MARSHALL CITY COUNCIL AGENDA

MONDAY – 7:00 P.M.

August 19, 2013

1) **CALL TO ORDER**

2) **ROLL CALL**

3) **INVOCATION** – Kris Tarkiewicz, Family Bible Church

4) **PLEDGE OF ALLEGIANCE**

5) **APPROVAL OF AGENDA** – Items can be added or deleted from the Agenda by Council action.

6) **PUBLIC COMMENT ON AGENDA ITEMS** – Persons addressing Council are required to give their name and address for the record when called upon by the Mayor. Members of the public shall be limited to speaking for a maximum of five (5) minutes on any agenda item.

7) **CONSENT AGENDA**

A. **City Council Minutes** **P. 3**

Work Session.....Monday, August 5, 2013

Regular Session.....Monday, August 5, 2013

B. **City Bills** **P. 14**

Regular Purchases ..... $ 273,940.03

Weekly Purchases –8/2/13 ..... $ 10,739.99

Weekly Purchases –8/9/13 ..... $53,035.42

Total ..... $ 337,715.44

8) **PRESENTATIONS AND RECOGNITIONS**

9) **INFORMATIONAL ITEMS**

10) **PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION**

11) **OLD BUSINESS**

12) **REPORTS AND RECOMMENDATIONS**

A. **Land Purchase by Mor-Dall** **P. 18**

City Council will consider the recommendation to authorize the City Attorney to formulate all necessary documents and authorize the City Clerk to sign the documents for the land sale to Mor-Dall.

B. **Receive Planning Commission Recommendation on Hospital Campus Overlay District (HCOD) Ordinance and Set Public Hearing for September 16, 2013** **P. 19**

City Council will consider the recommendation to receive the Planning Commission's recommendation on the HCOD ordinance and map (previous ordinances 2013-02 and 2013-03) and set a public hearing for September 16, 2013 to hear public comment on the ordinances.

C. **2013 Marshall House Apartment Renovations – Bid Award** **P. 33**

City Council will consider the recommendation to accept the low bid of $179,000 from First Contracting, Inc. of Ovid, MI for the 2013 Apartment Renovation Project.

Mayor:

James Dyer

Council Members:

Ward 1 - David Revore

Ward 2 - Nick Metzger

Ward 3 - Brent Williams

Ward 4 - Jack Reed

Ward 5 - Jody Mankerian

At-Large - Kathy Miller

CITY OF Marshall Michigan

D. **Electric System Study with 5 Year Master Plan** **P. 34**

City Council will consider the recommendation to approve an agreement with Spectrum Engineering for $99,874.20 for the Electric System Study with 5 Year Master Plan.

13) APPOINTMENTS / ELECTIONS

A. **Downtown Development Authority - Main Street Board Appointment** **P.35**

City Council will consider the recommendation to approve the appointment of Mike Beck to the DDA/Main Street Board with a term expiring on December 31, 2017.

14) PUBLIC COMMENT ON NON-AGENDA ITEMS

Persons addressing Council are required to give their name and address for the record when called upon by the Mayor. Members of the public shall be limited to speaking for a maximum of five (5) minutes on any item not on the agenda.

15) COUNCIL AND MANAGER COMMUNICATIONS

16) ADJOURNMENT

Respectfully submitted,

Tom Tarkiewicz
City Manager

IN A WORK SESSION Monday, August 5, 2013 at 6:00 P.M. in the Council Chambers of Town Hall, 323 West Michigan Avenue, Marshall, MI, the Marshall City Council was called to order.

Present:	Council Members: Mayor Dyer, Mankerian, Metzger, Miller, Reed, and Williams
Also Present:	City Manager Tarkiewicz
Absent:	Council Member Revore.

A. MAEDA staff presented the proposal received for redevelopment of the Cronin Building.

B. A subcommittee was formed consisting of Council members Reed, Revore, and Metzger to review a development agreement for the Cronin Building.

The meeting was adjourned at 6:59 p.m.

James L. Dyer, Mayor

Trisha Nelson, Clerk

CALL TO ORDER

IN REGULAR SESSION Monday, August 5, 2013 at 7:00 P.M. in the Council Chambers of Town Hall, 323 West Michigan Avenue, Marshall, MI, the Marshall City Council was called to order by Mayor Dyer.

ROLL CALL

Roll was called:

Present: Council Members: Mayor Dyer, Mankerian, Metzger, Miller, Reed, Revore, and Williams.

Also Present: City Manager Tarkiewicz.

Absent: None.

INVOCATION/PLEDGE OF ALLEGIANCE

Scott Loughrige of Cross Roads Church and Ministries gave the invocation and Mayor Dyer led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Moved Metzger, supported Reed, to approve the agenda with the addition item 15A – Closed Session to discuss a possible property purchase. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON AGENDA ITEMS

None.

CONSENT AGENDA

Moved Williams, supported Metzger, to approve the Consent Agenda:

A. Approve minutes of the City Council Regular Session held on Monday, July 15, 2013;
B. Approve city bills in the amount of $ 2,069,725.29.

On a roll call vote – ayes: Mankerian, Metzger, Miller, Reed, Revore, Williams, and Mayor Dyer; nays: none. **MOTION CARRIED.**

PRESENTATIONS AND RECOGNITIONS

None.

INFORMATIONAL ITEMS

None.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. Autocam Corporation IFT Application, 1601 Pratt Avenue:

Mike Hindenach, MAEDA Industrial Manager, provided an overview of the Industrial Facilities Tax Exemption Certificate application by Autocam Corporation at 1601 Pratt Avenue and Jeff Goodman, Plant Manager at Autocam, provided an overview of the changes taking place at Autocam.

Mayor Dyer opened the public hearing to hear public comment on the proposed application for an Industrial Facilities Tax Exemption Certificate for Autocam Corporation at 1601 Pratt Avenue.

Hearing no comment, the hearing was closed.

Moved Miller, supported Mankerian, to approve the application for an Industrial Facilities Tax Exemption Certificate for Autocam Corporation at 1601 Pratt Avenue. On a roll call vote – ayes: Metzger, Miller, Reed, Revore, Williams, Mayor Dyer, and Mankerian; nays: none. **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN
RESOLUTION #2013-34

Minutes of a regular meeting of the City Council of the City of Marshall held on August 5, 2013, in the Council Chambers of Town Hall located at 323 West Michigan Avenue, Marshall, Michigan.

Present: Mayor Dyer, Mankerian, Metzger, Miller, Reed, Revore, and Williams.
Absent: None.

The following preamble and resolution were offered by Council Member Miller and supported by Council Member Mankerian.

**RESOLUTION TO APPROVE APPLICATION OF
AUTOCAM CORPORATION
1601 PRATT AVENUE, MARSHALL, MI
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR
REAL PROPERTY – BUILDING ADDITION**

WHEREAS, pursuant to P.A. 198 of 1974, MCL 211.551 et seq., after a duly noticed public hearing held on October 16, 1979, the Council by Resolution established Industrial Development District No. D-7 as requested; and

WHEREAS, Autocam Corporation has filed an application for an Industrial Facilities Exemption Certificate with respect to real and personal property improvements within Industrial Development District D-7; and

WHEREAS, in accordance with Act 334, P.A. 1993 amending Act 198, P.A. 1974, a written agreement shall be executed between the applicant and the City of Marshall allowing, under specific circumstances, the reduction and/or revocation of the certificate and recapture of the taxes abated; and

WHEREAS, before acting on said application, the City of Marshall held a hearing on August 5, 2013 in the Council Chambers of Town Hall, located at 323 West Michigan Avenue, Marshall, Michigan, at 7:00 p.m. at which hearing the applicant, public, 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 acquisition and installation of the new equipment, had not begun earlier than six (6) months before July 22, 2013, the date of acceptance of the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, the real and personal property investment is calculated to and will, at the time of issuance of the certificate, have the reasonable likelihood to retain, create or prevent the loss of employment in the City of Marshall; and

WHEREAS, the granting of said certificate shall not have the effect of substantially impeding the operation of the City of Marshall, or impairing the financial soundness of a taxing unit which levies ad-valorem property taxes in the City of Marshall; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Marshall, after granting this certificate, will exceed 5% of an amount equal to the sum of the SEV of the local unit, plus the SEV of personal and real property thus exempted; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marshall that:

1. The City Council find and determine that the granting of the Industrial Facilities 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, shall not have the effect of substantially impeding the operation of the City of Marshall, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Marshall.

2. The application of Autocam Corporation, 1601 Pratt Avenue, for an Industrial Facilities Exemption Certificate, with respect to real property improvements and personal property improvements described as new machinery and equipment to be acquired and installed within the Industrial Development District No. D-7 is hereby approved.

