



**THE CITY OF THE VILLAGE OF DOUGLAS
REGULAR MEETING OF THE CITY COUNCIL
MONDAY, DECEMBER 02, 2024 AT 7:00 PM
86 W CENTER ST., DOUGLAS MI**

AGENDA

View remotely, online or by phone -

Join online by visiting: <https://us02web.zoom.us/j/86824627999>

Join by phone by dialing: +1 (312) 626-6799 | **Then enter "Meeting ID":** 868 2462 7999

1. **CALL TO ORDER:** By Mayor
 2. **ROLL CALL:** By Clerk
 3. **PLEDGE OF ALLEGIANCE:** Led by Mayor
 4. **CONSENT CALENDAR**
 - A. Approve the Council Meeting Agenda for December 2, 2024
 - B. Approve the Council Regular Meeting Minutes for November 18, 2024
 - C. Approve the Council Closed Session Minutes for November 18, 2024
 - D. Approve Invoices in the Amount of \$134,525.81
 - E. Appointments/Reappointments
Reappointments - Randy Walker: DDA, Building Committee. Neal Seabert: Community Rec, Building Committee, Planning Commission.
- Motion to approve the Consent Calendar of December 2, 2024. – roll call vote*
5. **PUBLIC COMMUNICATION - VERBAL (LIMIT OF 3 MINUTES, AGENDA ITEMS ONLY)**
 6. **PUBLIC COMMUNICATION - WRITTEN**
 7. **UNFINISHED BUSINESS**
 8. **NEW BUSINESS**
 - A. Taft Agreement Extension - Budget Amendment (L. Nocerini)

Motion to approve an amendment to the fiscal year 2024-2025 budget under the Brownfield fund (243-

000.000-802.243) for \$14,000 to continue legal work for the cost to closure analysis at the 200 Blue Star Highway property. - roll call vote

B. Resolution No. 29-2024 - Bond Authorizing (L. Nocerini)

Motion to adopt resolution 29-2024, authorizing issuance of 2024 capital improvement bond. - roll call vote

C. Carbon Six Agreement Amendment (L. Nocerini)

Motion to approve the Carbon Six agreement amendment for the build-out of 415 Wiley Road in the amount of \$3,169,645, subject to bond closing. - roll call vote

D. Resolution No. 28-2024 - Manager Merit Increase

Motion to adopt resolution 28-2024, authorizing the merit increase for City Manager Lisa Nocerini. - roll call vote

E. 291 66th Street Property Purchase Agreement (L. Nocerini)

Motion to approve the sale of 291 66th Street with the offer of \$225,000. - roll call vote

F. Ordinance No. 09-2024 - Surplus Property Ordinance Amendment #2 - First Reading (No Action Required)

9. REPORTS

A. Commission/Committee/Boards

1. Planning Commission
2. Kalamazoo Lake Sewer Water
3. Downtown Development Authority
4. Kalamazoo Lake Harbor Authority
5. Douglas Harbor Authority
6. Douglas Brownfield Authority
7. Fire Board
8. Community Recreation
9. Playground Committee
10. Tri-Community Wildlife Committee

B. Administration Report

10. PUBLIC COMMUNICATION – VERBAL (LIMIT OF 3 MINUTES, ITEMS NOT ON AGENDA)

11. COUNCIL COMMENTS

12. MAYOR’S REPORT/COMMENTS

13. ADJOURNMENT

Motion to adjourn the meeting.

Please Note – The City of the Village of Douglas (the “City”) is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of this meeting or the facilities, are requested to contact Laura Kasper, City Clerk, at (269) 857-1438, or clerk@douglasmi.gov to allow the City to make reasonable accommodations for those persons. CITY OF THE VILLAGE OF DOUGLAS, ALLEGAN COUNTY, MICHIGAN



**THE CITY OF THE VILLAGE OF DOUGLAS
REGULAR MEETING OF THE CITY COUNCIL
MONDAY, NOVEMBER 18, 2024 AT 7:00 PM
86 W CENTER ST., DOUGLAS MI**

MINUTES

1. **CALL TO ORDER:** By Mayor North

2. **ROLL CALL:** By Clerk Kasper
PRESENT
Mayor Cathy North
Councilmember Jerome Donovan
Councilmember Neal Seabert
Councilmember John O'Malley
Mayor Pro-Tem Randy Walker
Councilmember Gregory Freeman
Councilmember Matt Balmer
Also Present City Manager Lisa Nocerini
City Clerk Laura Kasper
Planning and Zoning Administrator Sean Homyen

3. **PLEDGE OF ALLEGIANCE:** Led by Mayor North

4. **ELECTION OF OFFICERS:** Newly re-elected Councilmembers O'Malley, Freeman, Walker, and Seabert were given the oath of office by City Clerk Kasper.
 - A. Election of Mayor – *Cathy North nominated as Mayor by Walker, seconded by Balmer, the unanimous vote by ballot was certified by roll call vote.*

 - B. Election of Mayor Pro-Tem – *Randy Walker nominated as Mayor Pro-Tem by Balmer, seconded by O'Malley, the unanimous vote by ballot was certified by roll call vote.*

5. **CONSENT CALENDAR**
 - A. Approve the Council Meeting Agenda for November 18, 2024
 - B. Approve the Council Regular Meeting Minutes for November 4, 2024
 - C. Approve the Council Workshop Meeting Minutes for November 11, 2024
 - D. Approve Invoices in the Amount of \$73,996.87
 - E. 2025 Board Meeting Schedule

Motion by Balmer, second by O'Malley, to approve the Consent Calendar of November 18, 2024. – Motion carried by unanimous roll call vote.

6. PUBLIC COMMUNICATION - VERBAL (LIMIT OF 3 MINUTES, AGENDA ITEMS ONLY): Demetrhea Terrien mentioned the Pickleball Club was very welcoming. Charity Nosse stated concerns with the Westshore PUD trails.

7. PUBLIC COMMUNICATION – WRITTEN: None

8. UNFINISHED BUSINESS: None

9. NEW BUSINESS

A. Douglas Saugatuck Pickleball Club Agreement (L. Nocerini) President of the club Cristy Freese addressed Councilmembers.

Motion by Walker, second by Freeman, to approve the renewal of the agreement regarding use of pickleball courts at Schultz Park between the Douglas Saugatuck Pickleball Club and the City of the Village of Douglas for three (3) calendar years beginning on January 1, 2025. – Motion carried by unanimous roll call vote.

B. Resolution 27-2024 - Westshore PUD - Releasing Funds from the Escrow Account for Trailway System & Boardwalk Construction (S. Homyen) – Council requested that Planning and Zoning Administrator Homyen, contact the City Attorney for a status on the easement agreements completion, and moved to table the item while Homyen contacts the attorney.

Motion by Balmer, second by O’Malley, to table Resolution No. 27-2024, to after the reports. Motion carried by unanimous roll call vote.

Planning and Zoning Administrator Homyen reported that the City Attorney stated the easement agreements are 99% complete.

Motion by Balmer, second by Seabert, to adopt Resolution No. 27-2024 and approve the release of funds in the following manner:

- 1. \$47,876 (50% of the boardwalk project cost) from the escrow account, upon approval of the final project plans by the City Engineer, to cover the developer's initial deposit.*
- 2. \$183,000 for the construction of the trails, to be released upon completion and final inspection by the Planning & Zoning Administrator and the City Engineer.*
- 3. Up to \$30,000 for landscaping and additional work (including tree installation, removal of shrubs, and construction of a fence at 723 Golfview Dr.), to be released upon completion and final inspection by the Planning & Zoning Administrator.*
- 4. The estimated costs for trail construction, landscaping, and additional work may vary as the project progresses, and the release of funds will be adjusted accordingly. Motion carried by majority roll call vote. Voting Yea – Balmer, Freeman, North, Seabert, Walker. Voting Nay – Donovan, O’Malley*

10. REPORTS

A. Commission/Committee/Boards

1. Planning Commission – no meeting
2. Kalamazoo Lake Sewer Water – updated website
3. Downtown Development Authority – tree lighting ceremony on 11/30
4. Kalamazoo Lake Harbor Authority – no meeting
5. Douglas Harbor Authority – no meeting
6. Douglas Brownfield Authority – no meeting
7. Fire Board – calls up 19%, response time down
8. Community Recreation – no meeting
9. Playground Committee – no meeting

10. Tri-Community Wildlife Committee – meetings on 1st Wednesday of month at 6pm, focus will be the area deer and educating the public.

- B. Administration Report – City Manager Nocerini – Ferry Street bid opening is on 12/3/2024, thanked Prein & Newhof, DPW, and Police for assistance on the project. Wildlife Committee had a productive first meeting. 200 Blue Star is getting back on track with PM Environmental. Reminder that 415 Wiley project will not raise anyone’s taxes.

11. PUBLIC COMMUNICATION – VERBAL (LIMIT OF 3 MINUTES, ITEMS NOT ON AGENDA): Commissioner elect Lubbers introduced himself and invited all to reach out to him.

12. COUNCIL COMMENTS: Donovan congratulated Councilmembers and spoke to voting against the Westshore item. Balmer mentioned siding with what the staff and attorney advise. O’Malley mentioned Kent County is taking similar action with a Wildlife Committee and would like to view the Westshore trail changes. Freeman thanked Seabert for Chairing the Wildlife Committee and thanked Douglas Voters. Seabert was looking forward to the DNR coming to the next Wildlife meeting, thanked the voters, and congratulated Mayor North. Walker thanked Seabert for chairing the Wildlife Committee, thanked voters and council.

13. MAYOR’S REPORT/COMMENTS: Mayor North thanked DPW for their hard work on the leaves, reminded all that the last day of pickup is December 3rd, and mentioned that the Douglas tree lighting event is on November 30th.

14. CLOSED SESSION

Motion by Walker, second by Seabert, to enter into closed session per Sec: 15.268, sub-section 8 (a) of the Open Meetings Act, to consider a periodic evaluation of, a public officer, employee, staff member, or individual agent, if the named individual requests a closed hearing. – Motion carried by unanimous roll call vote.

Motion by Freeman, second by O’Malley, to exit from closed session and return to the regular meeting of City Council for adjournment. – Motion carried by unanimous roll call vote.

15. ADJOURNMENT

Motion by Balmer, second by Walker, to adjourn the meeting.

