



COUNCIL WORKSHOP  
TUESDAY, JANUARY 3, 2023  
5:30 P.M.

AGENDA

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF AGENDA, CHANGES OR ADDITIONS
4. PUBLIC COMMENTS
5. NEW BUSINESS
  - A. Resolution 2023-01 Authorizing B.A.N. for Water Supply
  - B. Resolution 2023-02 Authorizing B.A.N. for Sewer Disposal System
  - C. Speedrack IFT Agreement
  - D. Resolution 2023-03 Speedrack IFT
  - E. 86 W Chicago Street – Zoning Classification
6. PUBLIC COMMENTS
7. ANNOUNCEMENTS/INFORMATION
8. ADJOURNMENT

47 Cole St

Quincy

Michigan

49082

517.639.9065

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RESOLUTION 2023-01  
AUTHORIZING ISSUANCE  
OF BOND ANTICIPATION NOTE  
(IN ANTICIPATION OF WATER SUPPLY SYSTEM REVENUE BONDS)

VILLAGE OF QUINCY  
County of Branch, State of Michigan

Minutes of a regular meeting of the Village Council of the Village of Quincy, County of Branch, State of Michigan, held on the 17th day of January, 2023, at 5:30 p.m., prevailing Eastern Time.

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

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

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

WHEREAS, the Village of Quincy, County of Branch, State of Michigan (the "Village"), has determined that it is necessary for the public health, safety and welfare of the Village to acquire, construct, furnish and equip improvements to the Village's water supply system, including improvements at Iron removal facility, including replacement of water filtration unit and all facility electrical, and replacing lead service lines throughout the Village, together with interests in land and all related sites, structures, equipment, appurtenances and attachments thereto (the "Project"); and

WHEREAS, the cost of the Project is estimated to be not less than Two Million Thirty-Five Thousand Dollars (\$2,035,000); and

WHEREAS, the Village Council (the "Council") intends to borrow an amount not to exceed Four Hundred Fifteen Thousand Dollars (\$415,000) and issue bonds (the "Bonds") pursuant to Act 94, Public Acts of Michigan, 1933, as amended ("Act 94"), to pay the cost of the Project; and

WHEREAS, a notice of intent to issue revenue bonds was published in accordance with Act 94 which provides that the Bonds may be issued without a vote of the electors of the Village unless a proper petition for an election on the question of the issuance of the Bonds is filed with the Village Clerk within a period of forty-five (45) days from the date of publication; and

WHEREAS, forty-five (45) days have elapsed since the date of publication of the aforementioned notice of intent, and no petition has been filed with the Village Clerk in connection therewith; and

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WHEREAS, the Village does not expect that it will be able to issue the Bonds until August 28, 2023 and does not have sufficient funds available to pay all of the preliminary costs of the Project prior to issuance of the Bonds, including engineering and design costs; and

WHEREAS, the Council deems it necessary to borrow the principal amount of not to exceed Two Hundred and Seven Thousand Dollars (\$207,000) and issue a bond anticipation note therefor pursuant to the provisions of Section 413 of Act 34, Public Acts of Michigan, 2001, as amended (“Act 34”), in anticipation of the issuance of the Bonds to pay certain costs of the Project coming due prior to the issuance by the Village of the Bonds; and

WHEREAS, the Village desires to solicit proposals from financial institutions and other prospective purchasers and negotiate the sale of the bond anticipation note to a purchaser (the “Purchaser”) within the parameters established by this resolution.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Necessity for Note; Authorization of Note; Note Terms. The Council declares that it is necessary for the Village to issue its bond anticipation note pursuant to the provisions of Section 413 of Act 34, in anticipation of the issuance of the Bonds by the Village, in order to pay certain costs of the Project and to reimburse the Village for expenditures made with respect to the Project prior to issuance of the Bonds.

A note of the Village designated 2023 GENERAL OBLIGATION LIMITED TAX NOTE (DWSRF) (the “Note”), is authorized to be issued in the principal amount of not to exceed Two Hundred and Seven Thousand Dollars (\$207,000) in anticipation of the issuance of the Bonds, including the costs incidental to the issuance, sale and delivery of the Note. The Note shall be issued in fully-registered form in the denomination of \$207,000 or such lesser amount as provided hereafter and shall be dated as of the date of delivery thereof. The Note shall not be convertible or exchangeable into more than one fully-registered note. The Note shall bear interest from the date of delivery at an interest rate not to exceed five percent (5.00%) per annum. Principal of and interest on the Note shall be payable in full on such maturity date as determined by the President, Village Clerk, Treasurer, or Village Manager (each, an “Authorized Officer”) at the time of sale of the Note (the “Payment Date”), provided, however, that the Note shall mature no later than October 25, 2023.

The Note shall be subject to redemption prior to maturity, at the option of the Village, in whole or from time to time in part, as determined by an Authorized Officer at the time of sale of the Note.

Interest on the Note shall be payable on the Payment Date to the registered owner of record as of the fifteenth (15th) day prior to the Payment Date. The record date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by an Authorized Officer to conform to market practice in the future. The principal of the Note shall be payable on the Payment Date upon presentation and surrender to the Paying Agent (as hereinafter defined).

2. Execution of Note. The Note shall be executed in the name of the Village with the manual or facsimile signatures of the President and the Village Clerk and shall have the seal of the Village, or a facsimile thereof, impressed or printed on the Note. If a Paying Agent is appointed, the Note shall be delivered to the Paying Agent for authentication, if necessary, and be delivered by the Paying Agent to the Purchaser or other person in accordance with instructions from the

President or the Treasurer upon payment of the purchase price for the Note. If a Paying Agent is not appointed, the Note shall be delivered to the Purchaser as provided in this resolution.

