

**Charter Township of Marquette  
Marquette Township Board – Regular Meeting  
Tuesday, July 7, 2015 at 7:00 P.M  
Marquette Township Community Center**

CALL MEETING TO ORDER:

The meeting was called to order by Supervisor Liimatta at 7:00 p.m.

ROLL CALL:

Members present: Dennis Liimatta, Supervisor  
Randy Ritari, Clerk  
Ernest Johnson, Treasurer  
Danny Pompo, Trustee  
Pete LaRue, Trustee  
Lyn Durant, Trustee

Members absent: Dianna Truscott, Trustee (excused)

Staff present: Randy Girard, Township Manager

Committee

Members present: John Markes, Zoning Board of Appeals

APPROVAL OF CONSENT AGENDA:

- A. Approval of Prior Meeting Minutes of June 16, 2015
- B. Received Committee/Other Reports
  - 1. Planning Commission Minutes of May 27, 2015
  - 2. Sheriff's Report – June 2015
  - 3. MCSWMA Board Minutes of June 17, 2015
  - 4. Iron Ore Heritage Trail Update – June 2015
- C. Correspondence Not Requiring Board Action
  - 1. Memo from MCSWMA Regarding Plan of Operations Revision
  - 2. Correspondence from Bensinger, Cotant & Menkes, PC
  - 3. State of Michigan Notice to Mobile Home Park Owners
  - 4. Qualifying Statement - State of Michigan
  - 5. Memo Regarding Public Hearing – PACE (Property Assessed Clean Energy) Program
  - 6. Correspondence from the 2015 Iron Range Roll Committee

7. Correspondence from Charter Communications

D. Bills Payable

1. Checks 151870 to 151949 in the amount of \$333,498.55.  
Note the Voided Checks

E. Financial Statements

1. Financial Statement – May 2015
2. Treasurer’s Report – May 2015

**MOTION: To approve the consent agenda as presented.**

**Motion – Trustee Durant**

**Second – Trustee LaRue**

**Ayes - 6**

**Nays - 0**

**Absent - 1**

**Carried**

APPROVAL OF AGENDA:

**MOTION: To approve the agenda as presented.**

**Motion – Clerk Ritari**

**Second – Treasurer Johnson**

**Ayes - 6**

**Nays - 0**

**Absent - 1**

**Carried**

PUBLIC COMMENT:

Sherry Johnson, 2272 Cherry St., she was happy that the township zoning enforcement staff was out inspecting properties to make sure the township looks good, and was not happy with residents shooting off fireworks at all hours of the night during the recent 4<sup>th</sup> of July holiday.

Brian Salvolinen, UPEA, is available for questions on agenda items 8A. and 9A.

BOARD MEMBER COMMENT:

Trustee Durant, commented that the Planning Commission Meeting is tomorrow evening and will have a report at the next meeting, and also mentioned about the businesses disputing their taxes and going to the Tax Tribunal; to instead come in and talk to the Township and make an equitable agreement on the taxes.

Treasurer Johnson, made a few comments about the Tax Tribunal and trying to explain that to the residents and the Township Road Project will be starting in early August.

Clerk Ritari, commented on the last day to register for the election in August is now passed and Clerk's hours will be held at the Township Hall on Saturday, August 1<sup>st</sup> from Noon to 2:00 p.m. to distribute and receive absentee ballots.

Trustee LaRue, reminded the residents about Community Day which will be held on Saturday, August 1<sup>st</sup> at Lions Field Recreation Area and if anyone wants to volunteer to let the township know.

Supervisor Liimatta, commented about the breakfast meeting he had with the City of Marquette and Chocolay Township and they discussed some issues each municipality is having and trying to find solutions to some of their problems and they will continue to meet to exchange information for further solutions.

UNFINISHED BUSINESS:

Local Roads Rehabilitation Project Update  
(Background Presentation from UPEA)

Manager Girard and Brian Salvolinen, UPEA gave the board a brief update

Update Regarding the Former Township Facilities and Brookton Road Property

Manager Girard, gave the board a brief update on the status of the sale of the former properties.

**MOTION: To solicit services from realtors for marketing of the former township properties.**

**Motion – Trustee Pompo**

**Second – Trustee Durant**

**Ayes - 6**

**Nays - 0**

**Absent - 1**

**Carried**

NEW BUSINESS:

Consider “Resolution Requesting County to Issue Bonds” and “Contract Between MCRC and Charter Township of Marquette” for Local Roads Rehabilitation Plan Bonding

(Background information from Manager Girard)

Charter Township of Marquette  
County of Marquette, State of Michigan

RESOLUTION REQUESTING COUNTY  
TO ISSUE BONDS

Minutes of a regular meeting of the Board of Trustees of the Charter Township of Marquette, County of Marquette, Michigan, held in the Township offices on July 7, 2015, at 7:00 p.m., prevailing Eastern Time.