Approved on this 2nd day of December 2024

Signed: _____ Date: _____
Cathy North, Mayor

Signed: _____ Date: _____
Laura Kasper, City Clerk

Certification of Minutes

I hereby certify that the attached is a true and correct copy of the minutes of a regular meeting of the City Council of the City of the Village of Douglas held on November 18, 2024, I further certify that the meeting was duly called and that a quorum was present.

Signed: _____ Date: _____
Laura Kasper, City Clerk

11/27/2024

INVOICE REGISTER REPORT FOR CITY OF THE VILLAGE OF DOUGLAS

Inv Num	Vendor	Inv Date	Due Date	Inv Amt
Inv Ref#	Description	Entered By		
GL Distribution				
69803				
49889	A-1 ASPHALT INC	09/13/2024	12/02/2024	5,940.00
	ASPHALT PATCH - 319 UNION ST			
	101-463.000-979.000 CAPITAL OUTLAY			5,940.00
89532528				
49851	ABSOPURE WATER COMPANY	11/22/2024	12/02/2024	91.50
	PD WATER			
	101-301.000-740.000 SUPPLIES			91.50
89532538				
49852	ABSOPURE WATER COMPANY	11/22/2024	12/02/2024	83.05
	DPW WATER			
	101-463.000-740.000 SUPPLIES			83.05
11-2024				
49885	ALEC SMITH	11/19/2024	12/02/2024	331.67
	UNIFORM REIMBURSEMENT			
	101-463.000-750.000 UNIFORMS			331.67
11-2024				
49850	ALLEGAN CO TREASURER	11/13/2024	12/02/2024	128.02
	RETURN OF TAXES TO COUNTY			
	101-000.000-414.000 ALLOWANCE FOR REFUNDS (BOR, MTT)			128.02
11-2024				
49867	ROBIN LYNN BELL	11/25/2024	12/02/2024	160.00
	CLEANING SERVICES - PD			
	101-301.000-802.000 CONTRACTUAL			160.00
2475				
49881	BILLS TREE SERVICE	11/25/2024	12/02/2024	1,250.00
	REMOVAL OF TREE AT 3065 LAKESHORE			
	101-463.000-802.010 CONTRACTUAL FORESTRY			1,250.00
2473				
49882	BILLS TREE SERVICE	11/23/2024	12/02/2024	1,290.00
	CHIP LOGS AT 157 FERRY ST			
	101-463.000-802.010 CONTRACTUAL FORESTRY			1,290.00
21664				
49853	CHIPS GROUNDCOVER, LLC	11/20/2024	12/02/2024	7,612.00
	CHRISTMASCAPE			
	248-728.000-880.000 COMMUNITY PROMOTION			5,340.00
	101-802.000-958.000 MISCELLANEOUS			2,272.00
12-2023				
49772	CHRIS MEYER	11/19/2024	12/02/2024	685.00
	RETURN OF ESCROW ZONING VARIANCE 314 FERRY ST			
	101-000.000-283.000 ESCROW			685.00
12-2024				
49804	COMCAST	11/13/2024	12/02/2024	412.50
	PHONE SERVICE CITY HALL - DEC 2024			
	101-265.000-851.000 TELEPHONE			412.50

12-2024A					
49805	COMCAST	11/15/2024	12/02/2024		225.22
	PHONES SERVICE - PD - DEC 2024				
	101-301.000-851.000 TELEPHONE				225.22

201186815197					
49837	CONSUMERS ENERGY	11/17/2024	12/02/2024		70.95
	250 WILEY				
	213-753.000-922.000 UTILITIES				70.95

202877561267					
49838	CONSUMERS ENERGY	11/17/2024	12/02/2024		37.94
	147 CENTER				
	101-751.000-922.000 UTILITIES				37.94

204390419102					
49847	CONSUMERS ENERGY	11/12/2024	12/02/2024		84.60
	2993 BLUE STAR #102				
	101-265.000-922.000 UTILITIES				84.60

204390419103					
49848	CONSUMERS ENERGY	11/12/2024	12/02/2024		171.56
	2993 BLUE STAR #101				
	101-265.000-922.000 UTILITIES				171.56

205903191911					
49854	CONSUMERS ENERGY	11/19/2024	12/02/2024		39.86
	201 S WASHINGTON				
	594-597.000-922.000 UTILITIES				39.86

203500523526					
49855	CONSUMERS ENERGY	11/18/2024	12/02/2024		102.64
	2993 BLUE STAR #100				
	101-265.000-922.000 UTILITIES				102.64

203500523527					
49856	CONSUMERS ENERGY	11/18/2024	12/02/2024		37.50
	2993 BLUE STAR #108				
	101-265.000-922.000 UTILITIES				37.50

BBOND - 24 - 001					
49834	DARPEL & ASSOCIATES BUILDERS, INC	11/21/2024	12/02/2024		5,000.00
	BD BOND REFUND - 299 WATER				
	101-000.000-283.000 BBOND - 24 - 001				5,000.00

3831					
49886	DIMENSIONAL HVAC INC	11/22/2024	12/02/2024		100.00
	CONSULTATION 415 WILEY				
	101-265.000-930.000 REPAIRS & MAINTENANCE: GENERAL				100.00

11-2024					
49857	DK CONSTRUCTION INC	11/26/2024	12/02/2024		47,876.00
	RETURN OF ESCROW WESTSHORE TRAIL				
	101-000.000-283.000 ESCROW				47,876.00

11-2024					
49808	TOM DOANE	11/20/2024	12/02/2024		351.37
	CERTS REGISTRATION; TONER; CELL REIMBURSEMENT				
	101-257.000-908.000 DUES/FEES/PUBLICATIONS				87.50
	101-257.000-740.000 SUPPLIES				41.87
	101-257.000-851.000 TELEPHONE				222.00

9334					
49806	DOUGLAS SHELL	11/18/2024	12/02/2024		120.00
	MOUNT & BALANCE 4 TIRES - VEHICLE 1&2				
	101-301.000-930.004	VEHICLE MAINTENANCE & REPAIRS			120.00
200231					
49807	GRAPHIX EMBROIDERY	11/14/2024	12/02/2024		81.00
	UNIFORM - GILES				
	101-301.000-750.000	UNIFORMS			81.00
BESC - 24 - 003					
49770	GREG HARVATH	11/19/2024	12/02/2024		5,000.00
	BD Bond Refund				
	101-000.000-283.000	BESC - 24 - 003 - PROW24-007			5,000.00
11-2024					
49861	KIMBERLY S HOSSINK	11/25/2024	12/02/2024		160.00
	CLEANING SERVICES - PD				
	101-301.000-802.000	CONTRACTUAL			160.00
296564					
49858	IHLE AUTO PARTS	11/21/2024	12/02/2024		(161.42)
	RETURN OF LED STROBE				
	660-903.000-930.004	VEHICLE MAINTENANCE & REPAIRS			(161.42)
296552					
49859	IHLE AUTO PARTS	11/21/2024	12/02/2024		171.47
	LED STROBE, GROMMETS				
	660-903.000-930.004	VEHICLE MAINTENANCE & REPAIRS			171.47
11-2024					
49833	JONA GRAPHICS	11/20/2024	12/02/2024		520.00
	DDA SHOPPING PASSPORTS				
	248-728.000-880.000	COMMUNITY PROMOTION			520.00
JOSCHULTZOCT24					
49817	KALAMAZOO LAKE SEWER & WATER	10/31/2024	12/02/2024		381.44
	3100 SCHULTZ PARK OCT 2024				
	101-751.000-922.000	UTILITIES			381.44
26BAYOUOCT24					
49818	KALAMAZOO LAKE SEWER & WATER	10/31/2024	12/02/2024		78.17
	26 BAYOU OCT 2024				
	101-751.000-922.000	UTILITIES			78.17
LUESTE1OCT2024					
49819	KALAMAZOO LAKE SEWER & WATER	10/31/2024	12/02/2024		166.99
	2995 BLUE STAR STE 101 OCT 2024				
	101-265.000-922.000	UTILITIES			166.99
LUESTE102OCT24					
49820	KALAMAZOO LAKE SEWER & WATER	10/31/2024	12/02/2024		165.80
	2995 BLUE STAR STE 102 OCT 2024				
	101-265.000-922.000	UTILITIES			165.80
LUESTE106OCT24					
49821	KALAMAZOO LAKE SEWER & WATER	10/31/2024	12/02/2024		66.00
	2995 BLUE STAR STE 106 OCT 2024				
	101-265.000-922.000	UTILITIES			66.00
I55CENTEROCT24					
49822	KALAMAZOO LAKE SEWER & WATER	10/31/2024	12/02/2024		161.34

	455 CENTER OCT 2024				
	101-751.000-922.000	UTILITIES			161.34
86CENTER	OCT24				
	49823 KALAMAZOO LAKE SEWER & WATER		10/31/2024	12/02/2024	74.54
	86 CENTER OCT 2024				
	101-265.000-922.000	UTILITIES			74.54
47CENTER	OCT24				
	49824 KALAMAZOO LAKE SEWER & WATER		10/31/2024	12/02/2024	169.82
	47 CENTER OCT 2024				
	101-301.000-922.000	UTILITIES			169.82
47 CENTER	OCT24				
	49825 KALAMAZOO LAKE SEWER & WATER		10/31/2024	12/02/2024	48.89
	147 CENTER IRRIGATION OCT 2024				
	101-751.000-922.000	UTILITIES			48.89
AKESHORE	OCT24				
	49826 KALAMAZOO LAKE SEWER & WATER		10/31/2024	12/02/2024	71.87
	50 LAKESHORE OCT 2024				
	101-751.000-922.000	UTILITIES			71.87
25MAIN	OCT24				
	49827 KALAMAZOO LAKE SEWER & WATER		10/31/2024	12/02/2024	22.87
	25 MAIN DRINKING FOUNTAIN OCT 2024				
	101-751.000-922.000	UTILITIES			22.87
25MAINIRRO	OCT24				
	49828 KALAMAZOO LAKE SEWER & WATER		10/31/2024	12/02/2024	284.09
	25 MAIN IRRIGATION OCT 2024				
	101-751.000-922.000	UTILITIES			284.09
SHINGTON	OCT24				
	49829 KALAMAZOO LAKE SEWER & WATER		10/31/2024	12/02/2024	203.54
	37 WASHINGTON OCT 2024				
	101-751.000-922.000	UTILITIES			203.54
SHINGTON	OCT24				
	49830 KALAMAZOO LAKE SEWER & WATER		10/31/2024	12/02/2024	66.25
	201 WASHINGTON OCT 2024				
	594-597.000-922.000	UTILITIES			66.25
486WATER	OCT24				
	49831 KALAMAZOO LAKE SEWER & WATER		10/31/2024	12/02/2024	71.79
	486 WATER OCT 2024				
	101-265.000-922.000	UTILITIES			71.79
260466					
	49860 KERKSTRA RESTROOM SERVICE		11/25/2024	12/02/2024	190.00
	DOUGLAS BEACH				
	101-751.000-802.000	CONTRACTUAL			190.00
49068769					
	49840 MCCLOUD SERVICES		11/20/2024	12/02/2024	54.00
	PEST CONTROL - 486 WILEY				
	101-265.000-802.000	CONTRACTUAL			54.00
49068757					
	49841 MCCLOUD SERVICES		11/20/2024	12/02/2024	54.00
	PEST CONTROL - 415 WILEY				
	101-265.000-802.000	CONTRACTUAL			54.00