3. Payment of Note; Paying Agent; Transfer of Note. Principal of and interest on the Note shall be payable in lawful money of the United States of America by check, draft or electronic transfer by the Treasurer to the registered owner of the Note at the address shown on the registration books of the Village kept by the Treasurer or by the Paying Agent (hereinafter defined) if a Paying Agent is appointed by the Village.

The principal of the Note shall be payable at a Michigan bank or trust company to be selected by an Authorized Officer at the time of the sale of the Note as registrar, paying agent and transfer agent for the Note (the "Paying Agent"), provided that in the event that the Note is purchased by a single institutional investor the Treasurer may act as the Paying Agent. The Village reserves the right to replace the Paying Agent at any time upon written notice to the registered owner of record of the Note not less than sixty (60) days prior to the interest payment date of the Note.

The Paying Agent shall keep the books of registration for this issue on behalf of the Village. The Note 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 Note for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Paying Agent. Whenever the Note shall be surrendered for transfer, the Village shall execute and the Paying Agent shall authenticate and deliver a new Note for like aggregate principal amount. The Paying Agent shall require the payment by the noteholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer.

4. Security for the Note; Limited Tax Pledge; Debt Retirement Fund. The Village hereby pledges the proceeds of the Bonds for the prompt payment of the principal of and interest on the Note. As additional security for the Note, both principal and interest, the Village hereby pledges its limited tax full faith and credit for the prompt payment of the Note, and the Village shall budget each year the amount of the debt service coming due in the next fiscal year on the principal of and interest on the Note 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 Village in the amount necessary to pay such debt service in said fiscal year, subject to applicable constitutional and statutory tax rate limitations.

The Treasurer or designee is authorized and directed to open a depository account with a Michigan bank or trust company or to create an account on the books of the Village to be designated 2023 GENERAL OBLIGATION LIMITED TAX NOTE (DWSRF) 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 Note on the Payment Date.

5. Construction Fund; Proceeds of Note Sale. The Treasurer or designee is authorized and directed to open a separate depository account with a Michigan bank or trust company or to create an account on the books of the Village to be designated 2023 GENERAL OBLIGATION LIMITED TAX NOTE (DWSRF) CONSTRUCTION ACCOUNT (the "Construction Account") and deposit into the Construction Account the proceeds of the Note, less the premium, if any, which shall be deposited into the Debt Retirement Fund. The moneys in the Construction Account shall be used solely to pay the costs of the Project and the costs of issuance of the Note.

6. Note Form. The Note shall be in substantially the following form, with such changes as are necessary to conform the Note to the terms established at the time of sale of the Note:



Registered  
UNITED STATES OF AMERICA  
STATE OF MICHIGAN  
COUNTY OF BRANCH

VILLAGE OF QUINCY

2023 GENERAL OBLIGATION LIMITED TAX NOTE (DWSRF)

<u>Interest Rate</u> _____ %	<u>Maturity Date</u> _____ 1, 2023	<u>Date of Original Issue</u> _____, 2023
---------------------------------	---------------------------------------	--

Registered Owner: \_\_\_\_\_

Principal Amount: \_\_\_\_\_ Dollars

The VILLAGE OF QUINCY, County of Branch, State of Michigan (the “Village”), 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 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, payable on [\_\_\_\_\_, 20\_\_]. Principal of this note is payable at the designated corporate trust office of \_\_\_\_\_, Michigan, or such other paying agent as the Village may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to the interest payment date (the “Paying Agent”). Interest on this note is payable to the registered owner of record as of the fifteenth (15th) day of the month preceding the interest payment date as shown on the registration books of the Village kept by the Paying Agent by check or draft mailed to the registered owner of record at the registered address. For prompt payment of this note, both principal and interest, the limited tax full faith, credit and resources of the Village are hereby irrevocably pledged.

This note is issued in the principal amount of \$\_\_\_\_\_, for the purpose of paying part of the cost to acquire, construct, furnish and equip improvements to the Village’s water supply system, including improvements at Iron removal facility, including replacement of water filtration unit and all facility electrical, and replacing lead service lines throughout the Village, together with interests in land and all related sites, structures, equipment, appurtenances and attachments thereto (the “Project”). This note is issued under the provisions of Act 34, Public Acts of Michigan, 2001, as amended, and a duly adopted resolution of the Village.

This note shall be subject to redemption prior to maturity, at the option of the Village, in whole or from time to time in part, on any date on or after August 1, 2023, at a redemption price equal to par plus accrued interest to the date fixed for redemption.

Unless waived by the registered owner of record, notice of redemption of this note shall be given at least ten (10) days prior to the date fixed for redemption by mail to the registered owner at the registered address shown on the registration books kept by the Paying Agent. The note or portion thereof so called for redemption shall not bear interest after the date fixed for redemption, provided funds are on hand with the Paying Agent to redeem said note or portion thereof.

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

This note is transferable only upon the registration books of the Village kept by the Paying 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 note together with a written instrument of transfer satisfactory to the Paying Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered note 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 note and upon the payment of the charges, if any, therein prescribed.

This note, including the interest hereon, is payable from the proceeds of long-term bonds to be issued by the Village to pay the costs of the Project and to retire this note. This note, including the interest hereon, is also payable as a first budget obligation from the general funds of the Village, including, if necessary, the levy of ad valorem taxes on all taxable property in the Village for the payment thereof, subject to applicable constitutional and statutory tax rate limitations.