3. The Industrial Facilities Exemption Certificate, when issued, shall be and remain in force and effect for a period of (10) ten years under the rules and regulations of Act 198 of Public Acts of 1974, as amended, for the new machinery and equipment from the date of approval by the State Tax Commission.

AYES: Metzger, Miller, Reed, Revore, Williams, Mayor Dyer, and Mankerian.

NAYS: None.

Trisha Nelson, Clerk

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Council of the City of Marshall, County of Calhoun, Michigan, at a regular meeting held August 5, 2013.

Trisha Nelson, Clerk

B. Autocam Corporation IFT Application, 1511 George Brown Drive:

Mike Hindenach, MAEDA Industrial Manager, provided an overview of the Industrial Facilities Tax Exemption Certificate application by Autocam Corporation at 1511 George Brown Drive and Jeff Goodman, Plant Manager at Autocam, provided an overview of the changes taking place at Autocam.

Mayor Dyer opened the public hearing to hear public comment on the proposed application for an Industrial Facilities Tax Exemption Certificate for Autocam Corporation at 1511 George Brown Drive.

Hearing no comment, the hearing was closed.

Moved Reed, supported Metzger, to approve the application for an Industrial Facilities Tax Exemption Certificate for Autocam Corporation at 1511 George Brown Drive. On a roll call vote – ayes: Miller, Reed, Revore, Williams, Mayor Dyer, Mankerian, and Metzger; nays: none. **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN
RESOLUTION #2013-35

Minutes of a regular meeting of the City Council of the City of Marshall held on August 5, 2013, in the Council Chambers of Town Hall located at 323 West Michigan Avenue, Marshall, Michigan.

Present: Mayor Dyer, Mankerian, Metzger, Miller, Reed, Revore, and Williams.

Absent: None.

The following preamble and resolution were offered by Council Member Reed and supported by Council Member Metzger.

RESOLUTION TO APPROVE APPLICATION OF AUTOCAM CORPORATION 1511 GEORGE BROWN DRIVE, MARSHALL, MI INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR REAL PROPERTY – BUILDING ADDITION

WHEREAS, pursuant to P.A. 198 of 1974, MCL 211.551 et seq., after a duly noticed public hearing held on February 3, 1997, the Council by Resolution established Industrial Development District No. D-26 as requested; and

WHEREAS, Autocam Corporation has filed an application for an Industrial Facilities Exemption Certificate with respect to real and personal property improvements within Industrial Development District D-26; and

WHEREAS, in accordance with Act 334, P.A. 1993 amending Act 198, P.A. 1974, a written agreement shall be executed between the applicant and the City of Marshall allowing, under specific circumstances, the reduction and/or revocation of the certificate and recapture of the taxes abated; and

WHEREAS, before acting on said application, the City of Marshall held a hearing on August 5, 2013 in the Council Chambers of Town Hall, located at 323 West Michigan Avenue, Marshall, Michigan, at 7:00 p.m. at which hearing the applicant, public, 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 acquisition and installation of the new equipment, had not begun earlier than six (6) months before July 22, 2013, the date of acceptance of the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, the real and personal property investment is calculated to and will, at the time of issuance of the certificate, have the reasonable likelihood to retain, create or prevent the loss of employment in the City of Marshall; and

WHEREAS, the granting of said certificate shall not have the effect of substantially impeding the operation of the City of Marshall, or impairing the financial soundness of a taxing unit which levies ad-valorem property taxes in the City of Marshall; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Marshall, after granting this certificate, will exceed 5% of an amount equal to the sum of the SEV of the local unit, plus the SEV of

personal and real property thus exempted; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marshall that:

4. The City Council find and determine that the granting of the Industrial Facilities 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, shall not have the effect of substantially impeding the operation of the City of Marshall, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Marshall.

5. The application of Autocam Corporation, 1511 George Brown Drive, for an Industrial Facilities Exemption Certificate, with respect to real property improvements and personal property improvements described as new machinery and equipment to be acquired and installed within the Industrial Development District No. D-26 is hereby approved.

6. The Industrial Facilities Exemption Certificate, when issued, shall be and remain in force and effect for a period of (10) ten years under the rules and regulations of Act 198 of Public Acts of 1974, as amended, for the new machinery and equipment from the date of approval by the State Tax Commission.

AYES: Miller, Reed, Revore, Williams, Mayor Dyer, Mankerian, and Metzger.

NAYS: None.

Trisha Nelson, Clerk

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Council of the City of Marshall, County of Calhoun, Michigan, at a regular meeting held August 5, 2013.

Trisha Nelson, Clerk

C. Vacate Section of Green Street:

City Manager Tarkiewicz provided an explanation regarding the vacation of a section of the West Green Street right of way at Kalamazoo Avenue. The section being vacated is the right of way only. The street curb will remain in the same location but the sidewalk will be closer to the road.

Mayor Dyer opened the public hearing to hear public comment on the proposed street vacation.

Hearing no comment, the hearing was closed.

Moved Miller, supported Reed, to adopt the resolution to vacate a section of the West Green Street right of way at Kalamazoo Avenue. On a roll call vote – ayes: Reed, Revore, Williams, Mayor Dyer, Mankerian, Metzger, and Miller; nays: none. **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN
RESOLUTION #2013-36

RESOLUTION TO VACATE A SECTION OF WEST GREEN STREET

WHEREAS, a request has been received to vacate a portion of the right-of-way of West Green Street between South Kalamazoo Avenue and South Park Avenue in the plat of the Lower Village, City of Marshall, and

WHEREAS, the City has the authority to vacate streets within the City under Article 7, Section 31 of the Michigan Constitution of 1963, and under Section 4h of Michigan's Home Rule City Act, and Section 2.23 of the City of Marshall Charter, as amended, and

WHEREAS, the City has conducted hearings on vacating the said portion of the said street, and has determined that the police and fire departments believe that the vacation will not adversely affect public safety, and

WHEREAS, Notice of the Public Hearing for vacating a portion of West Green Street between South Kalamazoo avenue and South Park Avenue was published by the City of Marshall on July 20, 2013, with a notice of the hearing mailed via first class mail to all property owners of record for any property adjoining the parcel in question; and

WHEREAS, the City has determined that the street right of way recommended for vacation is not needed by the city by Department of Public Services, Department of Public Works, or Public Safety Department.

NOW THEREFORE BE IT RESOLVED, the City of Marshall hereby vacates that portion of West Green Street between South Kalamazoo Avenue and South Park Avenue and more particularly described as:

A portion of West Green Street (82.5 feet wide) dedicated to the public and now being vacated and reverted to adjoining land owners, being described more particularly as: The Northerly 10 feet of W. Green Street, lying East of S. Kalamazoo and West of the West line of Lot 4 as extended of Block 22, plat of the City of Marshall, Lower Village, as recorded in plat of Calhoun County Register of Deeds.

BE IT FURTHER RESOLVED, that the vacated right-of-way shall become part of the adjacent property to the North of West Green Street; and

BE IT FURTHER RESOLVED, that the city Clerk shall be, and hereby is, authorized for and on behalf of the city to execute and deliver any documents necessary or appropriate.

Dated: August 5, 2013_____

IN TESTIMONY WHEREOF, I have hereunto set my hand affixed seal of said City of Marshall, this 5th day of August, 2013.

_____
Trisha Nelson, City Clerk

D. P.A. 425 Land Transfer with Marshall Township:

City Manager Tarkiewicz provided information regarding the P.A. 425 Land Transfer. The City is purchasing a ten acre parcel for the Marshall Regional Law Enforcement Center at 714 Brewer Street. A P.A. 425 agreement brings a property into the City to receive City services but gives a portion of the property taxes collected to the Township.

Mayor Dyer opened the public hearing to hear public comment on the proposed P.A. 425 Land Transfer.

Hearing no comment, the hearing was closed.

Moved Williams, supported Metzger, to approve the P.A. 425 Conditional Land Transfer agreement with Marshall Township for the parcel at 714 Brewer Street. On a roll call vote – ayes: Revore, Williams, Mayor Dyer, Mankerian, Metzger, Miller, and Reed; nays: none. **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN
RESOLUTION #2013-37

RESOLUTION AUTHORIZING EXECUTION OF CONTRACT
FOR CONDITIONAL TRANSFER OF PROPERTY

WHEREAS, City of Marshall, owner of property commonly known as 714 Brewer Street, has petitioned the City of Marshall and Marshall Township for a Conditional Transfer of its property from Marshall Township into the City of Marshall; and

WHEREAS, on February 25, 2006 the City of Marshall entered into a Master 425 Agreement with the Township of Marshall; and

WHEREAS, the Master 425 Agreement facilitates the provision of City services, including municipal sewer, water, police and fire protection to properties currently within Marshall Township according to terms acceptable to both the Township of Marshall and the City of Marshall,

NOW THEREFORE, BE IT RESOLVED, that the City Manager and the Clerk are authorized to execute a Contract for Conditional Transfer of Property commonly known at 714 Brewer Street from the Township of Marshall to the City of Marshall.