44655					
49864	MENARDS-HOLLAND	11/21/2024	12/02/2024		47.34
	LED, ANCHOR, CORD				
	101-265.000-740.000	SUPPLIES			47.34
5260068913					
49809	MICHIGAN GAS UTILITIES	11/19/2024	12/02/2024		55.77
	415 WILEY #2				
	101-265.000-922.000	UTILITIES			55.77
5258981585					
49810	MICHIGAN GAS UTILITIES	11/19/2024	12/02/2024		61.33
	415 WILEY #1				
	101-265.000-922.000	UTILITIES			61.33
5259821512					
49811	MICHIGAN GAS UTILITIES	11/19/2024	12/02/2024		42.15
	415 WILEY #108				
	101-265.000-922.000	UTILITIES			42.15
5261602468					
49835	MICHIGAN GAS UTILITIES	11/20/2024	12/02/2024		82.50
	86 CENTER				
	101-265.000-922.000	UTILITIES			82.50
5261559580					
49836	MICHIGAN GAS UTILITIES	11/20/2024	12/02/2024		110.04
	47 CENTER				
	101-301.000-922.000	UTILITIES			110.04
5264038912					
49842	MICHIGAN GAS UTILITIES	11/21/2024	12/02/2024		168.77
	486 WATER				
	101-265.000-922.000	UTILITIES			168.77
M0001746 1/1/25					
49862	MICHIGAN MUNICIPAL RISK MANAGEMENT	11/17/2024	12/02/2024		11,556.75
	PROPERTY LIABILITY & CYBER INSURANCE 4TH INSTALLMENT GENERAL FUND CONTRIBUTION				
	101-850.000-814.000	INSURANCE (LIABILITY/AUTO)			11,556.75
R0001746 1/1/25					
49863	MICHIGAN MUNICIPAL RISK MANAGEMENT	11/17/2024	12/02/2024		2,125.00
	PROPERTY LIABILITY & CYBER INSURANCE 3RD INSTALLMENT GENERAL FUND CONTRIBUTION				
	101-850.000-814.000	INSURANCE (LIABILITY/AUTO)			2,125.00
4136					
49812	MICHIGAN TWP. SERVICES ALLEGAN	11/11/2024	12/02/2024		7,665.75
	PERMIT FEES - OCT 2024				
	101-701.000-804.000	CONTRACTUAL BUILDING INSPECTIO			7,665.75
48064					
49866	NEW DAWN LINEN SERVICE	11/25/2024	12/02/2024		45.52
	RUGS				
	101-265.000-802.000	COMMERCIAL CLEANING			15.93
	101-301.000-802.000	COMMERCIAL CLEANING			29.59
396203800001					
49883	ODP BUSINESS SOLUTIONS	11/13/2024	12/02/2024		68.36
	PAPER CUPS				
	101-265.000-740.000	SUPPLIES			68.36
396499691001					

49884	ODP BUSINESS SOLUTIONS	11/14/2024	12/02/2024	182.65
	OFFICE SUPPLIES			
	101-301.000-740.000	SUPPLIES		182.65
2411-815924				
49874	OVERISEL LUMBER CO.	11/20/2024	12/02/2024	2.96
	SUPPLIES			
	101-463.000-740.000	SUPPLIES		2.96
2411-816934				
49875	OVERISEL LUMBER CO.	11/25/2024	12/02/2024	19.99
	GFCI RECEPTACLE			
	101-265.000-930.000	REPAIRS & MAINTENANCE: GENERAL		19.99
2411-815062				
49876	OVERISEL LUMBER CO.	11/18/2024	12/02/2024	24.48
	MORTAR MIX, BROOM			
	101-265.000-930.000	REPAIRS & MAINTENANCE: GENERAL		24.48
2411-814684				
49877	OVERISEL LUMBER CO.	11/15/2024	12/02/2024	7.99
	WHITE PAINT			
	101-265.000-930.000	REPAIRS & MAINTENANCE: GENERAL		7.99
2411-814787				
49878	OVERISEL LUMBER CO.	11/15/2024	12/02/2024	13.68
	PAINT			
	101-265.000-930.000	REPAIRS & MAINTENANCE: GENERAL		13.68
2411-814654				
49879	OVERISEL LUMBER CO.	11/15/2024	12/02/2024	15.58
	PAINT			
	101-265.000-930.000	REPAIRS & MAINTENANCE: GENERAL		15.58
2411-814349				
49880	OVERISEL LUMBER CO.	11/14/2024	12/02/2024	22.99
	SCREWS			
	101-463.000-740.000	SUPPLIES		22.99
10351487				
49888	PLANTE MORAN	11/26/2024	12/02/2024	2,097.50
	ACCOUNTING SERVICES THRU 11/22/24			
	101-215.000-802.009	CONTRACTUAL FINANCIAL CONSULT		2,097.50
62367				
49839	PRAISE SIGN COMPANY LLC	11/19/2024	12/02/2024	1,695.02
	REPLACEMENT OF DAMAGED SIGNS			
	202-463.000-930.000	REPAIRS & MAINTENANCE: GENERAL		1,695.02
85428				
49813	PREIN & NEWHOF	11/08/2024	12/02/2024	11,252.50
	DWAM THRU 10/26/24			
	450-536.000-974.000	CONSTRUCTION		11,252.50
IN246352				
49865	SAFETY COMPANY LLC	11/18/2024	12/02/2024	319.72
	LIGHT SWITCH, THROTTLE			
	660-903.000-930.004	VEHICLE MAINTENANCE & REPAIRS		319.72
2400000568				
49868	SAUGATUCK TOWNSHIP	11/21/2024	12/02/2024	1,501.25
	BLUE STAR TRAIL PROF SVCS			

101-701.000-803.000	CLERK			1,501.25

2400000567				
49869 SAUGATUCK TOWNSHIP		11/21/2024	12/02/2024	577.00
BLUE STAR TRAIL PROF SVCS				
101-701.000-803.000	CLERK			577.00

20251963				
49814 SCHNEIDER TIRE OUTLET		11/08/2024	12/02/2024	1,360.00
TIRES FOR VEHICLE 1&2				
101-301.000-930.004	VEHICLE MAINTENANCE & REPAIRS			1,360.00

6476410				
49815 TAFT STETTINIUS & HOLLISTER LLP		11/08/2024	12/02/2024	1,667.50
ENVIRONMENTAL RESPONSE RECOVERY 200 BLUE STAR				
243-000.000-802.243	BLIGHT REMOVAL			1,667.50

VC3-177949				
49870 VC3 INC		11/21/2024	12/02/2024	364.95
ADD'L USER - ANNUAL SVS PRORATED				
101-265.000-802.000	CONTRACTUAL			364.95

9978604750				
49816 VERIZON WIRELESS		11/12/2024	12/02/2024	693.77
CELL PHONES				
101-215.000-851.000	TELEPHONE			86.09
101-301.000-851.000	TELEPHONE			216.69
101-463.000-851.000	TELEPHONE			215.88
101-701.000-851.000	TELEPHONE			86.09
101-172.000-851.000	TELEPHONE			44.51
101-101.000-851.000	TELEPHONE			44.51

1125241				
49871 WEST MI CUSTOMS AND FABRICATION		11/25/2024	12/02/2024	924.00
REINFORCEMENT PLATES/TABLE CASTERS/DIAMOND PLATE/LOCKERS				
101-751.000-930.000	REPAIRS & MAINTENANCE: GENERAL			619.00
101-265.000-930.000	REPAIRS & MAINTENANCE: GENERAL			305.00

99403				
49872 WILLIAMS AND WORKS		11/21/2024	12/02/2024	1,705.00
PLANNING CONSULTATION SVCS THRU 10/26/24				
101-000.000-283.000	ESCROW			935.00
101-701.000-803.000	CLERK			770.00

02-2024				
49771 ZENBOER HOMES		11/19/2024	12/02/2024	5,000.00
RETURN OF ESCROW FROM ROW PERFORMANCE 505 W CENTER				
101-000.000-283.000	ESCROW			5,000.00

11-2024				
49873 RICKY ZOET		11/25/2024	12/02/2024	133.56
UNIFORM ALLOWANCE				
101-463.000-750.000	UNIFORMS			133.56

MEMBER SERVICE				

2929143647				
49798 ADOBE ACROBAT PRO		11/13/2024	12/02/2024	299.93
ADOBE				
101-172.000-740.000	SUPPLIES			22.50
101-215.000-740.000	SUPPLIES			137.97

	101-701.000-740.000	SUPPLIES			70.48
	101-463.000-740.000	SUPPLIES			68.98

43828307					
49794	ALLEGAN COUNTY REGISTER OF DEEDS		10/28/2024	12/02/2024	61.75
	RECORDING OF DEEDS - 345, 351, 387 & 389 FREEMONT ST				
	101-701.000-802.000	CONTRACTUAL			61.75

234385-6548231A					
49777	AMAZON MARKETPLACE		10/24/2024	12/02/2024	(59.94)
	RETURN OF COFFEE				
	101-265.000-740.000	SUPPLIES			(59.94)

5160229-0217018					
49778	AMAZON MARKETPLACE		10/18/2024	12/02/2024	21.73
	RIBBON & HAND SOAP				
	101-215.000-740.000	SUPPLIES			21.73