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

[This note is not valid or obligatory for any purpose until the Paying Agent's Certificate of Authentication on this note has been executed by the Paying Agent.]

IN WITNESS WHEREOF, the Village, by its Village Council, has caused this note to be signed in its name with the [manual/facsimile] signatures of its President and its Village Clerk and [a facsimile of] its corporate seal to be [affixed/printed] hereon, all as of the Date of Original Issue.

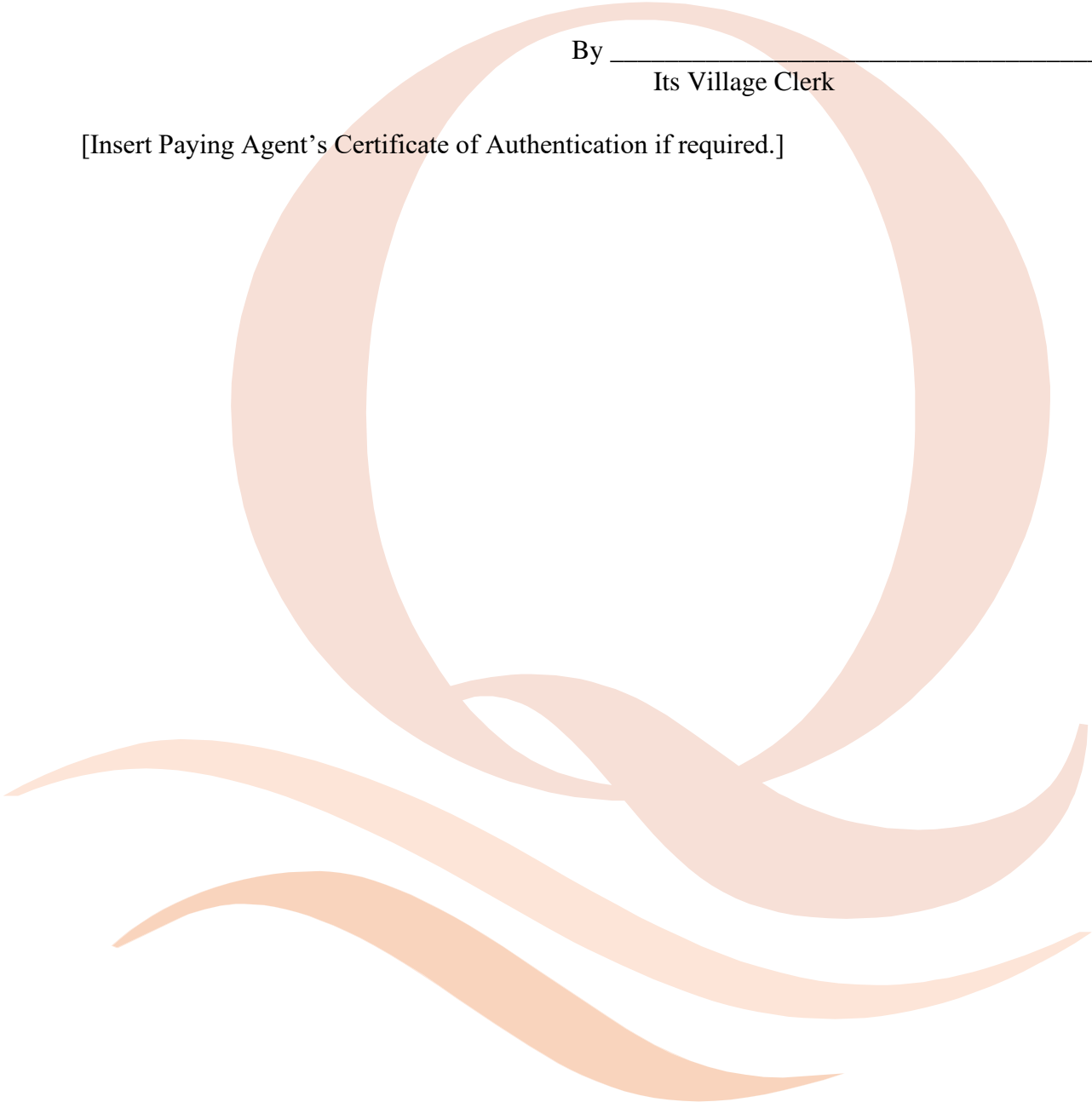
VILLAGE OF QUINCY

By \_\_\_\_\_  
Its President

(SEAL)

By \_\_\_\_\_  
Its Village Clerk

[Insert Paying Agent's Certificate of Authentication if required.]





7. Negotiated Sale; Sale to Purchaser. The Council has considered the option of selling the Note through a competitive sale and a negotiated sale, and, pursuant to the requirements of Act 34, hereby determines that a negotiated sale of the Note to the Purchaser will result in the most efficient and expeditious means of selling the Note and will result in the lowest interest cost to the Village and advantageous redemption terms.

Each Authorized Officer is hereby authorized to solicit proposals from and select a purchaser for the Note and to place the Note with the Purchaser, subject to the parameters set forth in this resolution. Each Authorized Officer is authorized to award the sale of the Note to the Purchaser and to establish the final terms of the Note pursuant to a sale order, subject to the parameters set forth in this resolution.

8. Useful Life of Project. The estimated period of usefulness of the Project is hereby declared to be not less than forty (40) years.

9. Tax Covenant. The Village shall, to the extent permitted by law, take all actions within its control necessary to maintain the exclusion of the interest on the Note 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 Note proceeds and moneys deemed to be Note proceeds.

