haulers Permit #01-2022 – Greg Hendrickson w/ FAB5 Hauling & Scrapping LLC - \$50 fee  
AMMOTION ADOPTED – 22-0426-071

Motion by Blevins  
Supported by Valerius  
RESOLVED, to approve the lowest quote Quint Plumbing for the Cunningham Park Restroom Repairs at a cost of \$7,900.00 with the funding from acct. #101-707-816-000  
000MOTION ADOPTED – 22-0426-072

Motion by Lalli  
Supported by Loyd  
RESOLVED, to purchase one (1) full-size insulated commercial holding cabinet with a 3-year warranty from the Webstaurant Store in the amount of \$1,750.25 and two (2) 24” refrigeration units with 3-year warranty from Lowe’s Home Improvement in the amount of \$2,951.92 with the funding from acct. #101-221-976-000  
MOTION ADOPTED – 22-0426-073

Motion by Marcos  
Supported by Lalli  
RESOLVED, to authorize Parks & Recreation Director Patrick Hawkins to file the application to Michigan Liquor Control Commission for a Tavern License for Allen Park Community Center/Frank J. Lada Ice Arena at 15800 White St.  
MOTION ADOPTED – 22-0426-074

City of Allen Park Regular Council Meeting Minutes  
Tuesday, April 26, 2022

Motion by Schlack

Supported by Valerius

RESOLVED, to approve the Fire Department to purchase the SuperVac Milwaukee 20” PPV Fan with 2 Batteries, 2 Chargers and a Shore Power adapter from Apollo Fire Equipment in the amount of \$5,574.95 with the funding from acct. #401-000-985-002

MOTION ADOPTED – 22-0426-075

Motion by Lalli

Supported by Schlack

WHEREAS, Chapter 7 of the Wayne County Storm Water Management Ordinance (“Wayne County Ordinance”), requires storm water management systems to be maintained in perpetuity to ensure that the systems function properly as designed;

WHEREAS, Rule 801 of the Wayne County Storm Water Management Administrative Rules (“Administrative Rules”) requires applicants for storm water construction approval to submit long term maintenance plans as part of an application for storm water construction approval;

WHEREAS, **The City of Allen Park** has applied to the Wayne County Department of Public Services for approval to construct a storm water management system with respect to a project located at **Outer Drive/Ecorse Creek (btw Railroad Tracks)** (“Project”) in Allen Park, Michigan;

WHEREAS, **The City of Allen Park** application for approval to construct a storm water management system has been assigned Plan Review Number **R-19-718**;

WHEREAS, **The City of Allen Park** submitted the Plan to the County and City of Allen Park for long-term maintenance of the storm water management system at the Project pursuant to Rule 801, which Plan has been tentatively approved by the County pending issuance of this resolution and has been accepted by the City of Allen Park; and

WHEREAS, the City of Allen Park has agreed to assume jurisdiction and accept responsibility for long-term maintenance of storm water management system(s) at the Project in perpetuity;

NOW, THEREFORE, BE IT RESOLVED, that upon execution of the Agreement for Maintenance of Storm Water Management System, Reimbursement of Expenses Incurred by the City and Indemnification with Owner, the City of Allen Park assumes jurisdiction over and accepts responsibility for long term maintenance of storm water management system(s) at the Project pursuant to the Wayne County Ordinance, the Administrative Rules, the Plan, and the storm water construction approval issued by Wayne County;

BE IT FURTHER RESOLVED, that approval be and is hereby granted, authorizing the DPW Director Tom Murray to execute, on behalf of the City of Allen Park, the **Permit #M-52174** and other documents for long-term maintenance of the storm water management system issued by Wayne County for the Project.

MOTION ADOPTED – 22-0426-076

City of Allen Park Regular Council Meeting Minutes  
Tuesday, April 26, 2022

Motion by Valerius  
Supported by Marcos

WHEREAS, Chapter 7 of the Wayne County Storm Water Management Ordinance (“Wayne County Ordinance”), requires storm water management systems to be maintained in perpetuity to ensure that the systems function properly as designed;

WHEREAS, Rule 801 of the Wayne County Storm Water Management Administrative Rules (“Administrative Rules”) requires applicants for storm water construction approval to submit long term maintenance plans as part of an application for storm water construction approval;

WHEREAS, **Voran Properties, LLC (“Owner”)** has applied to the Wayne County Department of Public Services for approval to construct a storm water management system with respect to a project located at **5900 Allen Road** (“Project”) in Allen Park, Michigan;

WHEREAS, Owner’s application for approval to construct a storm water management system has been assigned Plan Review Number **R-17-219**;

WHEREAS, Owner submitted the Plan to the County and City of Allen Park for long-term maintenance of the storm water management system at the Project pursuant to Rule 801, which Plan has been tentatively approved by the County pending issuance of this resolution and has been accepted by the City of Allen Park; and

WHEREAS, the City of Allen Park has agreed to assume jurisdiction and accept responsibility for long-term maintenance of storm water management system(s) at the Project in perpetuity;

NOW, THEREFORE, BE IT RESOLVED, that upon execution of the Agreement for Maintenance of Storm Water Management System, Reimbursement of Expenses Incurred by the City and Indemnification with Owner, the City of Allen Park assumes jurisdiction over and accepts responsibility for long term maintenance of storm water management system(s) at the Project pursuant to the Wayne County Ordinance, the Administrative Rules, the Plan, and the storm water construction approval issued by Wayne County;

BE IT FURTHER RESOLVED, that approval be and is hereby granted, authorizing the **DPW Director Tom Murray** to execute, on behalf of the City of Allen Park, the **Permit #M-51815** and other documents for long-term maintenance of the storm water management system issued by Wayne County for the Project.