3861135-0245010					
49779	AMAZON MARKETPLACE		10/18/2024	12/02/2024	35.98
	BANK DEPOSIT STAMPS				
	101-215.000-740.000	SUPPLIES			35.98

3808509-5104246					
49780	AMAZON MARKETPLACE		10/21/2024	12/02/2024	19.96
	HALF & HALF				
	101-215.000-740.000	SUPPLIES			19.96

3194898-4350661					
49781	AMAZON MARKETPLACE		10/24/2024	12/02/2024	35.35
	LAWN BAGS				
	101-802.000-958.000	MISCELLANEOUS			35.35

5582939-4829826					
49782	AMAZON MARKETPLACE		10/28/2024	12/02/2024	32.63
	PAPER TOWELS				
	101-215.000-740.000	SUPPLIES			32.63

7928939-2511417					
49783	AMAZON MARKETPLACE		10/22/2024	12/02/2024	37.38
	DRY ERASE MARKERS - HARD CANDY				
	101-463.000-740.000	SUPPLIES			7.39
	101-215.000-740.000	SUPPLIES			29.99

3652984-5584234					
49784	AMAZON MARKETPLACE		10/22/2024	12/02/2024	58.58
	DIVIDER TABS, 3 RING BINDERS				
	101-215.000-740.000	SUPPLIES			58.58

4234385-6548231					
49785	AMAZON MARKETPLACE		10/24/2024	12/02/2024	112.93
	COFFEE, OFFICE SUPPLIES				
	101-215.000-740.000	SUPPLIES			52.99
	101-265.000-740.000	SUPPLIES			59.94

7701836-8406648					
49786	AMAZON MARKETPLACE		10/29/2024	12/02/2024	58.97
	CHRISTMAS ORNAMENT DECORATIONS				
	101-802.000-958.000	MISCELLANEOUS			58.97

5008322-6942654					
49787	AMAZON MARKETPLACE		10/28/2024	12/02/2024	48.96

	DESK CALENDARS, PACKING TAPE				
	101-463.000-740.000	SUPPLIES			19.99
	101-701.000-740.000	SUPPLIES			9.98
	101-215.000-740.000	SUPPLIES			18.99

3270742-1464247					
49788	AMAZON MARKETPLACE		11/07/2024	12/02/2024	42.51
	CANDY, STICKER PAPER				
	101-215.000-740.000	SUPPLIES			29.01
	101-701.000-740.000	SUPPLIES			13.50

3247822-9521809					
49789	AMAZON MARKETPLACE		11/08/2024	12/02/2024	38.28
	OFFICE SUUPPLIES				
	101-215.000-740.000	SUPPLIES			38.28

7902645-8874604					
49790	AMAZON MARKETPLACE		11/13/2024	12/02/2024	43.98
	AUTISTIC CHILD AREA SIGN				
	202-463.000-746.000	TRAFFIC SIGNS & SERVICES			43.98

11-2024					
49887	AMERICAN ASSOC OF NOTARIES		11/08/2024	12/02/2024	31.22
	NOTARY FOR KAILEY KENT				
	101-301.000-908.000	DUES/FEES/PUBLICATIONS			31.22

11-2024					
49797	BACK ALLEY PIZZA		11/11/2024	12/02/2024	37.29
	COUNCIL WORKSHOP				
	101-101.000-958.000	MISCELLANEOUS			37.29

11-2024A					
49800	BACK ALLEY PIZZA		11/05/2024	12/02/2024	94.70
	11/5/2024 ELECTION FOOD				
	101-262.000-740.000	SUPPLIES			94.70

11-2024B					
49801	BACK ALLEY PIZZA		11/05/2024	12/02/2024	74.67
	11/5/2024 ELECTION FOOD				
	101-262.000-740.000	SUPPLIES			74.67

11-2024					
49793	COSTCO		10/25/2024	12/02/2024	107.98
	NOV 5, 2024 ELECTION EARLY VOTING FOOD				
	101-262.000-740.000	SUPPLIES			107.98

P97242					
49773	GREENMARK EQUIPMENT, INC		10/31/2024	12/02/2024	105.66
	OIL & AIR FILTER				
	660-903.000-930.004	VEHICLE MAINTENANCE & REPAIRS			105.66

P67809					
49774	GREENMARK EQUIPMENT, INC		11/05/2024	12/02/2024	164.96
	AIR & OIL FILTER				
	660-903.000-930.004	VEHICLE MAINTENANCE & REPAIRS			164.96

P67808					
49775	GREENMARK EQUIPMENT, INC		11/05/2024	12/02/2024	500.76
	HELMET SYSTE, DYNAMIC APRON				
	101-463.000-740.000	SUPPLIES			500.76

P67981					

49776	GREENMARK EQUIPMENT, INC	11/06/2024	12/02/2024	162.83
	FILTER, PAINT			
	101-463.000-740.000	SUPPLIES		25.96
	660-903.000-930.004	VEHICLE MAINTENANCE & REPAIRS		136.87

P69044				
49832	GREENMARK EQUIPMENT, INC	11/14/2024	12/02/2024	20.40
	FILTER			
	660-903.000-930.004	VEHICLE MAINTENANCE & REPAIRS		20.40

613084				
49796	LAKE VISTA SUPER VALU	11/03/2024	12/02/2024	88.95
	NOV 5, 2024 ELECTION SNACKS			
	101-262.000-740.000	SUPPLIES		88.95

11-2024				
49795	MICH ASSOCIATION OF MUNICIPAL CLERK	11/02/2024	12/02/2024	81.00
	ANNUAL DUES - KASPER			
	101-215.000-908.000	DUES/FEES/PUBLICATIONS		81.00

11-2024				
49799	MICHIGAN ASSOC OF MUNICIPAL CLERKS	11/14/2024	12/02/2024	100.00
	ANNUAL MEMBERSHIP - RAZA			
	101-215.000-908.000	DUES/FEES/PUBLICATIONS		100.00

13887				
49791	SISTERS IN INK	10/17/2024	12/02/2024	76.00
	UNIFORMS			
	101-463.000-750.000	UNIFORMS		76.00

4930455-1-58835				
49803	US POSTAL SERVICE	11/15/2024	12/02/2024	8.39
	POSTAGE			
	101-301.000-740.000	SUPPLIES		8.39

10-2024				
49802	WALMART	10/30/2024	12/02/2024	34.84
	TRICK OR TREAT CANDY			
	101-301.000-740.000	SUPPLIES		34.84

INV278276616				
49792	ZOOM VIDEO COMMUNICATIONS, INC	10/24/2024	12/02/2024	31.98
	ZOOM			
	101-101.000-958.000	MISCELLANEOUS		31.98

MEMBER SERVICE				2,610.61
# of Invoices:	113	# Due: 113	Totals:	134,747.17
# of Credit Memos:	2	# Due: 2	Totals:	(221.36)
Net of Invoices and Credit Memos:				134,525.81

--- TOTALS BY FUND ---

101 - GENERAL FUND	113,072.09
202 - MAJOR STREET FUND	1,739.00
213 - SCHULTZ PARK LAUNCH RAMP	70.95
243 - BROWNFIELD REDEVELOPMENT AUTHORITY FUND	1,667.50
248 - DOWNTOWN DEVELOPMENT AUTHORITY	5,860.00
450 - WATER SEWER FUND	11,252.50

594 - DOUGLAS MARINA	106.11
660 - EQUIPMENT RENTAL FUND	757.66

--- TOTALS BY DEPT/ACTIVITY ---

000.000 -	66,291.52
101.000 - LEGISLATIVE	113.78
172.000 - MANAGER	67.01
215.000 - CLERK/TREASURER	2,840.70
257.000 - ASSESSING	351.37
262.000 - ELECTION	366.30
265.000 - BUILDING & GROUNDS	2,855.74
301.000 - POLICE	2,980.96
463.000 - GENERAL STREETS & ROW	11,708.19
536.000 - WATER SYSTEM	11,252.50
597.000 - DOUGLAS MARINA	106.11
701.000 - PLANNING & ZONING	10,755.80
728.000 - DOWNTOWN DEVELOPMENT AUTHORITY	5,860.00
751.000 - PARKS & RECREATION	2,099.15
753.000 - LAUNCH RAMPS	70.95
802.000 - COMMUNITY PROMOTIONS	2,366.32
850.000 - INSURANCE & BONDS	13,681.75
903.000 - EQUIP. REPAIRS & MAINTENANCE	757.66



MEMORANDUM
REGULAR CITY COUNCIL MEETING
Monday, December 2, 2024

TO: The City of the Village of Douglas City Council

FROM: Lisa Nocerini, City Manager

SUBJECT: Taft Agreement Extension - Budget Amendment

In June of 2022, the City of the Village of Douglas retained the services of Taft, Stettinius & Hollister, LLP to investigate the environmental contamination at 200 Blue Star Highway, and determine which former owners of the property may be responsible for said contamination. Several potentially responsible parties were identified, and therefore the city asked the legal firm to initiate dialogue with any of the viable responsible parties to explore the possibility of their contributing to the remediation of the property whether voluntarily or by court order/litigation.

The site at 200 Blue Star Highway is currently impacted by hazardous substance contamination, including volatile organic compounds (VOCs). The City of the Village of Douglas aims to identify the costs associated with further environmental investigation and remedial actions necessary to achieve compliance with Michigan Department of Environment, Great Lakes, and Energy (EGLE) requirements for regulatory closure. Taft suggests that the city continue to move forward and continue the dialogue with the identified responsible parties and continue to develop facts and details regarding their potential liability.

The funds will be allocated from the current FY2024/2025 Brownfield fund (#243-000).

Recommended Motion: Motion to approve an amendment to the fiscal year 2024-2025 budget under the Brownfield fund (243-000.000-802.243) for \$14,000 to continue legal work for the cost to closure analysis at the 200 Blue Star Highway property.

MILLER CANFIELD

MEMORANDUM

TO: City of the Village of Douglas
FROM: Thomas D. Colis, Miller Canfield
RE: Bond Authorizing Resolution (415 Wiley Road Property)
DATE: December 2, 2024

The bond authorizing resolution (the “Resolution”) is the second and final step in authorizing the issuance of capital improvement bonds for the purpose of paying the cost of renovating, furnishing and equipping the 415 Wiley Road property for use as city hall and the police department along with other administrative offices, including related site improvements and all appurtenances and attachments thereto (the “Project”).