PRESENT: Members: \_\_\_\_\_  
\_\_\_\_\_

ABSENT: Members: \_\_\_\_\_

The following preamble and resolution were offered by Member \_\_\_\_\_ and supported by Member \_\_\_\_\_:

WHEREAS, the Charter Township of Marquette (the "Township"), a township located in the County of Marquette, Michigan (the "County") wishes to have the County, acting through the Board of County Road Commissioners (the "Road Commission") assist in the financing of the acquisition and construction of road improvements on County roads within the Township (the "Project") as described on Exhibit A which is attached hereto and made a part hereof; and

WHEREAS, the County is authorized and empowered to finance the Project by the issuance and sale of its Michigan Transportation Fund Bonds (the "Bonds") pursuant to Act 51, Public Acts of Michigan, 1951, as amended ("Act 51") in anticipation of and for the payment of which shall be pledged future revenues derived from state collected taxes returned to the County for County road purposes pursuant to law; and

WHEREAS, the estimated cost of the Project, including costs of issuance of the Bonds, is not to exceed \$3,190,000; and

WHEREAS, pursuant to Section 20 of Act 51, Public Acts of Michigan, 1951, as amended, the Township is authorized and empowered to appropriate funds to pay to the Road Commission to be used to pay debt service on the Bonds; and

WHEREAS, the Township has prepared a proposed form of Contract under which the Township agrees to pay to the Road Commission debt service on the Bonds and costs of issuance of the Bonds (the "Contract").

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The proposed form of Contract between the Township and the Road Commission is hereby approved, which such modifications as the Supervisor and Township Clerk may deem to be necessary and desirable. The Supervisor and Township Clerk are hereby authorized to execute the completed Contract on behalf of the Township and to deliver the Contract to the Road Commission.

2. The Township agrees to appropriate and pay in a timely manner from its general fund such sums as may be necessary to provide funds to satisfy the obligation undertaken by the Township in the Contract. The Township shall, each year budget the amount of the debt service coming due in the next fiscal year the principal of and interest on the Bonds and shall advance as a first budget obligation from its general funds available therefor, or, if necessary levy taxes upon all taxable property in the Township subject to applicable constitutional and statutory tax rate limitations, such sums as may be necessary to pay such debt service in said fiscal year.

3. If necessary, the Supervisor, Treasurer and the Township Clerk are each authorized to file any documents or forms required by the Michigan Department of Treasury with respect to the request of the County for an order providing an exception for the Bonds from prior approval by the Department of

Treasury, and to pay the related fee, or to file documents necessary for the County to obtain an order of prior approval from the Department of Treasury.

4. The officers and agents of the Township are authorized and directed to execute and deliver all other agreements, documents, and certificates and to take all other actions necessary to complete the issuance and delivery of the Bonds in accordance with this resolution, and to pay costs of issuance including but not limited to annual transfer agent fees, bond counsel fees, financial advisory fees, publication costs, and any other costs necessary to accomplish sale and delivery of the Bonds, to the extent such costs are not paid from the proceeds of the Bonds.

5. The Township recommends that the Road Commission appoint Miller, Canfield, Paddock and Stone, P.L.C. as bond counsel for the Bonds, and Stauder, Barch & Associates, Inc. as financial advisor for the Bonds.

6. 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 \_\_\_\_\_

\_\_\_\_\_

NAYS: Members \_\_\_\_\_

ABSENT: Members \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
Clerk

I hereby certify that the attached is a true and complete copy of a resolution adopted by the Board of Trustees of the Charter Township of Marquette, County of Marquette, State of Michigan, at a regular meeting held on July 7, 2015, and that public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, 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 Open Meetings Act.

\_\_\_\_\_  
Clerk

**MOTION: To approve the Resolution Requesting the County of Marquette to Issue Bonds for Local Roads Rehabilitation Plan Bonding**

**Motion – Clerk Ritari  
Second – Trustee LaRue**

**Roll Call Vote:  
Supervisor Liimatta-Aye  
Clerk Ritari-Aye  
Treasurer Johnson-Aye**

**Trustee Durant-Aye  
Trustee Truscott-Absent  
Trustee Pompo-Aye  
Trustee LaRue-Aye**

**Carried (6-0)**

**Absent (1)**

**CONTRACT**

**BETWEEN  
MARQUETTE COUNTY ROAD COMMISSION  
AND  
CHARTER TOWNSHIP OF MARQUETTE**

This Contract is made and entered into as of the day and year written below, by and between the Board of County Road Commissioners of the County of Marquette (the "Road Commission") and the Charter Township of Marquette (the "Township"), a township located in the County of Marquette (the "County").