IT IS FURTHER RESOLVED, that the Contract for Conditional Transfer shall be in the form of the attached document, subject to changes in form approved by the City Attorney.

As City Clerk I place my seal and sign my name that this is a true and accurate copy of the action taken by the Marshall City Council on August 5, 2013.

_____
Trisha Nelson, Clerk
CITY OF MARSHALL

Dated: August 5, 2013

OLD BUSINESS
None.

REPORTS AND RECOMMENDATIONS

A. Hastings City Bank Land Swap:

Moved Williams, supported Metzger, to approve the resolution to authorize the Clerk to sign the warranty deed and easement documents with Hastings City Bank. On a roll call vote – ayes: Mankerian, Metzger, Miller, Reed, Revore, Williams, and Mayor Dyer; nays: none. **MOTION CARRIED.**

B. Low Income Energy Assistance Act:

Moved Metzger, supported Miller, to approve the changes to the City of Marshall Rate Classifications and Standard Rules and Regulations. On a roll call vote – ayes: Williams, Mayor Dyer, Mankerian, Metzger, Miller, Reed, and Revore; nays: none. **MOTION CARRIED.**

C. Purchase Power Agreement:

Moved Williams, supported Metzger, to approve the Resolution Approving Hydro-electric Power Purchase Agreement and Related Matters. On a roll call vote – ayes: Metzger, Miller, Reed, Revore, Williams, Mayor Dyer, and Mankerian; nays: none. **MOTION CARRIED.**

APPOINTMENTS / ELECTIONS

A. Airport Board Appointment:

Moved Revore, supported Williams, to approve the appointment of Scott Blankenship to the Airport Board with a term expiring on October 1, 2015. On a voice vote – **MOTION CARRIED**.

PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

COUNCIL AND MANAGER COMMUNICATIONS

CLOSED SESSION

Moved Miller, supported Reed, to enter into closed session under section 8(d) of the Michigan Open Meetings Act to discuss possible land purchase. On a roll call vote – ayes: Reed, Revore, Williams, Mayor Dyer, Mankerian, Metzger, and Miller; nays: none. **MOTION CARRIED.**

Moved to closed session at 8:04.

Return to open session at 8:56 p.m.

ADJOURNMENT

The meeting was adjourned at 8:56 p.m.

_____ _____

James L. Dyer, Mayor Trisha Nelson, City Clerk

EXP CHECK RUN DATES 08/09/2013 - 08/22/2013
UNJOURNALIZED
OPEN

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
BANK CODE: MAIN			
27598	ABLE HEATING & COOLIN	CONDENSATION LEAK	128.00
19649	ACTRON INTEGRATED SEC	QUARTERLY MONITORING	330.00
SLS10007419	ALEXANDER CHEMICAL CO	CHLORINE	945.00
SLS 10007418	ALEXANDER CHEMICAL CO	CHLORINE & SULFUR DIOXIDE	2,581.00
26512	ALL-TRONICS INC	KEY FOBS	305.00
130710684	AMBS CALL CENTER	ANSWERING SERVICE	224.22
195734-1355	AMERICAN PLANNING ASS	APA MEMBERSHIP, NATALIE HUESTIS	295.00
081113	AMERICAN WATER WORKS	09/01/13 THRU 08/31/14 MEMBERSHIP	295.00
12-547439	ARROW UNIFORM	CUST #010198-01	21.64
12-547444	ARROW UNIFORM	CUST #010198-04	62.30
12-547447	ARROW UNIFORM	CUST #010198-05	20.00
12-539834	ARROW UNIFORM	CUST #010198-05	20.00
12-539826	ARROW UNIFORM	CUST #010198-01	26.37
12-539830	ARROW UNIFORM	CUST #010198-02	54.56
12-539832	ARROW UNIFORM	CUST #010198-04	62.30
12-539831	ARROW UNIFORM	CUST #010198-02	24.50
12-547443	ARROW UNIFORM	CUST #010198-02	54.56
12-547445	ARROW UNIFORM	CUST #010198-03	169.68
12-539833	ARROW UNIFORM	CUST #010198-03	135.58
92446	B S & A SOFTWARE	ANNUAL SERVICE/SUPPORT 08/01/13-08/01/1	5,150.00
081313	BAKER TOOL RENTAL & S	MINI EX	175.00
080113	BAKER TOOL RENTAL & S	UPS CHARGES	66.82
080313	BAKER TOOL RENTAL & S	MINI EXCAVATOR	175.00
2-2075125900	BALKEMA EXCAVATING IN	STORM SEWER IMPROVEMENTS	70,773.30
073013	BERON'S TREE SERVICE	REMOVE TREE IN RIGHT-OF-WAY 1306 O'KEEF	3,800.00
67198	BOSHEARS FORD SALES I	REPAIR OF ACCIDENT DAMAGE TO PICKUP	4,056.79
67190	BOSHEARS FORD SALES I	2009 FORD E450	286.00
56464	C2AE	PROFESSIONAL SERVICES ENDING JULY 14, 2	16,459.21
080113	CARL COMMUNICATIONS	HANDSFREE EMERGENCY PHONE	524.52
74775	CARON CHEVROLET OLDSM	KEY	19.74
20130812-001	CITY OF LANCASTER DEP	LEAF LOADERS, SPARE PARTS	11,000.00
71190	COASTAL FACILITY PROD	ENZYME DIGESTANT	180.87
IN30939	CORNERSTONE OFFICE SY	CONTRACT #X503N-95020305-01	192.10
IN30938	CORNERSTONE OFFICE SY	CONTRACT X503N-95019735-01	202.74
185594	CORRPRO COMPANIES, IN	INSPECTION SERVICES	1,380.00
8611	COURTNEY & ASSOCIATES	JULY RETAINER	250.00
83070	CRT, INC	BACKUP DR APPLIANCE SERVICE	339.00
83060	CRT, INC	SWITCH 5 PT GIGABIT UNMGD	60.00
3-95493	CUMMINS BRIDGEWAY	YR 1 OF GENERATOR MAINTENANCE	1,655.08
3-95494	CUMMINS BRIDGEWAY	YR 1 OF GENERATOR MAINTENANCE	1,347.61
18640	CUTTERS TOOL & GRINDI	DRILL BIT SHARPENING	54.00
115604	D & D MAINTENANCE SUP	JANITORIAL SUPPLIES	151.87
432387	DARLING ACE HARDWARE	CHAIN	79.98
432443	DARLING ACE HARDWARE	TAPE BARRICADE CAUTION	9.99
432386	DARLING ACE HARDWARE	SUPERCUT LINE	52.95
432581	DARLING ACE HARDWARE	HANDLE THRD	9.99
432471	DARLING ACE HARDWARE	HYDRO PARTS	21.98
432699	DARLING ACE HARDWARE	SPRAY PAINT	19.96
433034	DARLING ACE HARDWARE	STIHL MOTOMIX, CLEANER	26.96
432759	DARLING ACE HARDWARE	SNIP 9.75" PATTERN	15.99
432582	DARLING ACE HARDWARE	DUCT FITTINGS	28.98
732838	DARLING ACE HARDWARE	FOUNTAIN SUPPLIES	84.97
433007	DARLING ACE HARDWARE	FAIR BOOTH SUPPLIES	18.94
432971	DARLING ACE HARDWARE	TAPE, FILLER/GLUE	7.78
299541	DUECO INC	SERVICE ON TEREX COMMANDER C5050	1,494.28
10097	ERIC DALE HEATING & A	REPAIR AT CITY HALL	116.00
7357	FAIRBANKS-MORSE ENGIN	EPA COMPLIANCE TESTING	12,355.71
MIMA147165	FASTENAL COMPANY	BITS	35.08
13-2797	FIRST DUE FIRE SUPPLY	HP-BFL-X BEN LOW RIDER, FF SHIELD	306.80
8822	FREDRICKSON SUPPLY	CABLE ASSY	1,006.82
080113	FREDS AUTOMOTIVE REPA	JULY CHARGES	171.80
6154	GREATER ALBION CHAMBE	REIMBURSEMENT - KANOE THE KAZOO	528.82
69362	HERMANS MARSHALL HARD	SAW HORSES	39.99
69334	HERMANS MARSHALL HARD	ROLLING MAGNET	26.99
69320	HERMANS MARSHALL HARD	LAB SHIELDS, WASHERS, BOLTS	16.20
69356	HERMANS MARSHALL HARD	SPRAYERS	42.98
69442	HERMANS MARSHALL HARD	CLEANING SUPPLIES	20.56
69472	HERMANS MARSHALL HARD	CARRIAGE BOLTS, NUTS, WASHERS	17.43
69423	HERMANS MARSHALL HARD	PAINT & ROLLERS	129.46
69489	HERMANS MARSHALL HARD	PEDESTAL FAN	47.49
73320	HOLLAND BUS COMPANY	CONTROL MODULE	843.16
90459860	HORIBA INSTRUMENTS IN	SUPPLIES	374.26
267336	IDNETWORKS IDENTIFICA	PC - WIN 7 PROFESSIONAL	1,079.00
RMS000344	INTERACT	OCTOBER MAINTENANCE	1,000.00
RMS000319	INTERACT	SEPTEMBER MAINTENANCE	1,000.00
072513	ISAAC & SONS	COMMON AREA CLEANING	2,045.00