City Council previously authorized the publication of a notice of intent to issue bonds which provided that bonds may be issued without a vote of the electors of the City unless a proper petition was filed with the City Clerk within a forty-five (45) day period from the date of publication. The notice was published in the Commercial Record on October 17, 2024. The 45-day referendum period expires as of the close of business on December 2, 2024. So long as no proper petition was filed within the 45-day period, City Council can consider the adoption of the Resolution.

The Resolution provides for the issuance of a series of capital improvement bonds in the amount of \$3,323,000 to pay for the costs of the Project and the cost of issuance of the bonds. The Resolution also provides the following:

1. Provides that the bonds are secured by the limited tax pledge of the City.
2. Authorizes the Mayor and City Clerk to sign the bonds and affix the City seal on the bonds.
3. Establishes a Debt Retirement Fund and Construction Fund. The bond proceeds will be deposited to the Construction Fund.
4. Provides the form of bond.
5. Accepts the offer of Capital One Public Funding, LLC to purchase the bonds pursuant to the term sheet attached to the Resolution as Exhibit A.
6. Provides that the City shall take all actions within its control to maintain the tax-exempt status of the bonds and designates the bonds as “qualified tax-exempt obligations”.
7. Authorizes the Mayor, City Clerk, Treasurer and City Manager to take all other actions as are necessary to effectuate the sale and delivery of the bonds, including signing any necessary documents and making any necessary filings.

The bonds shall bear interest at a rate of 5.35% per annum. Principal on the bonds shall be payable annually on December 15 from 2025 through 2044. Interest shall be payable semi-annually on June 15 and December 15 of each year, beginning June 15, 2025. The principal amounts to be paid annually are set forth in Exhibit B to the Resolution.

The City can prepay or redeem the bonds in whole on any date on or after December 15, 2034. The City can also prepay the bonds in part on any interest payment date, but only from the proceeds of the sale of existing City properties and subject to the additional conditions set forth in Exhibit B to the Resolution.

It is currently expected that the bond issue will be closed, and the City will receive the bond proceeds on December 18, 2024.

43013676.1/126543.00026

**RESOLUTION AUTHORIZING ISSUANCE OF
2024 CAPITAL IMPROVEMENT BOND
(LIMITED TAX GENERAL OBLIGATION)**

City of the Village of Douglas
County of Allegan, State of Michigan
RESOLUTION NO. 29-2024

Minutes of a regular meeting of the City Council of the City of the Village of Douglas, County of Allegan, State of Michigan (the “City”), held on December 2, 2024, 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 City does hereby determine that it is necessary to pay all or part of the costs of renovating, furnishing and equipping the 415 Wiley Road property for use as city hall and the police department along with other administrative offices, including related site improvements and all appurtenances and attachments thereto (the “Project”); and

WHEREAS, to finance the cost of the Project, the City Council deems it necessary to borrow the principal amount of Three Million Three Hundred Twenty-Three Thousand Dollars (\$3,323,000) and issue capital improvement bonds pursuant to Act 34, Public Acts of Michigan, 2001, as amended (“Act 34”), to pay the cost of the Project; and

WHEREAS, a notice of intent to issue capital improvement bonds was published in accordance with Act 34 which provides that the bonds may be issued without a vote of the electors of the City unless a proper petition for an election on the question of the issuance of the bonds is filed with the City Clerk within a period of forty-five (45) days from the date of publication and as of this date no petition has been filed with the City Clerk; and

WHEREAS, the City has received an offer, attached hereto as Exhibit A, and made a part hereof, to purchase the bonds from Capital One Public Funding, LLC (the “Purchaser”); and

WHEREAS, the City Council has determined that it is in the best interests of the City to accept the offer of the Purchaser to purchase the bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Authorization of Bond; Bond Terms. A bond of the City designated 2024 CAPITAL IMPROVEMENT BOND (LIMITED TAX GENERAL OBLIGATION) (the “Bond”) is authorized to be issued in the principal amount of Three Million Three Hundred Twenty-Three Thousand Dollars (\$3,323,000) for the purpose of paying all or part of the cost of the Project,

including the costs incidental to the issuance, sale and delivery of the Bond.

The Bond shall consist of a single non-convertible bond in fully-registered form, in the original denomination equal to the par amount thereof, payable as provided in Exhibit B attached hereto and made a part hereof. The Bond shall be dated as of the date of delivery or such other date as determined by Mayor, City Clerk, Treasurer or City Manager (each, an “Authorized Officer”). The Bond shall bear interest at a rate shown in Exhibit B, first payable on June 15, 2025 and semi-annually thereafter on June 15th and December 15th. Interest on the Bond shall be payable on each interest payment date to the registered owner of record as of the first (1st) day of the month prior to the related interest payment. The record date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the City to conform to market practice in the future. Interest shall be payable by check or draft drawn by the Transfer Agent (as hereinafter defined) and mailed to the registered owner at the registered address as shown on the registration books of the City maintained by the Transfer Agent. The principal of the Bond shall be payable by the City.

The Treasurer of the City is hereby appointed to act as the initial bond registrar, paying agent and transfer agent for the Bond (the “Transfer Agent”). Alternatively, if required by the Purchaser, any Authorized Officer may appoint a bank or trust company to serve as Transfer Agent for the Bond. The City reserves the right to replace the Transfer Agent at any time provided written notice of such replacement is given to the registered owners of record of the Bond not less than sixty (60) days prior to any interest payment date.

The Bond shall be subject to redemption as provided on Exhibit B. Notice of redemption shall be given to the registered owner of any Bond called for redemption by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered address of the registered owner of record.

2. Execution of the Bond. The Bond shall be executed in the name of the City with the manual or facsimile signatures of the Mayor and City Clerk and shall have the seal of the City, or a facsimile thereof, printed or impressed on the Bond. No Bond signed by facsimile signature shall be valid until authenticated by an authorized officer or representative of the Transfer Agent.

3. Transfer of the Bond. The Transfer Agent shall keep the books of registration for this issue on behalf of the City. Any Bond may be transferred upon such registration books by the registered owner of record, in person or by the registered owner’s duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Transfer Agent. If a Bond shall be surrendered for transfer, the City shall execute and the Transfer Agent shall authenticate and deliver a new Bond or Bonds, for like aggregate principal amount. The Transfer Agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer.

4. Limited Tax Pledge; Debt Retirement Fund; Defeasance of the Bond. The City hereby pledges its limited tax full faith and credit for the prompt payment of the Bond. The City shall, each year budget the amount of the debt service coming due in the next fiscal year on the principal of and interest on the Bond 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 City subject to applicable constitutional, statutory and charter tax rate limitations, such sums as may be necessary to pay such debt service in said fiscal year.

The Treasurer is authorized and directed to open a depository account with a bank or trust company, or create a separate account on the books of the City, designated by the City Council, to be designated 2024 CAPITAL IMPROVEMENT BOND DEBT RETIREMENT FUND (the "Debt Retirement Fund"), the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bond as the same become due and payable.

In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional redemption, the principal of, premium, if any, and interest on the Bond, shall be deposited in trust, this resolution shall be defeased and the owners of the Bond shall have no further rights under this resolution except to receive payment of the principal of, premium, if any, and interest on the Bond from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange the Bond as provided herein.

5. Construction Fund; Proceeds of Bond Sale. The Treasurer is authorized and directed to open a separate depository account with a bank or trust company or to create a separate account on the books of the City, to be designated 2024 CAPITAL IMPROVEMENT BOND CONSTRUCTION FUND (the "Construction Fund") and deposit into said Construction Fund the proceeds of the Bond, less accrued interest, if any, which shall be deposited into the Debt Retirement Fund. The moneys in the Construction Fund shall be used solely to pay the costs of the Project and the costs of issuance of the Bond.

6. Bond Form. The Bond shall be in substantially the following form:

THIS BOND HAS NOT BEEN REGISTERED UNDER THE SECURITIES ACT OF 1933, AS AMENDED, OR THE MICHIGAN UNIFORM SECURITIES ACT, AS AMENDED, IN RELIANCE UPON EXEMPTIONS THEREUNDER. ANY RESALE OR OTHER TRANSFER OF THIS BOND MAY BE MADE ONLY UPON REGISTRATION UNDER SUCH ACTS OR IN AN EXEMPT TRANSACTION UNDER SUCH ACTS AND UPON COMPLIANCE WITH THE CONDITIONS SET FORTH HEREIN AND MAY BE OFFERED AND SOLD ONLY IF REGISTERED PURSUANT TO THE PROVISIONS OF THOSE ACTS OR IF AN EXEMPTION FROM REGISTRATION IS AVAILABLE.

R-1
UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF ALLEGAN

CITY OF THE VILLAGE OF DOUGLAS

2024 CAPITAL IMPROVEMENT BOND
(LIMITED TAX GENERAL OBLIGATION)

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>
5.35%	December 15, 2044	December 18, 2024

REGISTERED OWNER: Capital One Public Funding, LLC

PRINCIPAL AMOUNT: Three Million Three Hundred Twenty-Three Thousand Dollars

The City of the Village of Douglas, County of Allegan, State of Michigan (the “City”), acknowledges itself to owe and for value received hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the Maturity Date specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon (computed on the basis of a 360-day year consisting of twelve 30-day months) from the Date of Original Issue specified above or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on June 15, 2025 and semi-annually thereafter. Principal of this bond is payable by the Treasurer of the City or such other paying agent as the City may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to any interest payment date (the “Transfer Agent”). Interest on this bond is payable to the registered owner of record as of the first (1st) day of the month preceding the interest payment date as shown on the registration books of the City kept by the Transfer Agent by check or draft mailed by the Transfer Agent to the registered owner of record at the registered address; provided, however, for so long as Capital One Public Funding, LLC (the “Lender”) is the Registered Owner such payment shall be made by wire or other form of electronic payment in accordance with written instructions provided by Lender or, with Lender’s consent, by such other commercially reasonable method of payment. No presentation of this bond shall be required for any payment of principal or interest other than the final principal payment. For prompt payment of this bond, both principal and interest, the full faith, credit and resources of the City are hereby irrevocably pledged.

This bond is a single, fully-registered, non-convertible bond in the principal amount of

\$3,323,000, issued pursuant to Act 34, Public Acts of Michigan, 2001, as amended, and a resolution duly adopted by the City Council of the City for the purpose of paying all or part of the cost of constructing certain capital improvements for the City.