WHEREAS, the Township and the Road Commission desire to acquire and construct road improvements within the Township (the "Project") as described on Exhibit A which is attached hereto and made a part hereof; and

WHEREAS, the Road Commission is authorized and empowered to finance the Project by the issuance and sale of its Michigan Transportation Fund Bonds pursuant to Act 51, Public Acts of Michigan, 1951, as amended ("Act 51"), and the Road Commission has proposed financing of the Project by issuing Bonds to be repaid over a period of not to exceed 15 years (the "Bonds"); and

WHEREAS, the estimated cost of the Project, including costs of issuance of the Bonds, is approximately \$3,190,000; and

WHEREAS, pursuant to Section 20 of Act 51, the Township is authorized and empowered to appropriate funds to pay to the Road Commission for the costs of acquisition and construction of the Project, including payment of debt service on the Bonds and costs of issuance of the Bonds; and

WHEREAS, the Township intends to appropriate funds to pay to the Road Commission to be used to pay debt service on the Bonds; and

WHEREAS, it is the intention of the Township to induce the Road Commission to rely upon this Contract in proceeding with the financing of the Project.

NOW THEREFORE, in consideration of the mutual undertakings herein set forth, the parties do agree and contract as follows:

1. The Road Commission shall use its best efforts to have the County issue the Bonds for the purpose of financing the Project.
2. The Township agrees that it shall make semi-annual payments to the Road Commission on February 10 and August 10 of each year, until the Bonds are paid in full, in an amount equal to the principal and interest coming due on the Bonds on the following March 1 and

September 1, commencing on the February 10 or August 10 immediately prior to the date interest is first due on the Bonds. It is understood that \$3,190,000 is a principal amount and that interest will accrue on this amount at the rate of interest borne by the Bonds. The Road Commission shall provide the Township with a payment schedule promptly after delivery of the Bonds. In addition, to the extent not paid from proceeds of the Bonds, the Township agrees to pay, within 30 days of invoice by the Road Commission, the issuance costs related to the Bonds, including but not limited to publication costs, annual transfer and paying agent fees, attorney costs, financial advisory fees, rating agency fees and costs of application to State Treasury.

3. If the Road Commission is able to obtain financing for the Project as provided in Section 1 above, the Road Commission shall provide the funds to the Township so that the Township may acquire and construct the Project.
4. In the event Bond proceeds are not sufficient to complete the Project, the parties shall mutually agree either (a) to reduce the scope of the Project so that the total costs of the Project can be paid from Bond proceeds or (b) to proceed to acquire and construct the entire Project, in which case the Township shall pay for all costs of the Project not paid from Bond proceeds.
5. The Township agrees to appropriate and pay in a timely manner from its general fund such sums as may be necessary to provide funds to satisfy the obligation undertaken by the Township in this Contract. The Township shall, each year budget the amount of the debt service coming due in the next fiscal year the principal of and interest on the Bonds and shall advance as a first budget obligation from its general funds available therefor, or, if necessary levy taxes upon all taxable property in the Township subject to applicable constitutional and statutory tax rate limitations, such sums as may be necessary to pay such debt service in said fiscal year.
6. The Township 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 Bonds from gross income for general federal income taxation purposes under the Internal Revenue Code of 1986, as amended.
7. In the event there is a dispute between the parties as to whether the Road Commission has performed its obligations in a satisfactory manner, the Township agrees that it will continue to make the payments required in Section 2 above and will not withhold such payments or claim a set-off pending a resolution of the dispute by a court of competent jurisdiction.

IN WITNESS WHEREOF, the parties hereto have executed this Contract as of July 7, 2015.

CHARTER TOWNSHIP OF MARQUETTE  
County of Marquette

By: \_\_\_\_\_  
Its Supervisor

By: \_\_\_\_\_  
Its Clerk

BOARD OF COUNTY ROAD COMMISSIONERS,  
COUNTY OF MARQUETTE

By: \_\_\_\_\_  
Its Chairperson

By: \_\_\_\_\_  
Its Clerk

**MOTION: To approve the Contract between Charter Township of Marquette and the Marquette County Road Commission for the Local Roads Rehabilitation Plan Bonding.**

**Motion – Clerk Ritari**

**Second – Treasurer Johnson**

**Roll Call Vote:**

**Supervisor Liimatta-Aye**

**Clerk Ritari-Aye**

**Treasurer Johnson-Aye**

**Trustee Durant-Aye**

**Trustee Truscott-Absent**

**Trustee Pompo-Aye**

**Trustee LaRue-Aye**

**Carried (6-0)**

**Absent (1)**

Consider Fees and Cost Studies

Manager Girard, commented on the draft report that was given to the board members.