10. Qualified Tax-Exempt Obligation. The Village hereby designates the Note as a "qualified tax-exempt obligation" for purposes of deduction of interest expense by financial institutions pursuant to the Code.

11. Authorization of Other Actions. The Authorized Officers are each authorized to file such applications or other documents with the Michigan Department of Treasury or other parties as may be necessary or advisable to effectuate the sale and delivery of the Note, including an application for prior approval in accordance with Section 303(7) of Act 34, if necessary.

12. Adjustment of Note Terms. The Authorized Officers are authorized to adjust the final Note details set forth herein to the extent necessary or convenient to complete the transaction authorized herein, 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, *provided* that the principal amount of Note issued shall not exceed the principal amount authorized in this resolution (\$207,000), the interest rate per annum on the Note shall not exceed five percent (5.00%) per annum, the purchase price shall be not less than 99.00% of the par amount of the Note, and the Note shall mature no later than October 25, 2023. The final Note details shall be evidenced by execution of the Note, either manual or facsimile, by the President and Village Clerk.

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

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.

\_\_\_\_\_  
Village Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Village Council of the Village of Quincy, County of Branch, State of Michigan, at a regular meeting held on January 17, 2023, 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, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

\_\_\_\_\_  
Village Clerk



RESOLUTION 2023-02  
AUTHORIZING ISSUANCE  
OF BOND ANTICIPATION NOTE  
(IN ANTICIPATION OF SEWAGE DISPOSAL SYSTEM REVENUE BONDS)

VILLAGE OF QUINCY  
County of Branch, State of Michigan

Minutes of a regular meeting of the Village Council of the Village of Quincy, County of Branch, State of Michigan, held on the 17th day of January, 2023, at 5:30 p.m., prevailing Eastern Time.

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

\_\_\_\_\_

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

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

WHEREAS, the Village of Quincy, County of Branch, State of Michigan (the "Village"), has determined that it is necessary for the public health, safety and welfare of the Village to acquire, construct, furnish and equip improvements to the Village's sewage disposal system, including replacing Pleasant Street pump station, together with force main and sanitary sewer improvements on Liberty Street, replacing the headworks screen and building at Lagoons, repairing the aeration system in Lagoon 1, and installing the aeration system in Lagoon 2, together with interests in land and all related sites, structures, equipment, appurtenances and attachments thereto (the "Project"); and

WHEREAS, the cost of the Project is estimated to be not less than Three Million Two Hundred Thirty Thousand Dollars (\$3,230,000); and

WHEREAS, the Village Council (the "Council") intends to borrow an amount not to exceed One Million Six Hundred Fifteen Thousand Dollars (\$1,615,000) and issue bonds (the "Bonds") pursuant to Act 94, Public Acts of Michigan, 1933, as amended ("Act 94"), to pay the cost of the Project; and

WHEREAS, a notice of intent to issue revenue bonds was published in accordance with Act 94 which provides that the Bonds may be issued without a vote of the electors of the Village unless a proper petition for an election on the question of the issuance of the Bonds is filed with the Village Clerk within a period of forty-five (45) days from the date of publication; and

WHEREAS, forty-five (45) days have elapsed since the date of publication of the aforementioned notice of intent, and no petition has been filed with the Village Clerk in connection therewith; and

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WHEREAS, the Village does not expect that it will be able to issue the Bonds until August 28, 2023 and does not have sufficient funds available to pay all of the preliminary costs of the Project prior to issuance of the Bonds, including engineering and design costs; and

WHEREAS, the Council deems it necessary to borrow the principal amount of not to exceed Two Hundred Fifty-Seven Thousand Dollars (\$257,000) and issue a bond anticipation note therefor pursuant to the provisions of Section 413 of Act 34, Public Acts of Michigan, 2001, as amended (“Act 34”), in anticipation of the issuance of the Bonds to pay certain costs of the Project coming due prior to the issuance by the Village of the Bonds; and

WHEREAS, the Village desires to solicit proposals from financial institutions and other prospective purchasers and negotiate the sale of the bond anticipation note to a purchaser (the “Purchaser”) within the parameters established by this resolution.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Necessity for Note; Authorization of Note; Note Terms. The Council declares that it is necessary for the Village to issue its bond anticipation note pursuant to the provisions of Section 413 of Act 34, in anticipation of the issuance of the Bonds by the Village, in order to pay certain costs of the Project and to reimburse the Village for expenditures made with respect to the Project prior to issuance of the Bonds.

A note of the Village designated 2023 GENERAL OBLIGATION LIMITED TAX NOTE (CWSRF) (the “Note”), is authorized to be issued in the principal amount of not to exceed Two Hundred Fifty-Seven Thousand Dollars (\$257,000) in anticipation of the issuance of the Bonds, including the costs incidental to the issuance, sale and delivery of the Note. The Note shall be issued in fully-registered form in the denomination of \$257,000 or such lesser amount as provided hereafter and shall be dated as of the date of delivery thereof. The Note shall not be convertible or exchangeable into more than one fully-registered note. The Note shall bear interest from the date of delivery at an interest rate not to exceed five percent (5.00%) per annum. Principal of and interest on the Note shall be payable in full on such maturity date as determined by the President, Village Clerk, Treasurer, or Village Manager (each, an “Authorized Officer”) at the time of sale of the Note (the “Payment Date”), provided, however, that the Note shall mature no later than October 25, 2023.

The Note shall be subject to redemption prior to maturity, at the option of the Village, in whole or from time to time in part, as determined by an Authorized Officer at the time of sale of the Note.