EXP CHECK RUN DATES 08/09/2013 - 08/22/2013
UNJOURNALIZED
OPEN

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
BANK CODE: MAIN			
84179	J & K PLUMBING SUPPLY	CLAMP REPAIR	10.40
135796	KAR LABORATORIES INC	CYANIDE ANALYSIS	100.00
52030	KEBS INC	2012 LOCAL ROAD RESURFACING	2,761.25
S101772282.001	KENDALL ELECTRIC INCO	TROFFER LIGHTS IN MEDIA ROOM	347.59
16056	LAURA'S GOURMET CATER	KANOE THE KAZOO CATERING	676.25
200026.10-2130715	LAWSON-FISHER ASSOCIA	LICENSING COORDINATION & NUISANCE PLANT	9,771.86
1027443	LEGG LUMBER	PLYWOOD, SINKERS	20.18
1027429	LEGG LUMBER	STAPLES, HMMER TACKER, KNIFE	105.24
080613	LEWEY'S SHOE REPAIR	PARKS & CROW	360.00
1528265-20130731	LEXISNEXIS RISK DATA	ACCT #1528265, JULY	144.24
1528265-20130430	LEXISNEXIS RISK DATA	ACCT #1528265, APRIL	143.74
14980	MARSHALL MEDICAL ASSO	HITZ, MASON, LIGGETT	267.00
14980A	MARSHALL MEDICAL ASSO	HAWLEY	168.00
6276	MARSHALL WELDING & FA	CUT PANELS	16.00
6273	MARSHALL WELDING & FA	1/2" PLATE 16 X 16, 4-1/2" HOLES	44.82
13-029	MUNICIPAL ANALYTICS L	WATER, WASTEWATER, AND ELECTRIC RATE AN	7,220.00
INV65836	MUNICIPAL SUPPLY CO.	REPAIR CLAMPS	1,173.00
INV65835	MUNICIPAL SUPPLY CO.	CURB BOX TOP SECTION, COMP. NUT & GASKE	624.55
RINV02316814	MY ALARM CENTER	ALARM MONITORING	123.00
353659	NAPA OF MARSHALL	LIGHT POLE TOOLS	23.50
353657	NAPA OF MARSHALL	TOOLS FOR STREET LIGHTS	22.04
13604MI	NATIONAL ASSOC OF SCH	RESOURCE OFFICER COURSE - POTTER	495.00
13694MI	NATIONAL ASSOC OF SCH	ENHANCING LOCKDOWN - M. POTTER	245.00
716018	NELSON TREE SERVICE I	TREE TRIMMING	5,167.20
715652	NELSON TREE SERVICE I	TREE TRIMMING	4,244.32
424935A	NYE UNIFORM COMPANY	SHIRTS, OAK LEAVES, STAR	320.15
55140	O'LEARY WATER CONDITI	WATER DELIVERED	36.00
55116	O'LEARY WATER CONDITI	JULY & AUGUST COOLER RENTAL, WATER	33.50
9-2075121202	PARRISH EXCAVATING	2012 WATER MAIN IMPROVEMENTS	59,954.03
2131154	PATTEN'S MICHIGAN MON	BASE	333.10
080813	PHADA MEMBERSHIP	MEMBERSHIP FOR MARSHALL HOUSE APTS	100.00
5753596	POWER LINE SUPPLY	WR 279	97.76
5753597	POWER LINE SUPPLY	5-GANG METER SOCKET--REUSS	493.79
5751607	POWER LINE SUPPLY	SM BOLTED DEADEND	155.00
5751799	POWER LINE SUPPLY	BYPASS TOOL	324.28
5751610	POWER LINE SUPPLY	SUPPORT GRIP	179.22
5751608	POWER LINE SUPPLY	ARRESTER GROUND LUG	117.30
5751609	POWER LINE SUPPLY	#2 CU SPLIT BOLT	153.00
5753599	POWER LINE SUPPLY	#2 CU SPLIT BOLT	228.00
5753600	POWER LINE SUPPLY	SM WEDGE DEADEND	660.88
5753619	POWER LINE SUPPLY	UNLINED GLOVES	192.00
5753620	POWER LINE SUPPLY	UNLINED GLOVES	96.00
439	QUALITY LAWN CARE	LAWN CARE @ MH	625.00
8513	RADIO COMMUNICATIONS	SERVICE CALL	134.95
8512	RADIO COMMUNICATIONS	REPAIRS	159.00
8511	RADIO COMMUNICATIONS	REPAIR	29.45
7985	REDSTONE ARCHITECTS I	CONSULTING SRVCS NOV THRU JUNE	5,000.00
58782158REF	SAFETY-KLEEN	DEDUCTED IN ERROR--PAID W/CK #11034503	132.50
7151813997	SCHINDLER ELEVATOR CO	SERVICE CALL	506.81
4255	SEECLICKFIX	SCF PLUS LICENSE	1,200.00
25902	SLC METER LLC	TEST & REPAIR EQUIPMENT	1,200.00
27354	STANDARD PRINTING & O	RETURN ENVS	3,597.94
27355	STANDARD PRINTING & O	UTILITY BILLS & RETURN ENVELOPES	2,736.22
27473	STANDARD PRINTING & O	BIKE LICENSES	420.25
27676	STANDARD PRINTING & O	ENGINEERING COPIES	168.40
27646	STANDARD PRINTING & O	TOWN CRIER	324.97
178205	STANLEY LAWN & GARDEN	COVER SPEED FEED	16.76
178189	STANLEY LAWN & GARDEN	.095 X 1410 FT	53.99
178356	STANLEY LAWN & GARDEN	GRINDER SPRING	7.99
7000752977	STAPLES CONTRACT & CO	PRINTER INK	70.51
23028	SUMMIT POINTE	CONTRACT MOWING	580.00
8165	TERRA CONTRACTING LLC	200 E SPRUCE RESPONSE FOR POSSIBLE PETR	2,937.83
74162	TRI AIR TESTING INC	AIR ANALYSIS	152.00
530341614	UTILITIES INSTRUMENTA	TROUBLESHOOTING	4,617.00
530341615	UTILITIES INSTRUMENTA	BATTERY INSTALL AND RELAY PANEL CHANGEO	3,243.00
101	WHELER, WILLIAM R	OWNER'S REPRESENTATIVE FOR FIRE STATION	1,038.20
75360	WOODS POOLS INC	FOUNTAIN SUPPLIES	25.20
75609	WOODS POOLS INC	FOUNTAIN SUPPLIES	83.21
TOTAL BANK CODE: MAIN			273,940.03
			273,940.03