This bond, including the interest thereon, is payable as a first budget obligation from the general funds of the City, and the City is required, if necessary, to levy ad valorem taxes on all taxable property in the City for the payment thereof, subject to applicable constitutional, statutory and charter tax rate limitations.

Except as set forth below, principal installments of this Bond maturing prior to December 15, 2034 may not be prepaid. Principal installments maturing in the year 2035 and thereafter may be prepaid in whole at the option of the City, on any date on or after December 15, 2034 at par plus accrued interest to the date fixed for redemption.

Principal installments of this Bond may be prepaid in part on any interest payment date beginning December 15, 2025, subject to the following conditions: (i) the City makes the partial prepayment from proceeds of the sale of existing City properties; (ii) the City may make only one partial prepayment per calendar year; (iii) the partial prepayment is at least \$50,000 and no more than \$750,000; (iv) the partial prepayment is applied to the outstanding principal installments in inverse order of maturity; and (v) the City provides at least thirty days' notice to the registered owner of the Bond.

This bond matures on December 15, 2044 as a term bond, subject to mandatory redemption, in part, by lot, on the redemption dates and in the principal amounts set forth below at a redemption price equal to the principal amount thereof, without premium, together with interest thereon to the redemption date as set forth in the following schedule:

Term Bond due December 15, 2044

<u>Redemption Dates</u>	<u>Principal Amount</u>
December 15, 2025	\$98,000
December 15, 2026	\$102,000
December 15, 2027	\$107,000
December 15, 2028	\$113,000
December 15, 2029	\$119,000
December 15, 2030	\$126,000
December 15, 2031	\$132,000
December 15, 2032	\$139,000
December 15, 2033	\$147,000
December 15, 2034	\$155,000
December 15, 2035	\$163,000
December 15, 2036	\$172,000
December 15, 2037	\$181,000
December 15, 2038	\$191,000
December 15, 2039	\$201,000
December 15, 2040	\$211,000

December 15, 2041	\$223,000
December 15, 2042	\$235,000
December 15, 2043	\$247,000
December 15, 2044 (maturity)	\$261,000

In case less than the full amount of this bond is called for redemption, the Transfer Agent, upon presentation of the bond called in part for redemption, shall register, authenticate and deliver to the registered owner of record a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to the registered owner of any bond or portion thereof called for redemption by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered address of the registered owner of record. A bond or portion thereof so called for redemption shall not bear interest after the date fixed for redemption, whether presented for redemption or not, provided funds are on hand with the Transfer Agent to redeem said bond or portion thereof.

This bond is transferable only upon the registration books of the City kept by the Transfer Agent by the registered owner of record in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing this bond and upon the payment of the charges, if any, therein prescribed.

It is hereby certified and recited that all acts, conditions and things required by law precedent to and in the issuance of this bond have been done, exist and have happened in regular and due time and form as required by law, and that the total indebtedness of the City, including this bond, does not exceed any constitutional, statutory or charter debt limitation.

IN WITNESS WHEREOF the City, by its City Council, has caused this bond to be executed with the manual signatures of its Mayor and its City Clerk and its corporate seal or a facsimile thereof to be impressed hereon, all as of the Date of Original Issue.

CITY OF THE VILLAGE OF DOUGLAS
 County of Allegan
 State of Michigan

By: _____
 Its: Mayor

(SEAL)

By: _____
 Its: City Clerk

[End of Bond Form]

7. Useful Life of Project. The estimated period of usefulness of the Project is hereby declared to be not less than twenty (20) years.

8. Negotiated Sale. The City Council has considered the option of selling the Bond through a competitive sale and a negotiated sale, and, pursuant to the requirements of Act 34, hereby determines that a negotiated sale of the Bond will result in the most efficient and expeditious means of selling the Bond and will result in the most favorable terms to the City.

9. Placement of Bond. The offer of the Purchaser to purchase the Bond for its loan portfolio, attached hereto as Exhibit A, is hereby accepted and approved. The Authorized Officers are each individually authorized and directed to supplement this resolution through execution of a Sale Order, if necessary, and take such actions as are necessary or convenient to effectuate the terms of the term sheet and the issuance of the Bond on behalf of the City all in accordance with this resolution.

10. Adjustment of Bond Terms. Each Authorized Officer is hereby authorized to adjust the final Bond details to the extent necessary or convenient to complete the transaction authorized in this resolution, and in pursuance of the foregoing are each authorized to exercise the authority and make the determinations authorized pursuant to Section 315(1)(d) of Act 34, 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, designation of series, and other matters, all subject to the parameters established in this resolution.

11. Tax Covenant; Qualified Tax Exempt Obligations. The City shall, to the extent permitted by law, take all actions within its control necessary to maintain the exclusion of the interest on the Bond from gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including, but not limited to, actions relating to any required rebate of arbitrage earnings and the expenditures and investment of Bond proceeds and moneys deemed to be Bond proceeds, and to prevent the Bond from being or becoming "private activity bonds" as that term is used in Section 141 of the Code. The Bond is hereby designated as a "qualified tax exempt obligation" for purposes of deduction of interest expense by financial institutions pursuant to the Code.

12. Authorization of Other Actions. Each Authorized Officer is individually authorized to take all other actions, to execute all such documents and certificates, and to make such other filings with the Michigan Department of Treasury or with other parties, as are necessary or advisable in order to effectuate the sale and delivery of the Bond to the Purchaser as contemplated by this resolution.

13. Bond Counsel. Miller, Canfield, Paddock and Stone, P.L.C. is hereby confirmed as bond counsel for the Bond, notwithstanding periodic representation in unrelated matters of the Purchaser and other parties or potential parties to the transaction contemplated by this resolution.

14. Rescission. 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 _____

RESOLUTION DECLARED ADOPTED.

Laura Kasper, 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 the Village of Douglas, County of Allegan, State of Michigan, at a regular meeting held on December 2, 2024, 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.

Laura Kasper, City Clerk

EXHIBIT A



November 22, 2024

Lisa Nocerini
City Manager
City of the Village of Douglas, Michigan

Subject: City of the Village of Douglas, Michigan
Capital Improvement Bonds, Series 2024 (the “Loan”)

Dear Ms. Nocerini:

This Term Sheet is presented in connection with our discussions regarding the above-referenced potential Loan transaction. We are very interested in working with the City of the Village of Douglas, Michigan (“Borrower”) and are pleased to present the following summary terms:

Structure	Directly purchased Capital Improvement Bond, Series 2024.
Estimated Amount	\$3,000,000.00 +/-
Use of Proceeds	Renovations to property owned by the Borrower at 415 Wiley Rd. Douglas, MI
Security Provisions / Repayment Sources	The Loan shall be secured by and payable from proceeds from the levy of an ad valorem tax within the limits prescribed by law pursuant to MCL Act 34 of 2001.
Loan Rate*	5.35%
Payments	Term Bond with each principal payment representing a mandatory redemption requirement. Payments of principal due annually and interest due semi-annually. The Loan will be payable in installments on the dates and in the amounts set forth on the payment schedule identifying payment dates, principal, interest and total payment due, which shall be attached to the Loan.
Avg Life / Final	Approximate average life of 12.2years; final maturity 12/15/44.
Call Provisions	No call until 12/15/34, then in whole at par on any date with 30 days notice. <i>Partial prepayment at par at any time is permitted</i> as noted below.**
Tax Treatment	Tax-exempt

*The Loan Rate is based on market conditions as of the date of this term sheet and is subject to change. Upon acceptance of this term sheet and upon establishment of a substantially final payment schedule and closing date, the interest rate can be locked through the stated final maturity date.

**Partial prepayment is allowed on any interest payment date throughout the life of the Loan: (i) from proceeds of the sale of existing City properties; (ii) once per calendar year starting 12/15/25; (iii) in a minimum amount of \$50,000; (iv) in a maximum amount of \$750,000; (iv) provided that any such prepayment is applied to outstanding Loan principal in inverse order of maturity; and (v) thirty days advance notice is given to COPF.



Interest Rate Assumptions

The above-quoted interest rate is based upon the assumptions set forth above regarding average life and final maturity. Any changes from the assumptions may require an adjustment to the quoted rate.

Documentation

Loan documentation shall be prepared by qualified bond counsel subject to review by COPF and its counsel. Borrower shall provide, at its expense, an opinion of legal counsel (acceptable to COPF) attesting to the legal, valid, and binding nature of the transaction and the tax-exempt nature of the interest component of the Loan payments. Upon selection of COPF, the Borrower shall provide COPF the draft authorizing document for its review and comment.

Costs of Issuance

The Borrower shall be responsible for normal borrower costs of issuance. No fees will be due to COPF, which shall be responsible for the costs of its own legal review.

Audited Financial Statements

Upon request, as soon as available, the Borrower shall send COPF a copy of its audited financial statements as of the end of the fiscal year.

Municipal Advisor Rules

This term sheet is provided to the Borrower pursuant to and in reliance upon the “bank exemption” provided under the municipal advisor rules of the Securities and Exchange Commission, Rule 15Ba1-1 seq.

Role of Capital One Public Funding, LLC

The Borrower acknowledges and agrees that: (i) the information contained in this term sheet is for discussion purposes only and sets forth certain proposed terms and conditions of an arm’s-length commercial transaction between the Borrower and COPF and does not constitute advice, an opinion or a recommendation by COPF; (ii) the Borrower will make its own determination regarding whether to enter into the proposed transaction and the terms thereof, and will consult with and rely on the advice of its own financial, accounting, tax, legal and other advisors; (iii) COPF is acting solely for its own account in connection with the proposed transaction, and is not acting as a municipal advisor, financial advisor, agent or fiduciary to the Borrower or any other person or entity (including to any financial advisor or placement agent engaged by the Borrower) and the Borrower, its financial advisor and placement agent are free to retain the services of such advisors (including as it relates to structure, timing, terms and similar matters and compliance with legal requirements applicable to such parties) as it deems necessary or appropriate; (iv) COPF has no fiduciary duty pursuant to Section 15B of the Securities Exchange Act of 1934 to the Borrower with respect to the transaction contemplated hereby and the discussions, undertakings and procedures leading thereto; (v) neither COPF nor any of its affiliates is acting as a broker, dealer, underwriter or placement agent with respect to the transactions contemplated hereby; (vi) the only obligations COPF has to the Borrower with respect to the transaction contemplated hereby expressly are set forth in this term sheet; and (vii) COPF is not recommending that the Borrower take an action with respect to the transaction contemplated by this term sheet. Before taking any action with respect to the Loan, the Borrower should discuss the information contained herein with the Borrower’s own legal, accounting, tax, financial and other advisors, as it deems appropriate. If the Borrower would like a municipal advisor in this transaction that has legal fiduciary duties to it, Borrower is free to engage a municipal advisor to serve in that capacity.