MOTION ADOPTED – 22-0426-077

Motion by Lalli  
Supported by Loyd

RESOLVED, to approve the agreement between the City of Allen Park and Pictometry International for Pictometry Connect – CA – 50 at a total cost of \$1,650.00. with the funding from acct. #101-225-816-000

MOTION ADOPTED – 22-0426-078

Motion by Loyd  
Supported by Lalli

WHEREAS, the City intends to issue and sell general obligation capital improvement bonds pursuant to Act 34, Public Acts of Michigan, 2001, as amended, in an amount not to exceed Three Million Five Hundred Thousand Dollars (\$3,500,000) (the “Bonds”) for the purpose of paying all or part of the cost of capital improvement items in the City, including but not limited to constructing, improving, furnishing, and equipping improvements, replacements and extensions to water mains, lead service lines

City of Allen Park Regular Council Meeting Minutes  
Tuesday, April 26, 2022

and other portions of the City's water supply system and related infrastructure and site improvements, and abandoning and grouting an old water main, together with all appurtenances and attachments thereto (the "Project"); 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 517 of Act 34, Public Acts of Michigan, 2001, as amended; 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 hereby authorized and directed to publish a notice of intent to issue bonds in the *News Herald*, a newspaper of general circulation in the City.
2. Said notice of intent shall be published as a one-quarter (1/4) page display advertisement in substantially the following form:

NOTICE TO ELECTORS  
OF THE CITY OF ALLEN PARK  
OF INTENT TO ISSUE BONDS SECURED BY THE TAXING  
POWER OF THE CITY AND RIGHT OF REFERENDUM THEREON

PLEASE TAKE NOTICE that the City Council of the City of Allen Park, County of Wayne, Michigan, intends to issue and sell general obligation capital improvement bonds pursuant to Act 34, Public Acts of Michigan, 2001, as amended, in an amount not to exceed Three Million Five Hundred Thousand Dollars (\$3,500,000) for the purpose of paying all or part of the cost of capital improvement items in the City, including but not limited to constructing, improving, furnishing, and equipping improvements, replacements and extensions to water mains, lead service lines and other portions of the City's water supply system and related infrastructure and site improvements, and abandoning and grouting an old water main, together with all appurtenances and attachments thereto.

The bonds will be payable in annual installments not to exceed twenty (20) in number and will bear interest at the rate or rates to be determined at public or private sale but in no event to exceed the maximum rate permitted by law on the balance of the bonds from time to time remaining unpaid.

SOURCE OF PAYMENT OF BONDS

THE PRINCIPAL AND INTEREST OF THE BONDS shall be payable from user fees and charges derived from the operation of the water supply system and from general funds of the City lawfully available for such purposes, including property taxes levied within applicable constitutional, statutory and charter limitations.

RIGHT OF REFERENDUM

THE BONDS WILL BE ISSUED WITHOUT A VOTE OF THE ELECTORS UNLESS A PETITION REQUESTING SUCH A VOTE SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS OF THE CITY IS FILED WITH THE CITY CLERK WITHIN FORTY-

City of Allen Park Regular Council Meeting Minutes  
Tuesday, April 26, 2022

FIVE (45) DAYS AFTER PUBLICATION OF THIS NOTICE. IF SUCH PETITION IS FILED, THE BONDS MAY NOT BE ISSUED WITHOUT AN APPROVING VOTE OF A MAJORITY OF THE QUALIFIED ELECTORS OF THE CITY VOTING THEREON.

THIS NOTICE is given pursuant to the requirements of Section 517, Act 34, Public Acts of Michigan, 2001, as amended.

Michael Mizzi  
City Clerk, City of Allen Park

City of Allen Park Regular Council Meeting Minutes  
Tuesday, April 26, 2022

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 taxpayers and electors of this Council'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 the Project which were paid or will be paid subsequent to sixty (60) days prior to the date hereof from the various funds of the City.
- (c) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$3,500,000.

5. The City hereby confirms the appointment of Miller, Canfield, Paddock and Stone, P.L.C. as bond counsel ("Bond Counsel") with respect to the proposed bond issue. The fees of Bond Counsel shall be paid from the proceeds of the sale of the Bonds, or other money legally available therefor.

6. The City hereby confirms the appointment of Robert W. Baird & Co., Incorporated, as municipal advisor (the "Municipal Advisor") with respect to the proposed bond issue. The fees of the Municipal Advisor shall be paid from the proceeds of the sale of the Bonds, or other money legally available therefor.

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

MOTION ADOPTED – 22-0426-079

Motion by Blevins

Supported by Lalli

RESOLVED, to adjourn the Council Meeting at 6:51 PM

MOTION ADOPTED – 22-0426-080

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Gail McLeod – Mayor

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Michael I. Mizzi – City Clerk