EXP CHECK RUN DATES 07/26/2013 - 08/02/2013
UNJOURNALIZED
OPEN

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
BANK CODE: MAIN			
072913	AMERICAN CANCER SOCIE	RFL-CCE, COMMUNITY SERVICE PROJECT	1,070.00
Z1406436NG	AMERICAN MESSAGING	ACCT #Z1-406436	106.79
AUG 2013	BATTLE CREEK UNLIMITE	AUGUST SERVICES	2,083.33
072213A	BEARDSLEE LAW OFFICES	JUNE CHARGES	155.25
072213	BEARDSLEE LAW OFFICES	JULY CHARGES	1,269.00
2-008500-18	BOONE, CHRISTOPHER	REFUND UTILITY DEPOSIT	1.99
8-013300-05	BRITTANY LAMANUZZI &	REFUND UTILITY OVERPAYMENT	148.02
EQUAL-2013-0002	CALHOUN COUNTY TREASU	ASSESSMENT AUGUST SERVICES CONTRACT	2,298.00
609813	COMMERCIAL OFFICE PRO	TONER	188.22
610492	COMMERCIAL OFFICE PRO	LABELS, CARD HOLDERS, RIBBONS	47.10
201269626340	CONSUMERS ENERGY	1000 0033 5602	366.04
201625580121	CONSUMERS ENERGY	1000 6710 1772	16.62
204117468952	CONSUMERS ENERGY	1000 0759 4680	18.01
202604543531	CONSUMERS ENERGY	1000 0916 3971	39.94
202604543530	CONSUMERS ENERGY	1000 0916 3435	48.15
205274418531	CONSUMERS ENERGY	1000 5741 9077	20.35
202604543529	CONSUMERS ENERGY	1000 0916 3203	14.48
201625580788	CONSUMERS ENERGY	1000 0916 3708	11.65
080113	FORENSIC PHOTOGRAPHY	POLICE TRAINING	300.00
080113	LAKE MICHIGAN MAILERS	POSTAGE FOR ACCT #M323	500.00
073113	LEIBOLD, MICHELLE	PREPARE SUMMER-2013 PROP TAX ROLL	1,200.00
99007320387	LOWE'S	ACCT #9900 732038 7	182.52
072813	NATIONAL ASSOC OF SCH	BASIC SRO, MATT POTTER	495.00
FINANCE	OHIO MUNICIPAL LEAGUE	FINANCE DIRECTOR AD	50.00
072313	WINTERS, SHERRY	EXPENSE REIMBURSEMENT	47.46
072313	YARGER, ALISON	EXPENSE REIMBURSEMENT	62.07
TOTAL BANK CODE: MAIN			10,739.99

EXP CHECK RUN DATES 08/09/2013 - 08/09/2013
BOTH JOURNALIZED AND UNJOURNALIZED
OPEN

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
BANK CODE: MAIN			
225-324540	AUTO VALUE MARSHALL	12V 700 CCA	98.99
080613	BEGG, CHERYL	ELECTION INSPECTOR	116.00
30-051400-20	BRYAN KELLER & ROBYN	REFUND UTILITY DEPOSIT	35.42
38673342	CITGO	FLEET #132271610	13,286.02
080613	CLARK, TIM	MEAL	10.00
1303	CORNERSTONE INSPECTIO	INSPECTION SRVCS	80.00
10-011000-00	CRUMRINE, MRS. WILLIA	REFUND UTILITY OVERPAYMENT	61.56
080613	DAY, SUSAN	ELECTION INSPECTOR	147.50
080513	DRUMM, CODY	MEAL	10.00
29-000500-19	EDWARDS, TYLER	REFUND UTILITY DEPOSIT	57.96
7-003600-14	FALCON PARTNERS LLC	REFUND UTILITY OVERPAYMENT	54.41
080513	FISHER, CHARLIE	MEAL	10.00
072613	GREG MCCOMB	EXPENSE REIMBURSEMENT	855.19
080713	HACKWORTH, MICHAEL	GAS REIMBURSEMENT	19.00
080613	HAGERTY, MELISSA	ELECTION INSPECTOR	118.00
080613	HAGERTY, PHILLIP	ELECTION INSPECTOR	118.00
073113	HIXON TRAINING & CONS	TRACS 202D - THERESA SEARS	279.00
32-052600-31	JESSICA ZENTZ, DAVID	REFUND UTILITY DEPOSIT	16.43
080513	LEACH, DOUG	MEAL	10.00
19-017600-15	LEROY ROCCO	REFUND UTILITY OVERPAYMENT	1.60
2-004200-09	MARSHALL CHURCH OF CH	REFUND UTILITY DEPOSIT	6.58
S3414068.002	MEDLER ELECTRIC COMPA	ELECT TAPE	193.98
080513	MICHIGAN CHAPTER OF F	POLICE TRAINING	995.00
SEARS	MICHIGAN CHAPTER OF N	THERESA SEARS, JOINT HOUSING CONFERENCE	175.00
HITZ	MICHIGAN CHAPTER OF N	ROBERT HITZ, JOINT HOUSING CONFERENCE	175.00
3	MICHIGAN-SHIGA SISTER	BALANCE DUE FOR JACK REED	1,250.00
30-059800-40	OBRECHT, MICHELLE	REFUND UTILITY DEPOSIT	60.15
27-059200-07	OFELIJA WORGESS-NCNIF	REFUND UTILITY OVERPAYMENT	14.59
27-024800-00	OLSHANSKY, JOHN	REFUND UTILITY OVERPAYMENT	13.45
32-024000-28	PALACIOS, ANTHONY	REFUND UTILITY OVERPAYMENT	21.71
080613	REDDICK, KENNETH E	ELECTION INSPECTOR	118.00
080613	REDDICK, PAULINE	ELECTION INSPECTOR	64.00
224843832-087	SPRINT	ACCT #224843832	395.70
38-6004708-0713	STATE OF MICHIGAN	38-6004708, JULY 2013, SALES TAX DUE	31,632.10
29-002900-42	STROEBEL, AMY	REFUND UTILITY DEPOSIT	67.86
23-004700-04	TUCKER, JOHN & RANDI	DUPLICATE PAYMENT	124.00
080613	WALBECK, DEB	ELECTION INSPECTOR	145.00
080613	WALBECK, RICHARD	ELECTION INSPECTOR	16.00
2-000200-00	WEBERLING SERVICE LLC	REFUND UTILITY OVERPAYMENT	100.00
080613	WORKS, SHIRLEY	ELECTION INSPECTOR	118.00
10040764-0813	WOW! BUSINESS	ACCT #010040764, MARSHALL HOUSE	1,359.80
10040269-0713	WOW! BUSINESS	ACCT #010040269	377.82
3-009500-21	YOUNG, ELIZABETH	REFUND UTILITY DEPOSIT	50.62
080713	ZIENERT, SHERI	COFFEE, PARKING & SUPPLIES	58.68
TOTAL BANK CODE: MAIN			52,918.12

Prescription reimbursements 117.30

Total Cash Disbursements $ 53,035.42

CITY OF Marshall Michigan

ADMINISTRATIVE REPORT
AUGUST 19, 2013 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council

FROM: Tom Tarkiewicz, City Manager

SUBJECT: Land purchase by Mor-Dall

BACKGROUND: Mor-Dall (Dark Horse Brewing) has proposed to purchase a vacant lot that the City owns on Industrial Road behind the Advisor Chronicle. This 2.62 acre was acquired for no cost from the Michigan Department of Environmental Quality.

The negotiated purchase price is $15,000 and 50% of the closing costs. This price was determined by the land price in the Industrial Park. Mor-Dall does not plan to develop this parcel for two to three years.

RECOMMENDATION: It is recommended that the City Council authorize the City Attorney to formulate all necessary documents and authorize the City Clerk to sign all documents for the land sale to Mor-Dall.

FISCAL EFFECTS: $15,000 less 50% of the closing costs and the property will become taxable.

ALTERNATIVES: As suggested by Council.

Respectfully submitted,

Tom Tarkiewicz
City Manager

323 W. Michigan Ave.
Marshall, MI 49068
p 269.781.5183
f 269.781.3835
cityofmarshall.com

CITY OF Marshall Michigan

ADMINISTRATIVE REPORT
August 19, 2013 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council Members

FROM: Natalie Huestis, Director of Community Services
Tom Tarkiewicz, City Manager
Paul Beardslee, City Attorney

SUBJECT: Receive Planning Commission Recommendation on Hospital Campus Overlay District (HCOD) Ordinance and Set Public Hearing for September 16, 2013

BACKGROUND: The Hospital Campus Overlay District ordinance (HCOD) has been in drafting form since the Hospital Neighborhood Committee first met on July 13, 2010. City Council received the first version of the HCOD on May 7, 2012 and it has gone through a number of revisions since that point in time. The Mayor received two prior Planning Commission recommendations on the ordinance on March 13, 2012 and December 3, 2012. Following the recommendations, Council held work sessions and studied the ordinance and then held a public hearing on March 4, 2013. Finally, the ordinance was adopted on April 1, 2013.

By May 20, 2013 a lawsuit and a referendum had both been filed. Due to the finding of a procedural abnormality in the Planning Commission's public hearing, Council rescinded the ordinance and sent it back to the commission to hold a properly noticed public hearing and "*to receive any comment regarding the existing plan that had been adopted in Ordinances 2013-02 and 2013-03, to conduct a public hearing, and hear any public comment or proposed alternatives to that plan.*"

Planning Commission held the required and properly noticed public hearing on July 10, 2013 and then continued that public hearing into their August 14, 2013 meeting. The recommendation and attached documents are a result of those meetings.