Other Information

To the extent that updated financial and other credit materials have not already been provided to COPF or are not available through public resources, COPF may require and request reasonable and customary information relevant to the Borrower's credit quality and the source(s) of repayment.



Confidentiality

The information contained herein is strictly confidential and is intended for review by the parties, their advisors and legal counsel only and may not be disclosed to any other person or entity, except as required by law or otherwise consented to by COPF.

Closing

This term sheet shall expire if not accepted by the Borrower by December 3, 2024. Once accepted, this term sheet shall expire if the transaction has not closed by December 31, 2024, unless extended by COPF at its sole discretion.

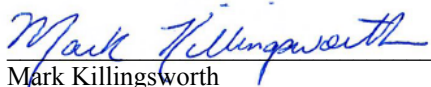
Subject to Final Credit and Documentation Approval

This is not a commitment; rather, the funding of the Loan will occur only after, among other things, (i) COPF’s final internal committee approval, and (ii) COPF and the Borrower, and their respective counsels, are fully satisfied with the terms of the Loan documents and all of the terms and conditions contained herein and in the Loan documents have been met. Any obligation of COPF to provide financing or otherwise shall arise only upon the execution of final Loan documents signed by authorized signatories of COPF and not from statements (oral or written) made during the course of discussions among the parties (whether or not prior to or after the date hereof).

Should the above-stated terms be acceptable to you, a formal decision through COPF’s internal credit process will be pursued as quickly as possible.

Thank you for the opportunity to offer this term sheet. Should you have any questions, please do not hesitate to contact me at (870) 919-6745 or mark.killingsworth@capitalone.com.

Sincerely,


Mark Killingsworth
Capital One Public Funding, LLC

cc: Jonathan Lewis, Capital One Public Funding, LLC

ACCEPTED BY: City of the Village of Douglas, Michigan

By

Name

Title

EXHIBIT B

Principal Amount: \$3,323,000
Purchase Price: \$3,323,000
Date of Issue: December 18, 2024
Interest Payment Dates: June 15, 2025 and semi-annually thereafter

Maturity Schedule, Principal Amount and Interest Rate:

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
December 15, 2044*	\$3,323,000	5.35%
*Term Bond		

Mandatory Redemption Provision:

The bond matures on December 15, 2044 as a term bond, subject to mandatory redemption, in part, by lot, on the redemption dates and in the principal amounts set forth below at a redemption price equal to the principal amount thereof, without premium, together with interest thereon to the redemption date as set forth in the following schedule:

Term Bond due December 15, 2044

<u>Redemption Dates</u>	<u>Principal Amount</u>
December 15, 2025	\$98,000
December 15, 2026	\$102,000
December 15, 2027	\$107,000
December 15, 2028	\$113,000
December 15, 2029	\$119,000
December 15, 2030	\$126,000
December 15, 2031	\$132,000
December 15, 2032	\$139,000
December 15, 2033	\$147,000
December 15, 2034	\$155,000
December 15, 2035	\$163,000
December 15, 2036	\$172,000
December 15, 2037	\$181,000
December 15, 2038	\$191,000
December 15, 2039	\$201,000
December 15, 2040	\$211,000
December 15, 2041	\$223,000
December 15, 2042	\$235,000
December 15, 2043	\$247,000

December 15, 2044 (maturity)

\$261,000

Optional Redemption:

Except as set forth below, principal installments of the bond maturing prior to December 15, 2034 may not prepaid. Principal installments maturing in the year 2035 and thereafter may be prepaid in whole at the option of the City, on any date on or after December 15, 2034 at par plus accrued interest to the date fixed for redemption.

Principal installments of the Bond may be prepaid in part on any interest payment date beginning December 15, 2025, subject to the following conditions: (i) the City makes the partial prepayment from proceeds of the sale of existing City properties; (ii) the City may make only one partial prepayment per calendar year; (iii) the partial prepayment is at least \$50,000 and no more than \$750,000; (iv) the partial prepayment is applied to the outstanding principal installments in inverse order of maturity; and (v) the City provides at least thirty days' notice to the registered owner of the bond.

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MEMORANDUM
REGULAR CITY COUNCIL MEETING
December 2, 2024, at 7:00 PM

TO: City Council

FROM: Lisa Nocerini, City Manager

SUBJECT: Approval of Carbon Six Agreement Amendment for Construction Costs

On June 17, City Council approved an agreement with Carbon Six for the architectural design/engineering phase for \$129,150. On October 21, 2024, City Council was presented, by Carbon Six, with the build-out plans for 415 Wiley Road. This presentation provided an opportunity for the Council to review the plans with the estimated costs of the project and offer their feedback. The agreement is being brought back to City Council with an amendment to include the construction phase of the project.

As with the initial design phase, the construction will be paid for by issuance of a capital improvement bond. Upon approval of the bond resolution, the City is now ready to move forward with construction pending the approval of the amendment and on the successful closing of the bond issue.

The cost breakdown for the amended construction phase is:

Direct Construction Costs	\$2,402,193
Indirect Construction Costs	\$ 313,462
Furniture Budget	\$ 184,625
Audio/Video Budget	\$ 94,720
Security System budget	\$ 24,645
Owner Contingency	<u>\$ 150,000</u>
Construction Total	\$3,169,645

Pre-Approved Architectural Design/Engineering \$ 129,150

Architectural design/engineering, construction costs, and bond issuance costs (\$24,205) bring the total bond amount to \$3,323,000. Based on the benefits and the strategic importance of advancing the 415 Wiley Road project, it is recommended that the City Council:

Recommended Motion: Approve the Carbon Six agreement amendment for the build-out of 415 Wiley Road in the amount of \$3,169,645, subject to bond closing.

AIA Document A133 2019 Garenteed Maximum Price Amendment Exhibit A

Construction Cost based on Bid Set Documents from Create3 Architecture.

Construction costs - \$2,402,193

Indirect costs - \$313,462

Furniture budget - \$184,625

Audio/Video budget - \$94,720

Security budget - \$24,645

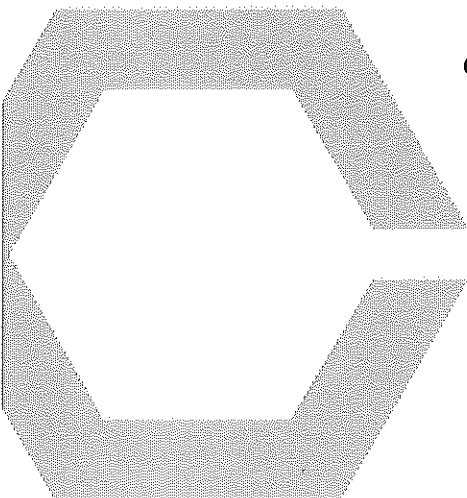
Architectural Design & Engineering - \$129,150 — approved on 6-17-24

Owner Contingency - \$150,000

Total Cost - \$3,298,795

Owner Signature _____
Dated _____

CarbonSix Signature _____
Dated _____



CITY OF THE VILLAGE OF DOUGLAS
COUNTY OF ALLEGAN
STATE OF MICHIGAN

Item 8D.

RESOLUTION NO. 28-2024

A RESOLUTION AUTHORIZING A MERIT INCREASE FOR CITY ADMINISTRATOR LISA NOCERINI

At a regular meeting of the City Council for the City of the Village of Douglas, Michigan, held at the City of the Village of Douglas City Hall, Douglas, Michigan, on the 2nd day of December 2024, at 7:00 p.m.

PRESENT:

ABSENT:

The following resolution was offered by Councilperson _____ and supported by Councilperson _____.

RESOLUTION

WHEREAS, an employment agreement between the City of the Village of Douglas and City Manager Lisa Nocerini was entered on August 22, 2023; and

WHEREAS, under Section 18 Performance Evaluation, the City Council shall review and evaluate the performance of the Employee annually and in conjunction with the preparation of the budget for the ensuing fiscal year; and

WHEREAS, under Section 18 Performance Evaluation, the Employee shall be eligible for consideration of a merit increase, based on the outcome of the performance review, not to exceed \$5,000.

NOW THEREFORE, BE IT RESOLVED that the City of the Village of Douglas City Council does hereby approve the distribution of the lump sum payment (not as an additional to base salary) in the amount of \$5,000 for the merit increase to City Manager Lisa Nocerini.

YEAS: Council Members:

NAYS: Council Members: None

ABSTAIN: Council Members: None

ABSENT: Council Members: None

ADOPTED this 2nd day of December, 2024.

CITY OF THE VILLAGE OF DOUGLAS

BY: _____
Cathy North, Mayor

BY: _____
Laura Kasper, City Clerk

CERTIFICATION

Item 8D.

I, Laura Kasper, the duly appointed Clerk of the City of the Village of Douglas, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Douglas City Council at a regular meeting held on December 2, 2024, in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan, 1976, as amended, the minutes of the meeting were kept and will be or have been made available as required by said Act.

CITY OF THE VILLAGE OF DOUGLAS

BY: _____
Laura Kasper, City Clerk



MEMORANDUM

REGULAR CITY COUNCIL MEETING

December 2, 2024 at 7:00 PM

TO: City Council

FROM: Lisa Nocerini, City Manager

SUBJECT: 291 66th Street Purchasing Agreement

The City of Douglas' Real Estate Broker, Bernie Merkle of Coldwell Banker, has successfully listed the City's surplus property located at 291 66th Street.

As of November 26, the following offer has been received:

- Cash offer of \$225,000 pending applicable inspections.

After the sale is finalized, commission is paid out of the seller's proceeds and is due and payable by the closing of the transaction.

Sample Motion: I recommend City Council approve the sale of 291 66th Street with an offer of \$225,000.