The consensus of the board is to put this into the next agenda as a forum discussion for more discussion and maybe a work session devoted to this item.

Consider Budget Amendment No. 2015-07

*Budget Amendment No. 2015-07  
July 7, 2015*

**CHARTER TOWNSHIP OF MARQUETTE  
FY 2015 BUDGET RESOLUTION**

**WHEREAS**, it is the responsibility of the Marquette Township Board to establish General and Special Appropriations Acts for the purpose of budgeting Township finances in a manner which does not allow expenditure, including any accrued deficits, to exceed revenues, including any available unappropriated surpluses, and,

**WHEREAS**, the Marquette Township Board recognizes that unforeseen activities may require amendments to these Appropriations Acts, such amendments shall be made by either formal resolution of the Marquette Township Board; or, by a ten percent (10%) of budget center contingency transfer authorized by the Township Manager, in such a manner so as not to allow the total expenditures, including accrued deficits, to exceed revenues and unappropriated surpluses; and,

**WHEREAS**, the Marquette Township Appropriations Acts for 2015 do not permit deviations which cause expenditures for any activity to exceed budgeted amounts without amendment to the Act by the Marquette Township Board or the aforementioned contingency transfer; and,

**WHEREAS**, the Marquette Township Board has duly reviewed the budgets for the General Appropriations Act and the Special Appropriations Act, both Acts include all funds of the Charter Township of Marquette, at public hearings of the Marquette Township Board,

**THEREFORE, BE IT RESOLVED**, that the Marquette Township Board hereby amends the Appropriations Acts for 2015 in accordance with budgetary information presented to this Board and the limitations defined within this Resolution.

	<b>Current Budget</b>	<b>Amended Budget</b>	<b>Change</b>
<b>General Fund</b>			
Revenues	1,913,606	1,931,606	18,000
Expenditures-Gen'l Services Adm	222,400	296,400	74,000
Fund Balance	197,511	141,511	(56,000)
<b>Fire Fund</b>			
Revenues	518,153	556,153	38,000
Expenditures-Gen'l Services Adm	84,965	146,965	62,000
Fund Balance	369,410	345,410	(24,000)
<b>Township Improvements Fund</b>			
Expenditures-Road Impr. Millage	75,000	125,000	50,000
Fund Balance	472,100	422,100	(50,000)

**MOTION: To approve Budget Amendment No. 2015-07.**

**Motion – Clerk Ritari**

**Second – Trustee Durant**

**Roll Call Vote:**

**Supervisor Liimatta-Aye**

**Clerk Ritari-Aye**

**Treasurer Johnson-Aye**

**Trustee Durant-Aye**

**Trustee Truscott-Absent**

**Trustee Pompo-Aye**

**Trustee LaRue-Aye**

**Carried (6-0)**  
**Absent (1)**

Consider 2015 Goals and Objectives Update for Manager  
(Background Material from Manager Girard)

Informational for the Board and some questions were asked by Board Members.

Consider KBIC 2% Gaming Funds Distribution  
(Background Memo from Manager Girard)

**MOTION: To receive the \$9,000 from the KBIC 2% Gaming Monies, and to allocate \$4,000 to North Star Academy as per their request, and to allocate \$5,000 to the Township General Fund for easement acquisition from Menards.**

**Motion – Trustee Durant**

**Second – Treasurer Johnson**

**Ayes - 6**

**Nays - 0**

**Absent - 1**

**Carried**

Manager's Report

Manager Girard, presented his written report to the board, which covered Trail Conflicts, US41/M28 Corridor Committee, Township Sponsored/Participating Events, NTN Private Event, and Zoning Board of Appeals Information.

PUBLIC COMMENT: None

ADDITIONAL COMMENTS FROM BOARD MEMBERS:

Trustee LaRue, reminded the residents about the upcoming Community Day which is August 1<sup>st</sup> at Lions Field Recreation Area and they are looking for volunteers to help out on various projects and events at Lions Field and to please contact the township if you are interested in helping.

Clerk Ritari, commented about the Old Timers Fast Pitch Softball Game at Lions Field on Community Day which is scheduled for 4:00 p.m.

ADJOURMENT:

**MOTION: To adjourn the meeting.**

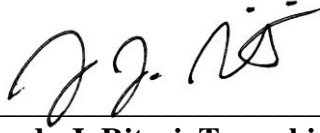
**Motion – Clerk Ritari**

**Second – Trustee LaRue**

**Ayes - 6**

Nays - 0  
Absent - 1  
Carried

Supervisor Liimatta declared the meeting adjourned at 8:30 p.m.



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Randy J. Ritari, Township Clerk

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Dennis R. Liimatta, Township Supervisor