RECOMMENDATION: Staff recommends that City Council receive the Planning Commission's recommendation on the HCOD ordinance and map (previous ordinances 2013-02 and 2013-03) and set a public hearing for September 16, 2013 to hear comments on the ordinances.

FISCAL EFFECTS: None at this time.

ALTERNATIVES: As suggested by Council.

Respectfully submitted,

Natalie Huestis
Director of
Community Services

Tom Tarkiewicz
City Manager

Paul Beardslee
City Attorney

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p 269.781.5183
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August 15, 2013

City of Marshall Planning Commission
Marshall, MI 49068

Re: Hospital Campus Overlay District Ordinance and Map

Dear Honorable Mayor Dyer,

On behalf of the Planning Commission, I write to provide the commission's recommendation on ordinances 2013-02 and 2013-03 as they were adopted by Council on April 1, 2013. The Planning Commission is also offering a recommendation on proposed alternatives that were presented during the public hearings.

After the ordinances were repealed on May 20, 2013, City Council remanded them back to Planning Commission to hold a public hearing. In response, Planning Commission meetings and actions took place on:

June 12, 2013	Received ordinances and set public hearing
July 10, 2013	Held public hearing (continued to August)
July 25, 2013	Marshall Neighborhood Association & Oaklawn Hospital representatives met with city staff to establish "step-back" language for the ordinance
August 14, 2013	Public hearing continued and recommendation passed

Both public hearings were noticed according to the Michigan Zoning Enabling Act and in addition, notices were sent to homeowners within 300 feet of the district to attend the Planning Commission public hearings on both July 10, 2013 and August 14, 2013, respectively.

MOTION by Davis, supported by Meservey, to recommend that the HCOD ordinance and map (previous ordinances 2013-02 and 2013-03) be approved as originally adopted by City Council on April 1, 2013 with recommendation for the following items received in mutual agreement from the Marshall Neighborhood Association and Oaklawn Hospital:

A. It is recommended the boundaries of the overlay district are changed as indicated by the attached map to exclude the four (4) High Street properties (east of existing hospital) and two (2) Prospect Street properties (west of Madison Street).

B. It is recommended that overlay boundaries should be drawn along property lines to be consistent with other districts on the official City map.

C. It is recommended that the text change for the HCO District language §156.184 (F) (3) to add:

   Any new buildings constructed within the HCO District that abuts residentially zoned property, north of Prospect Street or west of Madison Street, shall have a minimum step-back requirement of ten (10) feet per floor for each floor above the second story. This step-back requirement for a third, fourth or fifth floor shall be measured for the exterior wall face of the floor directly below for all sides of the building that directly abuts residentially zoned property.

D. It is recommended that a portion of text be deleted from the HCO District language §156.184 (H) (a) (4):

   ~~*A tiered height screening approach shall be provided on the side of a lot within the HCO District facing residential property located outside of the HCO District.*~~

AMENDED MOTION by Burke Smith, supported by Banfield, to amend language in original motion, part C, to say the following:

C. It is recommended that the text change for the HCO District language §156.184 (F) (3) to add:

Any new building constructed within the HCO District that abut residentially zoned property, north of Prospect Street or west of Madison Street, shall have a minimum step-back requirement of 10 feet after the first 24 feet of elevation above average grade. This step-back requirement for additional floors shall be 10 feet back for every floor, at a maximum of16 foot in height, measured from the roof of the previous floor.

On a voice vote; **MOTION CARRIED**.

On a voice vote; **MOTION CARRIED**.

Susan Collins

Susan Collins
Chair, Marshall Planning Commission

August 15, 2013
Date

Attachments: HCO District ordinance with addition and deletion
HCO District boundary map as recommended
Memorandum from MNA & OH, dated 7/10/13

CITY OF MARSHALL
CALHOUN COUNTY, MICHIGAN

An Ordinance to Amend the City of Marshall Zoning Ordinance

Ordinance No. _____

An ordinance to amend the City of Marshall Zoning Ordinance to add definitions and establish a new Hospital Campus Overlay District.

THE CITY OF MARSHALL, CALHOUN COUNTY, MICHIGAN, ORDAINS:

Section 1.
Amend Section 156.003 Definitions to add the following:

OVERLAY DISTRICT. An overlay zoning district applies to a specific geographic area of the City, as designated on the City's Zoning Map. The requirements of an Overlay District, as set forth by the Zoning Ordinance, apply as additional standards for those parcels within an overlay district's boundaries. Where there is a conflict between the standards in the Overlay District and the underlying Zoning District, the standards in the Overlay District shall be applied. The intent is to address particular issues that span a large geographical area and includes more than one underlying zoning district.

Section 2.
Add a HOSPITAL CAMPUS OVERLAY DISTRICT as follows:

Section 156.184 HCO-HOSPITAL CAMPUS OVERLAY DISTRICT

(A) PURPOSE

The Hospital Campus Overlay (HCO) District is designed to establish and define an overlay district. The HCO District is established for the purpose of accommodating a concentration of health care uses, retail uses associated with principal Hospital uses, and residential dwellings within a campus-like setting. The goal is that expansion of health care services and related structures will take place within the boundary of the HCO District which the Marshall City Council has determined to be appropriate for Hospital expansion. The Marshall City Council desires to, by adoption of this ordinance, encourage growth and viability of the hospital, which is expected to provide related employment, growth and expansion of the tax base, and provision of high quality health care for the residents of the City of Marshall and surrounding areas.

The HCO District is intended to provide a harmonious relationship between residential, health care, cultural and commercial uses. This mixed-use district will complement Downtown Marshall. It is designed to accommodate a lively social, residential and commercial campus-like environment and promote easily accessible health care services in a pedestrian-friendly setting, with convenient parking for those who drive to the District.

Expansion of health care and supporting uses within the HCO District is anticipated as health care services and related uses continue to expand. Street closures may also be a component of the District, subject to City Council approval. The HCO provides the regulatory framework to permit expansion of health care and supporting uses.

(B) HCO District Definitions

NON-RESIDENTIALLY USED LOT. A lot with a land use other than residential.

RESIDENTIALLY USED LOT. A lot with a land use where one or more persons resides in a building containing one room or a combination of rooms that are used for living, cooking, and sleeping purposes. If a building is vacant, but the residential use has not been abandoned, the lot shall continue to be classified as a Residentially Used Lot.

(C) PRINCIPAL PERMITTED USES IN THE HCO DISTRICT

No building or land shall be used and no buildings shall be erected except for one or more of the principal permitted uses, principal uses subject to special conditions, principal uses subject to special approval, or accessory structures and uses permitted in the underlying zoning district, in accordance with the height, area, and bulk regulations provided therein, except as otherwise provided in this Section; provided, however, that the following uses shall be permitted within the HCO District, in addition to the uses permitted in the underlying district:

1. Medical and health care uses including hospitals, outpatient clinics, continuing/long term care services, hospice services, laboratories, medical research facilities, urgent or emergency medical services, offices of doctors, physical therapists, dentists, home health services, therapy, diagnostic or treatment centers, hospital related services and other health care providers.

2. Nursing homes, retirement homes and other residential uses dependent upon or directly related to medical care such as convalescent care, skilled nursing, group homes for the disabled and overnight accommodations, and licensed daycare facilities.

3. Off-street parking.

4. Accessory structures and uses that are customarily incidental to any principal use permitted by this section.

(D) PERMITTED ACCESSORY USES

Accessory uses that are customarily incidental to any principal use permitted by this section shall be permitted. Accessory uses specifically include restaurants and food service within health care buildings and retail trade, including gift stores, florists, and other retail ancillary to and located within a hospital campus.

(E) LAND USES SUBJECT TO SPECIAL CONDITIONS IN THE HCO DISTRICT

In the HCO District, the following uses shall be considered conditional and shall require special land use approval and shall comply with any applicable special land use permit requirements of §§ 156.340 et seq.

1. Retail Pharmacies

2. Home health services,

3. Home medical equipment facilities

(F) DIMENSIONAL REQUIREMENTS

Dimensional requirement shall be regulated by the underlying district as specified in Sections 156.180 through 156.182; provided, however, that the following requirements shall apply to development within the HCO District:

1. Surface Parking Setbacks

Lots abutting residentially used property:
Minimum yard setbacks

Front: Ten (10) feet
Side: Ten (10) feet
Rear: Ten (10) feet

Lots abutting non-residentially used property:
Minimum yard setbacks

Front: 0 feet
Side: 0 feet
Rear: 0 feet

See Section 156.184(H) DESIGN REGULATIONS FOR HOSPITAL CAMPUS OVERLAY for parking lot screening requirements.