MEMORANDUM

REGULAR CITY COUNCIL MEETING

December 2, 2024, at 7:00 PM

TO: City Council

FROM: Lisa Nocerini, City Manager

SUBJECT: 9-2024 Surplus Property Ordinance Amendment #2 – First Reading

As you may recall, City Council directed the City Administration to work with the city attorney to suggest amendments to the existing Surplus Property Ordinance. While well-intentioned with the initial amendment, it has still proven to be restrictive and unclear. The process is laden with red tape that hinders the efficient and effective management of city-owned surplus properties.

Amending the surplus property ordinance is essential to cut unnecessary red tape, broaden the scope of property utilization, and safeguard the integrity of the city's assets. These changes will enable more efficient management, enhance more potential for community development, and uphold public trust. Your support in advancing these amendments will be instrumental in achieving these objectives.

First reading – No action required

CITY OF DOUGLAS
ALLEGAN COUNTY, MICHIGAN
ORDINANCE NO. 09-2024

**AMENDMENT #2 TO AN ORDINANCE TO
ESTABLISH PROCEDURES FOR TRANSFER OF
SURPLUS REAL PROPERTY FOR THE CITY OF
THE VILLAGE OF DOUGLAS**

**THE CITY OF THE VILLAGE OF DOUGLAS DOES HEREBY ORDAIN AS
FOLLOWS:**

Section 1: PURPOSE AND SCOPE

The purpose of the Surplus Real Property Transfer Ordinance is to provide a framework for the transfer of City real property deemed to be surplus. This Ordinance is intended to create a process to transfer Real Property that is transparent to the community, fair, equitable, and consistent with the best interests of the City.

Section 2: DEFINITIONS Transfer:

Disposal shall mean the transfer of control or ownership of real property considered by the City to be surplus, by means of a sale or lease, to include preparing, negotiating, and executing a written contract, where necessary. This ordinance shall not apply to intragovernmental property transfers pursuant to Act 425 of 1984, as amended.

Notice of Intent– Request for Bid: The notice prepared by the City announcing that the City will receive bids for the sale or lease of Surplus Real Property. The notice shall also provide prospective purchasers with direction on where or how they may obtain specific information concerning the Surplus Real Property and the sealed bid process.

Practical Use: The use of something for a reasonable purpose.

Proprietary Fund: Fund that charges a fee to cover the cost of operations.

Real Property: Any fixed property (i.e., buildings, land, etc.) controlled or owned by the City, from which the City expects to derive economic benefit for service delivery to the general public.

This Ordinance is not intended to apply to Personal Property (i.e., Automobiles/vehicles, electronics, furniture, machinery and tools, miscellaneous equipment, or office machines.) except as incidental to the sale of Real Property pursuant to a purchase agreement.

Surplus Real Property: Real property that is no longer needed in the foreseeable future or has no practical benefit to the City.

Section 3: APPLICABILITY

This Ordinance applies to all City Officials, employees and users including, but not limited to, full time, part time, and intermittent / seasonal / contracted employees.

This Ordinance applies to all City owned real property except:

- Real property purchased with grant funds which shall be disposed of in accordance with applicable grant requirements, if any.
- Seized or unclaimed property within the Police Department which shall be handled and disposed of in accordance with applicable Federal, State, and Local requirements.

~~This Ordinance applies to all City owned real property except:—Real property purchased with grant funds which shall be disposed of in accordance with applicable grant requirements, if any.—Seized or unclaimed property within the Police Department which shall be handled and disposed of in accordance with applicable Federal, State, and Local requirements. This Ordinance applies to all City Officials, employees and users including, but not limited to, full time, part time, and intermittent / seasonal / contracted employees.~~

Section 4: REAL PROPERTY GUIDELINES

1. The City Manager or designee will review City owned real property and recommend to Council if any City owned real property is surplus.
2. Disposing of real property by City Officials or employees for personal gain or to benefit the interest of any person or party other than the City is strictly prohibited.
3. Sale of land or other real property requires City Council authorization and may require a vote of the majority of electors as provided in Chapter 13 of the City Charter.
4. Sale of Surplus Real Property shall be done by passing an ordinance.
 - a. The City shall retain an easement on all properties where public utilities exist or where future development may conceivably require public utilities.
 - b. The City may retain an easement for ingress/egress over properties to access and/or maintain other City Properties, facilities, or services.
5. Real property may be conveyed by quit claim deed.
6. The City shall not sell, transfer or convey real property or any other parcel of City owned real property to any individual or entity who is in default of any contract or obligation with the City, including but not limited to a prospective purchaser who is shown in the City records to have delinquent City real or personal property taxes or

special assessments, outstanding invoices for City services, or has received a notice or citation for violation of any City ordinance, rule or regulation, unless the default, delinquency or violation is corrected prior to City Council's consideration of the sale or other disposition of the real property.

7. The purchaser of real property shall agree to pay and be responsible to pay for any mortgage or title insurance policy, all costs in applying for and securing financing or assuming existing financing, all costs of preparation of documents relating to new or existing financing, recording financing statements, inspections, environmental assessments, recording fees for mortgage and deed, costs in connection with matters relating to purchaser's use or intended use of the real property, including but not limited to, re-zoning, special use permits, variances, soil borings, surveying, rights-of-way, site plan preparation, sanitary sewer lines, water lines and other matters related to development of the real property, and purchaser's broker and attorney fees, and any other conditions that may apply.

Section 5: METHODS OF TRANSFER

Following are the four (4) allowable methods of transfer of Surplus Real Property:

1. **Sale or Lease through sealed bids/offers** after Notice of Intent – Request for Bid
 - a. The City ~~shall~~may publish ~~at least one time~~aa Notice of Intent – Request for Bid in customary locations. An appraisal ~~shall~~may be done prior to a Notice of Intent – Request for Bid for all real property.
 - i. The notice of intent shall at a minimum:
 1. Describe the Surplus Real Property and minimum bid price.
 2. The notice may allow a minimum of 30 days for the submission of responses proposals, leases, offers, and/or bids.
 - b. All offers shall be presented in a sealed envelope in writing and signed by the prospective buyer/ lessor and contain the following information:
 - i. Name, address, telephone number
 - ii. Total purchase price/ lease price (annual)
 - iii. Terms of sale or lease
 - iv. Any contingencies
 - c. The offer shall contain the following additional information
 - i. Parcel number and street address

- ii. Proposed use and development of the property
 - iii. Anticipated method of financing
 - iv. Number of jobs to be created/retained and average job wage (if commercial or industrial)
 - v. Hours of operation (if downtown or commercial)
- d. The City may apply the following preferences for real property:
- i. For residential real property: preference will be given to purchasers that will construct a home on a vacant property. Adjoining property owners will be given preference if the real property is unbuildable because of zoning, other codes or laws, environmental or economic factors.
 - ii. For commercial real property: preference will be given based on the number of jobs created and dollar amount of total investment.
- e. The City may reject all offers and decline to enter into a sale or lease up until the time of execution of the deed or lease when it is in the best interests of the City.
- f. City Employees shall not participate in this method of transfer.

2. Sale through Real Estate Broker In lieu of or in addition to obtaining sealed bids/offers pursuant to the above procedure, the City may list the Surplus Real Property through the engagement of a licensed real estate broker. The broker's fee will be subject to negotiation between the broker and the City, with the listing agreement requiring approval from the City. The broker shall disclose any relationships with any City official or any party to the transaction. The selected broker will be expected to utilize all available marketing avenues to facilitate the sale. Exclusive brokerage agreements may be entertained. Payment of the broker's fee is anticipated to be from the sale proceeds at closing, with a maximum payment period of forty-five (45) days following a successful transaction closure. Employees may participate in sale of City Surplus Real Property through this process.

- 23. Sale through Auction** In the event the Surplus Real Property cannot be sold after following the above procedures, the Surplus Real Property shall be sold through auction
- a. Any expense incurred in conducting the auction may be deducted from the auction receipts.
 - b. Employees may participate in public auction or sale of City Surplus Real Property.

~~c. **Sale through Real Estate Broker** In lieu of auction, the City may list the Surplus Real Property through the engagement of a licensed real estate broker. The broker's fee will be subject to negotiation between the broker and the City, with the listing agreement requiring approval from the City. The broker shall disclose any relationships with any City official or any party to the transaction. The selected broker will be expected to utilize all available marketing avenues to facilitate the sale. Exclusive brokerage agreements may be entertained. Payment of the broker's fee is anticipated to be from the sale proceeds at closing, with a maximum payment period of forty five (45) days following a successful transaction closure.) Employees may participate in sale of City Surplus Real Property through this process.~~

d4. Unsolicited Offers The City reserves the right to evaluate and potentially accept unsolicited offers for any parcel of Surplus Real Property or any other City-owned real estate at its discretion. These offers may be submitted directly if there is not an exclusive real-estate brokerage contract or through a licensed real estate broker with or without a contract, including their real estate salespersons, or from individuals or other legal entities. It is imperative that City officials maintain no financial ties to any interested parties. Public employees may make unsolicited offers for property.

Section 6: Property Transfer Request Form

The City Manager or designee shall notify the Treasurer's Department, Planning and Zoning, Assessor, and City Clerk's Office of the sale or lease of any real property. This shall be coordinated to update City records (i.e., capital improvement documents, insurance records, audit lists and grant requirement documentation). This shall be done by filling out the Property Disposition Request form kept with the City Treasurer.

Section 7: Sale Proceeds

All proceeds, after expense of sale, shall be allocated by the methods outlined below:
Proprietary Funded Surplus Real Property – If Surplus Real Property was purchased with proprietary funds, all proceeds from the sale of the Surplus Real Property shall be deposited into the proprietary fund in which the original purchase was sourced.

Non-Proprietary Funded Surplus Real Property- If the intent of the disposal was to offset the acquisition of a newer real property, those funds shall be used to reduce the purchase price of the new acquisition. If the proceeds were greater than anticipated, the remaining proceeds shall be deposited into the General Fund.

Section 8: Public Records

All City owned property is public record, therefore records of sales or leases of Surplus Real Property must be maintained by the City Clerk's Office. Public records will be managed in compliance with applicable local, State and Federal laws, regulations, and

policies including the Freedom of Information Act, Open Meetings Act, and Public Records retention schedules, Copyright Law and other applicable City policies.

Ordinance Offered by:

Ordinance Supported by:

Ayes:

Nays:

Abstain:

Absent:

ORDINANCE DECLARED ADOPTED THIS _____ DAY OF _____

Cathy North, Mayor

Laura Kasper, City Clerk

Ordinance Effective Date: _____, _____ (20 days after publication)