Interest on the Note shall be payable on the Payment Date to the registered owner of record as of the fifteenth (15th) day prior to the Payment Date. The record date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by an Authorized Officer to conform to market practice in the future. The principal of the Note shall be payable on the Payment Date upon presentation and surrender to the Paying Agent (as hereinafter defined).

2. Execution of Note. The Note shall be executed in the name of the Village with the manual or facsimile signatures of the President and the Village Clerk and shall have the seal of the Village, or a facsimile thereof, impressed or printed on the Note. If a Paying Agent is appointed, the Note shall be delivered to the Paying Agent for authentication, if necessary, and be delivered by the Paying Agent to the Purchaser or other person in accordance with instructions from the

President or the Treasurer upon payment of the purchase price for the Note. If a Paying Agent is not appointed, the Note shall be delivered to the Purchaser as provided in this resolution.

3. Payment of Note; Paying Agent; Transfer of Note. Principal of and interest on the Note shall be payable in lawful money of the United States of America by check, draft or electronic transfer by the Treasurer to the registered owner of the Note at the address shown on the registration books of the Village kept by the Treasurer or by the Paying Agent (hereinafter defined) if a Paying Agent is appointed by the Village.

The principal of the Note shall be payable at a Michigan bank or trust company to be selected by an Authorized Officer at the time of the sale of the Note as registrar, paying agent and transfer agent for the Note (the "Paying Agent"), provided that in the event that the Note is purchased by a single institutional investor the Treasurer may act as the Paying Agent. The Village reserves the right to replace the Paying Agent at any time upon written notice to the registered owner of record of the Note not less than sixty (60) days prior to the interest payment date of the Note.

The Paying Agent shall keep the books of registration for this issue on behalf of the Village. The Note 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 Note for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Paying Agent. Whenever the Note shall be surrendered for transfer, the Village shall execute and the Paying Agent shall authenticate and deliver a new Note for like aggregate principal amount. The Paying Agent shall require the payment by the noteholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer.

4. Security for the Note; Limited Tax Pledge; Debt Retirement Fund. The Village hereby pledges the proceeds of the Bonds for the prompt payment of the principal of and interest on the Note. As additional security for the Note, both principal and interest, the Village hereby pledges its limited tax full faith and credit for the prompt payment of the Note, and the Village shall budget each year the amount of the debt service coming due in the next fiscal year on the principal of and interest on the Note 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 Village in the amount necessary to pay such debt service in said fiscal year, subject to applicable constitutional and statutory tax rate limitations.

The Treasurer or designee is authorized and directed to open a depository account with a Michigan bank or trust company or to create an account on the books of the Village to be designated 2023 GENERAL OBLIGATION LIMITED TAX NOTE (CWSRF) 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 Note on the Payment Date.

5. Construction Fund; Proceeds of Note Sale. The Treasurer or designee is authorized and directed to open a separate depository account with a Michigan bank or trust company or to create an account on the books of the Village to be designated 2023 GENERAL OBLIGATION LIMITED TAX NOTE (CWSRF) CONSTRUCTION ACCOUNT (the "Construction Account") and deposit into the Construction Account the proceeds of the Note, less the premium, if any, which shall be deposited into the Debt Retirement Fund. The moneys in the Construction Account shall be used solely to pay the costs of the Project and the costs of issuance of the Note.

6. Note Form. The Note shall be in substantially the following form, with such changes as are necessary to conform the Note to the terms established at the time of sale of the Note:



Registered  
UNITED STATES OF AMERICA  
STATE OF MICHIGAN  
COUNTY OF BRANCH

VILLAGE OF QUINCY

2023 GENERAL OBLIGATION LIMITED TAX NOTE (CWSRF)

Interest Rate

\_\_\_\_\_%

Maturity Date

\_\_\_\_\_, 1, 2023

Date of Original Issue

\_\_\_\_\_, 2023

Registered Owner: \_\_\_\_\_

Principal Amount: \_\_\_\_\_ Dollars

The VILLAGE OF QUINCY, County of Branch, State of Michigan (the “Village”), 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 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, payable on [\_\_\_\_\_, 20\_\_]. Principal of this note is payable at the designated corporate trust office of \_\_\_\_\_, Michigan, or such other paying agent as the Village may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to the interest payment date (the “Paying Agent”). Interest on this note is payable to the registered owner of record as of the fifteenth (15th) day of the month preceding the interest payment date as shown on the registration books of the Village kept by the Paying Agent by check or draft mailed to the registered owner of record at the registered address. For prompt payment of this note, both principal and interest, the limited tax full faith, credit and resources of the Village are hereby irrevocably pledged.

This note is issued in the principal amount of \$\_\_\_\_\_, for the purpose of paying part of the cost to acquire, construct, furnish and equip improvements to the Village’s sewage disposal system, including replacing Pleasant Street pump station, together with force main and sanitary sewer improvements on Liberty Street, replacing the headworks screen and building at Lagoons, repairing the aeration system in Lagoon 1, and installing the aeration system in Lagoon 2, together with interests in land and all related sites, structures, equipment, appurtenances and attachments thereto (the “Project”). This note is issued under the provisions of Act 34, Public Acts of Michigan, 2001, as amended, and a duly adopted resolution of the Village.

This note shall be subject to redemption prior to maturity, at the option of the Village, in whole or from time to time in part, on any date on or after August 1, 2023, at a redemption price equal to par plus accrued interest to the date fixed for redemption.