2. Minimum Yard Setbacks (for buildings and structures)

(a) For a non-residentially used lot abutting a residential district, the following minimum setbacks shall apply to all non-residential uses:

Front:	20 feet
Side:	20 feet
Rear:	20 feet

If a zoning lot is separated from a residential district by a street, there shall be a ten (10)-foot minimum setback on the side of the zoning lot facing the residential district.

(b) For a non-residentially used lot abutting or located within an HCHSD (Health Care and Human Service District), POSD (Professional Office Service), B-2 (Local Business) or B-3 (Neighborhood Commercial), the following setbacks shall apply:

Front	0 feet
Side	0 feet
Rear	0 feet

3. Building Height

Building Height and Grade are defined by §156.003.

Maximum building height for any building constructed within that area of the Hospital Campus Overlay District north of the location of Prospect Street upon the adoption of this section shall be 35 feet.

Maximum building height for any building constructed within that area of the Hospital Campus Overlay District south of Prospect Street shall be sixty-five (65) feet and shall not exceed 5 stories.

At any location within the Hospital Campus Overlay District, an additional building height of no more than fifteen (15) feet may be permitted for mechanical equipment and roof appurtenances. All rooftop mechanical equipment shall be screened from view by a parapet wall or other decorative screening method based on the goal of completely obscuring the view of the rooftop equipment by a 5'10" tall person standing at grade level within 100' of the building.

Any new building constructed within the HCO District that abut residentially zoned property, north of Prospect Street or west of Madison Street, shall have a minimum step-back requirement of 10 feet after the first 24 feet of elevation above average grade. This

step-back requirement for additional floors shall be 10 feet back for every floor, at a maximum of16 foot in height, measured from the roof of the previous floor.

4. Maximum Lot Coverage

   Maximum lot coverage shall be regulated by application of required minimum setbacks, not by a specified percentage.

(G) APPLICATION OF REGULATIONS

Land that is located within the HCO District, as reflected on the Zoning Map, is subject to the regulations of the underlying zones unless specifically modified by the provisions of this chapter. In the event of a conflict between the provisions of this chapter, an underlying zone, and any other provisions of the zoning ordinance, the provisions of this chapter apply.

(H) DESIGN REGULATIONS FOR HOSPITAL CAMPUS OVERLAY

1. DEFINITION NOTE: For the purpose of this subsection 156.184 only, the term "abutting" does not apply to property that is across a street, alley or road easement from the subject property, except as otherwise noted below.

2. LANDSCAPING AND BUFFER TREATMENT

   The following provides a description and related standards for various landscape and buffer treatment types in the HCO District. Also refer to the HCO District Edge Zones graphic.

   (a) Garden edge/buffer: a garden edge/buffer area shall be provided when a non-residential use abuts a residentially used lot that is not in the HCO District.

      (1) The objective of the garden edge/buffer is to screen hospital structures, noise, and light that emanates from vehicles, buildings and site lighting fixtures, while providing an aesthetically pleasing, diversely vegetated viewscape and safe walking environment for pedestrians.

      (2) Site amenities and landscape features shall be designed to be compatible with abutting neighborhood character.

      (3) Landscaping shall provide tree canopy shading of paved surfaces in accordance with subsection 156.307, supplemented with additional plantings along internal walkways, and landscaping or walls or fence to

screen views of driving and parking surfaces in accordance with subsection 156.305.

(4) ~~A tiered height screening approach shall be provided on the side of a lot within the HCO District facing residential property located outside of the HCO District.~~ A minimum of 1) an evergreen buffer of closely spaced trees, 2) a decorative six-foot (6') high fence or 3) a six-foot (6') high decorative screen wall is required in the HCO District when abutting residentially zoned property. Large canopy deciduous trees spaced a minimum of forty lineal feet, on average, and sized at three-inch caliper or greater shall supplement evergreen and/or wall/fence requirements to provide screening at varying heights. When abutting a street, the street frontage edge requirements in subsection 156.184,(H)2.(b) shall be met.

(5) For locations where noise buffering is determined by the Planning Commission to be necessary, the use of a six-foot (6') high decorative screen wall instead of other screening options noted in (4) above shall be provided. The wall shall be supplemented with large canopy deciduous trees (three-inch minimum caliper) planted every forty (40) lineal feet, on average, along the perimeter where the wall is placed to improve the overall appearance and visual height of the screening. The Planning (1) Commission may approve a six-foot (6') high landscaped berm in lieu of a decorative wall when it determines that it would be a more appropriate screening technique directly adjacent to residentially-zoned property. The berm shall also include other plantings to provide an effective visual screen at varying heights.

(6) Vehicle and pedestrian wayfinding shall be provided at appropriate locations through signage and other visual cues to facilitate orderly movement to, in, and from the HCO District.

(7) Full cut-off lighting at no more than a maximum height of 25 feet shall be used throughout the development site, and house-side shields shall be used to prevent light spillover onto residentially-zoned properties.

(8) If used, retaining walls should be designed to reduce their visual impact while maximizing safety elements. Masonry, concrete or other textured material with terracing and landscaping shall be used to reduce the visual impact of retaining walls.

(b) Street frontage edge. A street frontage edge shall be provided when a non-residential use is located across the street from a residentially used lot that is not in the HCO District. See Section 156.304 Method of Screening for minimum city street right-of-way screening requirements.

(1) The objective of the street frontage edge is to minimize the visual impact of structures and parking in the HCO District from residential areas located across a street.

(2) Site amenities and landscape features shall be designed to be compatible with adjacent neighborhood character.

(3) Vehicle and pedestrian wayfinding shall be provided at appropriate locations through signage and other visual cues to facilitate orderly movement to, in, and from the HCO District.

(4) Exterior lighting, with a maximum height of 25 feet, shall be designed for safety and uniform light distribution, including the use of full cut-off fixtures in all pole and building-mounted lighting.

(5) Landscaping and signage are encouraged at HCO District entrances to provide visual emphasis and ease of identification for both drivers and pedestrians.

(6) Parking lots and vehicular circulation areas shall be screened by a hedgerow, decorative fence or decorative wall per Section 156.304. The area from the ground to a minimum height of three feet shall be totally obscured from the public street. If a wall or fence is provided, the setback area shall contain a planting strip abutting the wall or decorative fence. Small shrubs, ornamental grasses, and small, flowering plants are appropriate in these locations. Parking spaces directly abutting the perimeter of a street frontage edge shall have landscape islands planted with large (three-inch caliper minimum) deciduous trees. These islands, required by subsection 156.307 (B) (1), should be strategically placed within the parking lot to provide a dual benefit of shading parking spaces and enhancing the perimeter buffer of the HCO District.

(c) Transition edge. A transition edge shall be provided when a non-residential use is located adjacent to or across the street from a non-residentially used lot.

(1) The objective of the transitional edge is to allow for minimally screened HCO District structures and parking.
(2) Vehicle and pedestrian wayfinding shall be provided at appropriate locations through signage and other visual cues to facilitate orderly movement to, in, and from the HCO District.

(3) Exterior lighting, with a maximum height of 25 feet, shall be designed for safety and uniform light distribution, including the use of full cut-off fixtures in all pole and building-mounted lighting.

(4) Parking lots and vehicular drives shall be screened from streets in accordance with the hedgerow or decorative wall provisions in subsection 156.304. Alleys are exempt from screening.

(d) Interior edges. An interior edge shall be provided for all non-residentially used lots on both sides of Madison Street, Prospect Street, Mansion Street, and High Street, south of Mansion, unless such street is closed or vacated. See Section 156.306 for minimum interior landscaping requirements and Section 156.307 for minimum parking lot landscaping requirements.

(1) The objective of the interior edge is to provide clear sight lines to publicly accessible spaces in a safe environment.

(2) Low shrubs and pruned trees shall be utilized to provide high visibility and accessibility near sidewalks, public entrances into buildings and parking areas.

(3) Parking lots and vehicular drives shall be screened from streets in accordance with the hedgerow or decorative wall provisions in subsection 156.304.

(4) Vehicle and pedestrian wayfinding shall be provided at appropriate locations through signage and other visual cues to facilitate orderly movement to, in, and from the HCO District.

(5) Overhead walkways over streets may be permitted to interconnect buildings and parking structures and to enhance pedestrian safety, providing they are a minimum height of 15' clear from the road surface.