Unless waived by the registered owner of record, notice of redemption of this note shall be given at least ten (10) days prior to the date fixed for redemption by mail to the registered owner at the registered address shown on the registration books kept by the Paying Agent. The note or portion thereof so called for redemption shall not bear interest after the date fixed for redemption, provided funds are on hand with the Paying Agent to redeem said note or portion thereof.

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

This note is transferable only upon the registration books of the Village kept by the Paying 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 note together with a written instrument of transfer satisfactory to the Paying Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered note 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 note and upon the payment of the charges, if any, therein prescribed.

This note, including the interest hereon, is payable from the proceeds of long-term bonds to be issued by the Village to pay the costs of the Project and to retire this note. This note, including the interest hereon, is also payable as a first budget obligation from the general funds of the Village, including, if necessary, the levy of ad valorem taxes on all taxable property in the Village for the payment thereof, subject to applicable constitutional and statutory tax rate limitations.

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

[This note is not valid or obligatory for any purpose until the Paying Agent's Certificate of Authentication on this note has been executed by the Paying Agent.]



IN WITNESS WHEREOF, the Village, by its Village Council, has caused this note to be signed in its name with the [manual/facsimile] signatures of its President and its Village Clerk and [a facsimile of] its corporate seal to be [affixed/printed] hereon, all as of the Date of Original Issue.

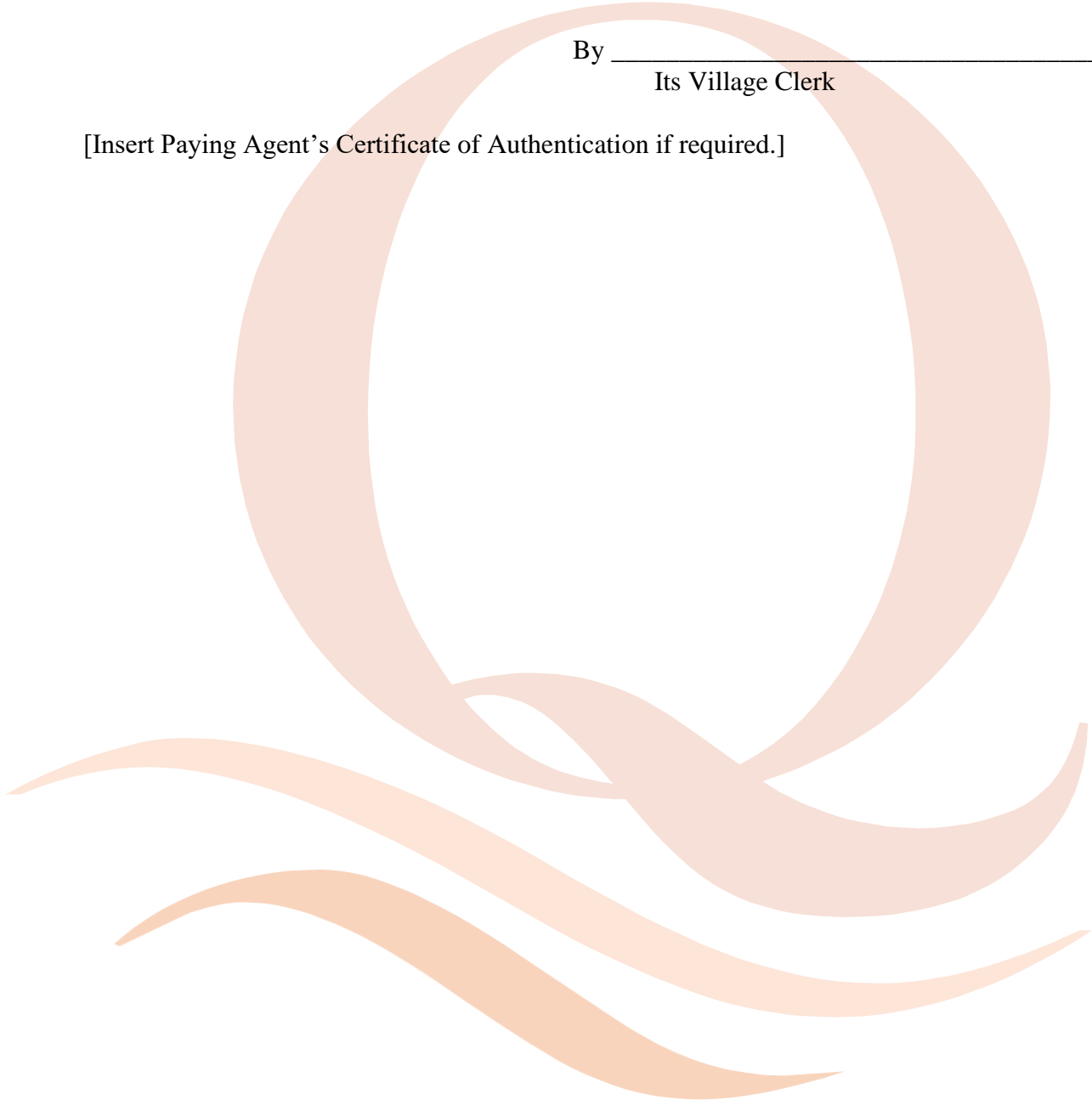
VILLAGE OF QUINCY

By \_\_\_\_\_  
Its President

(SEAL)

By \_\_\_\_\_  
Its Village Clerk

[Insert Paying Agent's Certificate of Authentication if required.]



7. Negotiated Sale; Sale to Purchaser. The Council has considered the option of selling the Note through a competitive sale and a negotiated sale, and, pursuant to the requirements of Act 34, hereby determines that a negotiated sale of the Note to the Purchaser will result in the most efficient and expeditious means of selling the Note and will result in the lowest interest cost to the Village and advantageous redemption terms.

Each Authorized Officer is hereby authorized to solicit proposals from and select a purchaser for the Note and to place the Note with the Purchaser, subject to the parameters set forth in this resolution. Each Authorized Officer is authorized to award the sale of the Note to the Purchaser and to establish the final terms of the Note pursuant to a sale order, subject to the parameters set forth in this resolution.

8. Useful Life of Project. The estimated period of usefulness of the Project is hereby declared to be not less than thirty (30) years.

9. Tax Covenant. The Village shall, to the extent permitted by law, take all actions within its control necessary to maintain the exclusion of the interest on the Note 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 Note proceeds and moneys deemed to be Note proceeds.

10. Qualified Tax-Exempt Obligation. The Village hereby designates the Note as a "qualified tax-exempt obligation" for purposes of deduction of interest expense by financial institutions pursuant to the Code.

11. Authorization of Other Actions. The Authorized Officers are each authorized to file such applications or other documents with the Michigan Department of Treasury or other parties as may be necessary or advisable to effectuate the sale and delivery of the Note, including an application for prior approval in accordance with Section 303(7) of Act 34, if necessary.

12. Adjustment of Note Terms. The Authorized Officers are authorized to adjust the final Note details set forth herein to the extent necessary or convenient to complete the transaction authorized herein, 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, *provided* that the principal amount of Note issued shall not exceed the principal amount authorized in this resolution (\$257,000), the interest rate per annum on the Note shall not exceed five percent (5.00%) per annum, the purchase price shall be not less than 99.00% of the par amount of the Note, and the Note shall mature no later than October 25, 2023. The final Note details shall be evidenced by execution of the Note, either manual or facsimile, by the President and Village Clerk.

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

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.

\_\_\_\_\_  
Village Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Village Council of the Village of Quincy, County of Branch, State of Michigan, at a regular meeting held on January 17, 2023, 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, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

\_\_\_\_\_  
Village Clerk

# Agreement

This agreement entered into January 17, 2023, by and between:

Speedrack Products Group  
42 Cole Street  
Quincy, MI 49082

And

Village of Quincy  
47 Cole Street  
Quincy, MI 49082

WHEREAS, the Company has made application to the Village for an industrial facilities exemption pursuant to PA 198 of 1974; and

WHEREAS, the Village Council has approved the application for twelve years on personal property; and

WHEREAS, a written contract concerning the agreement between the Village and the Company is required.

NOW, THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

1. The Company agrees that the building and/or equipment replacement, construction, restoration or installation shall occur as a condition to receiving the industrial facilities exemption certificate as set forth in the application which is attached hereto and incorporated therein as Exhibit "A" (the "Application").
2. The Company has estimated the number of jobs, which will be retained and/or created as a result of this project. The company agrees that it will use its best good faith efforts to meet said estimates.
3. In the event the Company ceases all or substantially all of the production at the property described in the Application during the term of the Industrial Facilities Exemption Certificate, the Company agrees the Industrial Facilities Exemption Certificate will be revoked and it will receive no further tax abatement for the property to which the Industrial Facilities Exemption Certificate applies. As defined in PA 198, the Township may proceed to recover all abated taxes for the years completed under this abatement.
4. This agreement shall be binding on the parties hereto, their successors, and assigns. The Company agrees that if it enters into any negotiations for the

sale of the property covered by the Industrial Facilities Exemption Certificate  
it will notify any prospective purchasers of the terms of this agreement.

Date: January \_\_\_\_ 2023

Speedrack Products Group

By: \_\_\_\_\_  
Don Porritt

Date: January \_\_\_\_ 2023

Village of Quincy

By: \_\_\_\_\_  
Michael Hagaman  
Village President

Resolution No. 2023-03  
Industrial Facilities Tax Exemption Certificate

Resolution Approving Application of  
Speedrack Products Group  
42 Cole Street  
Quincy, MI 49082

WHEREAS, the Village Council previously established an Industrial Development District under the provisions of Act 198 of the Public Acts of Michigan, 1974, as amended; and

WHEREAS, Speedrack Products Group has filed an application for an Industrial Facilities Tax Exemption Certificate with respect to personal property to be acquired and installed within the Industrial Development District; and

WHEREAS, before acting on said application, the Village of Quincy held a hearing on January 17, 2023 at the Village of Quincy at 5:30 PM, at which hearing the applicant, assessor, and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes with Quincy Township, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted; and

WHEREAS, the completion of the facility is calculated to and will at the time of issuance of the certificate have reasonable likelihood to retain, create, or prevent the loss of employment in the Village of Quincy; and

NOW, THEREFORE BE IT RESOLVED by the Council of the Village of Quincy that:

1. The Village of Quincy finds and determines that the granting of the Industrial Facilities Tax Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974 and Act No. 255 of the Public Acts of 1978, shall not have the effect of substantially impeding the operation of the Village of Quincy or impairing the financial soundness of a taxing unit which levies ad valorem taxes in the Village of Quincy.
2. The application of Speedrack Products Group for an Industrial Facilities Tax Exemption Certificate with respect to personal property acquired and installed on the following described parcel of real property, situated within the established Industrial Development District, to wit:

Parcel #081-N01-000-164-00

Therein lies the specific parcel applying for this abatement and being described on the attached page.

3. The Industrial Facilities Tax Exemption Certificate when issued shall be and remain in force and effect for a period of twelve years.

Ayes:

Nays:

Absent:

Resolution Declared Adopted.

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Tricia Rzepka  
Clerk/Treasurer

---

Date





TO: Village of Quincy Council  
FROM: Brittany Butler, Village Manager  
SUBJECT: 86 W. Chicago Street – Zoning Classification  
DATE: December 29, 2022

Council Trustees,

As per the Village zoning ordinance, when a requested zoning use cannot be defined in the zoning ordinance it is up to the Village Council to decide what the requested use most relates to.

*Zoning Ordinance Reference Article 3 Table of Permitted Uses, Section 3.01, Letter A:*

- *(A) This Ordinance acknowledges that all potential uses of land cannot be specifically identified in the zoning districts. All applications for a use not specifically addressed in any zoning district shall be submitted to the Zoning Board of Appeals for review and decision, based on the following standards.*
  - *(1) A finding the proposed use is not listed as a permitted or Special Land Use in any zoning district.*
  - *(2) If the use is not addressed in the Zoning Ordinance, the Village Council shall select the use listed in the Zoning Ordinance which most closely resembles the proposed use using criteria such as potential impact on property values, nature of use, traffic generated, aesthetics, noise, vibration, dust, smoke, odor, glare and other objectionable impacts terms of health, safety and welfare in the Village.*
  - *(3) Once a similar use is determined, the proposed use shall comply with any special land use standards that apply to the similar use.*
  - *(4) Where the Village Council determines a proposed use is not similar to a use addressed in the Zoning Ordinance, the applicant may petition for an amendment to the Zoning Ordinance.*
- *(B) The determination as to whether a proposed use is similar in nature and class to another permitted or special land use within a district should be considered as an expansion of the use regulations, not a variance applying to a particular situation. Any use determined by the Zoning Board of Appeals to be similar shall thereafter be included in the enumeration of the uses.*

Stew Fitton, owner of 86 W. Chicago Street, stopped by the office on December 16<sup>th</sup> to request a sign permit. While going over sign permit requirements, Stew had mentioned the business uses he is planning on putting in at 86 W. Chicago Street (the old Brand Construction).

47 Cole St  
Quincy  
Michigan  
49082

517.639.9065

[www.Quincy-MI.org](http://www.Quincy-MI.org)



The subject property consists of three parcels all zoned commercial. (See image below)



Red = Commercial Zoning District  
 Purple = Residential / Limited Business

Parcel Numbers

Part of the uses he is wanting for these parcels are for outdoor storage of boats and campers. The zoning ordinance only references “outdoor storage” under Article 7 General Provisions, which states:

*In all zoning districts, objects, substances, materials, or equipment which are not contained within a completely enclosed building shall be enclosed by an opaque fence not less than 6 feet in height.*

However, this states only the provision of outdoor storage and does not address a use for a business. If you refer to RV parking, this is allowed in the Residential zoning district and has a limitation of one per residential lot, with the exception of two are permitted with lots exceeding one-half acre in size. This section of the ordinance does not address allowance for other zoning type districts.

Looking into the types of permitted zoning uses listed, there are two types of businesses that closely relate:

- Section 6.34 Self Storage Facilities

P = Permitted by Right	S = Permitted by Special Use Permit							Blank = Prohibited	
Use	R	MF	RLB	MP	C	CBD	MU	I	Zoning Ref #
Self-Storage Facilities					P		S	P	6.34

- (A) Definition. Enclosed space for rent to the general public for use to store non-perishable goods.
- (B) Standards.
  - (1) All storage units with exterior doorways must be accessed by a drive aisle meeting the dimensional requirements of this Ordinance.
  - (2) The drive aisles must be paved.
  - (3) Outdoor storage areas must meet the requirements of Section 7.09.

➤ Section 6.21 Marina

P = Permitted by Right	S = Permitted by Special Use Permit							Blank = Prohibited	
Use	R	MF	RLB	MP	C	CBD	MU	I	Zoning Ref #
Marina							S		6.34

- (A) Definition. A facility for storing, servicing, fueling, berthing, and securing and launching of private pleasure craft that may include the sale of fuel and incidental supplies for the boat owner, crews, and guests.
- (B) Standards.
  - (1) Outdoor storage of boats shall be permitted. The requirements for Outdoor Storage in Section 7.09 shall apply.
  - (2) Storage of boats within an enclosed building shall be permitted all year round (January through December).
  - (10) The Planning Commission may require the entire site or portions thereof to be fenced. Said fencing shall be six (6) feet in height.
  - (11) Storage locations for boats shall be clearly delineated on the site plan. Access drives between boat storage spaces must meet the dimensional requirements of this Ordinance.
  - (12) All boats stored or docked at a marina must have current registration through the State of Michigan.
  - (13) The following accessory uses are permitted as part of a marina and require no additional approvals. These accessory uses are permitted on marina sites in all zoning districts where marinas are permitted.
    - (a) Storage of Boats, as described in Subsections 1 and 2 above.

If Council decides that the requested use closely resembles that of Self Storage and the related criteria of impact, the request will then be allowed as self-storage is permitted in the Commercial Zoning District. A site plan would be required and would need to be approved at the Joint Planning Commission.

If Council decides that the requested use closely resembles that of a Marina and the related criteria of impact, the request will be denied as marinas are prohibited in all districts except Mixed Use Zoning District.

Council Trustees will need to keep in mind the related criteria of impact, which include:

- Potential impact on property values
- Nature of use
- Traffic generated
- Aesthetics
- Noise
- Vibration
- Dust
- Smoke
- Odor
- Glare
- Other objectionable impacts terms of health, safety and welfare in the Village.