(6) Exterior lighting, with a maximum height of 25 feet, shall be designed for safety and uniform light distribution, including the use of full cut-off fixtures in all pole and building-mounted lighting.

Section 3.
REPEALER
All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect, and the City Of Marshall City Code shall remain in full force and effect, amended only as specified above.

Section 4.

SEVERABILITY
If any section, clause or provision of this Ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any Court of competent jurisdiction, such section, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

Section 5.
SAVINGS
All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

Section 6.
EFFECTIVE DATE
The provisions of this Ordinance are hereby ordered to take effect on the date provided by applicable law following publication.

Section 7.
ENACTMENT
This ordinance is declared to have been enacted by the City Council of the City of Marshall at a meeting called and held on the ___ day of _____, 2013, and ordered to be given publication in the manner prescribed by law.

AYES:

NAYES:

ABSTENTIONS:

STATE OF MICHIGAN
COUNTY OF CALHOUN

I, the undersigned, the qualified and acting City Clerk of the City of Marshall, Calhoun County, Michigan, do certify that the foregoing is a true and complete copy of the ordinance adopted by the City Council of the City of Marshall at a meeting called and held on the ___ day of _____, 2013, the original of which is on file in my office.

_____

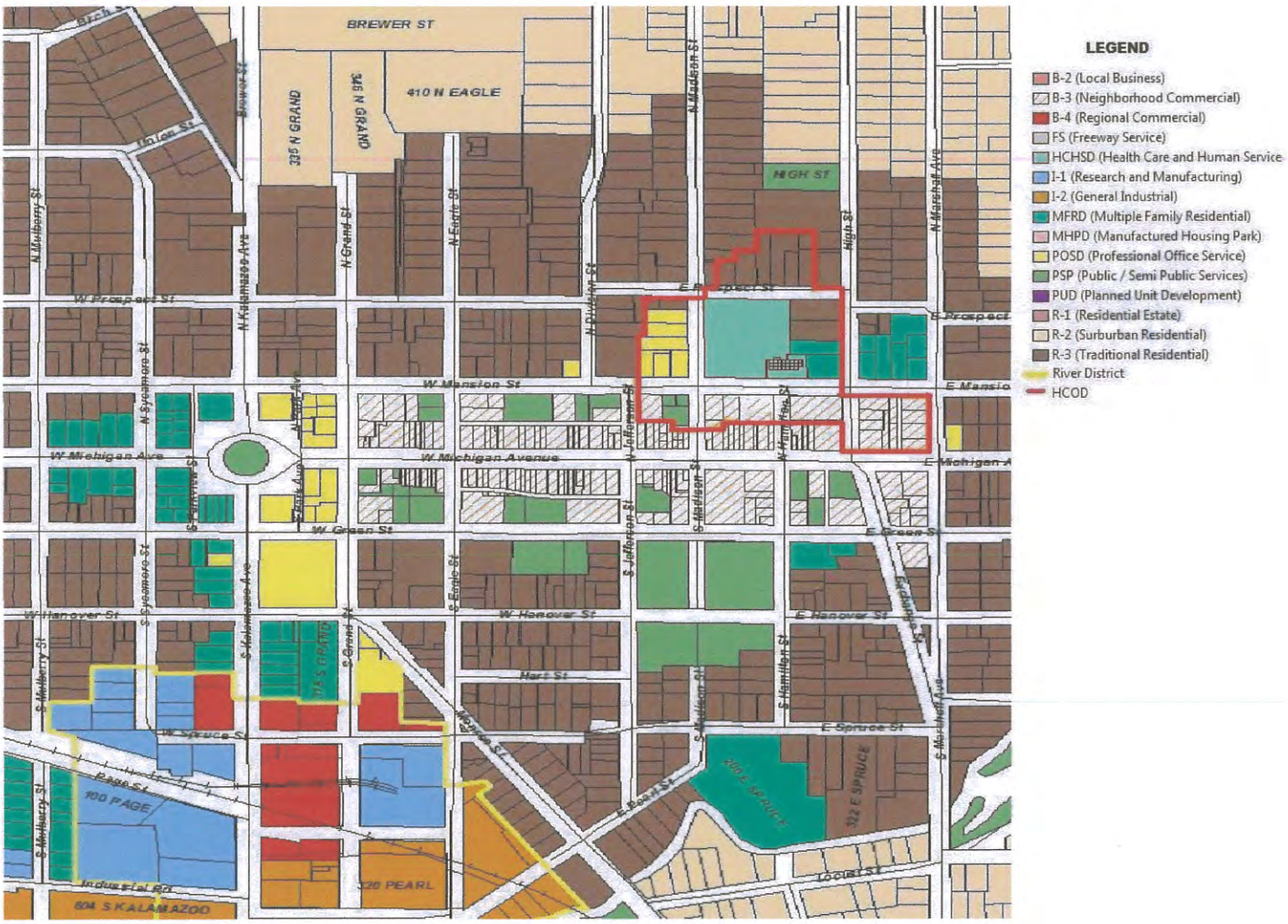
Adopted:
Published:

CITY OF MARSHALL
ORDINANCE ##-13

A MAP AMENDMENT TO ACCOMPANY THE HOSPITAL CAMPUS OVERLAY DISTRICT (HCOD) ORDINANCE

THE CITY OF MARSHALL ORDAINS:

Section 1. The Zoning Map for the City of Marshall is revised to include the Hospital Campus Overlay District (HCOD) identified by the borders as shown:



Section 2. This Ordinance [or a summary thereof as permitted by MCL 125.3401] shall be published in the *Marshall Advisor Chronicle*, a newspaper of general circulation in the City of Marshall qualified under state law to publish legal notices. This Ordinance shall be recorded in the Ordinance Book and such recording shall be authenticated by the signatures of the Mayor and the City Clerk.

Section 3. This Ordinance is declared to be effective immediately upon publication.

Adopted and signed this _____ day of _____, 2013.

_____ _____

James Dyer, MAYOR Trisha Nelson, CLERK

I, Trisha Nelson, being duly sworn as the Clerk for the City of Marshall, hereby certify that the foregoing is a true and complete copy of an ordinance approved by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on April 1, 2013, 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 by said Act.

_____

Trisha Nelson, CLERK

CITY OF Marshall Michigan

ADMINISTRATIVE REPORT
August 19, 2013 – CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council

FROM: Theresa A. Sears, Administrator, Marshall House Apartments
Tom Tarkiewicz, City Manager

SUBJECT: Bid Award – 2013 Apartment Renovations

BACKGROUND: Bids were received for the 2013 Apartment Renovation project on July 23, 2013. The project involves the interior renovation of eight, one bedroom vacant apartments. The planned renovations will include architectural, mechanical and electrical work. The new renovations will mirror the previous remodeled units from 2012 and will utilize Capital Outlay – Replacement Reserves.

The following bids were received:

1.	First Contracting, Inc.	Ovid	$179,000.00
2.	Rivertown Contractors, Inc.	Grandville	$188,000.00
3.	Omega Construction	Grand Rapids	$247,670.00
4.	Dennis Crull Construction	Marshall	Non-Responsive

All eight units are scheduled to be completed by the end of the year. First Contracting has submitted an impressive list of experience within the Multi-Family Housing Programs of HUD/FMHA.

RECOMMENDATION: It is recommended that City Council accept the low bid of $179,000.00 from First Contracting, Inc. from Ovid, MI for the 2013 Apartment Renovation Project.

FISCAL EFFECTS: To appropriate $179,000 from the Capital Outlay – Replacement Reserves line item: 536-700-970.06. In FY 13, $104,244 was budgeted but no funds were expended. Therefore, Marshall House is requesting the balance of $74,756 to come from fund reserves.

ALTERNATIVES: As suggested by Council.

Respectfully submitted,

Theresa A. Sears
Administrator
Marshall House Apartments

Tom Tarkiewicz
City Manager

323 W. Michigan Ave.
Marshall, MI 49068
p 269.781.5183
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cityofmarshall.com

CITY OF Marshall Michigan

ADMINISTRATIVE REPORT
August 19, 2013 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council

FROM: Carl Fedders, Director of Public Services
Dennis Dixon, Electric Superintendent
Tom Tarkiewicz, City Manager

SUBJECT: Electric System Study with 5 Year Master Plan

BACKGROUND: Staff has received a proposal from Spectrum Engineering of Auburn, Indiana to provide professional engineering services for an Electric System Study with 5 Year Master Plan for the amount of $99,874.20. A complete and thorough System Study is intended to provide a solid "roadmap" to follow during normal operations, operations under alternate system configurations, and when considering future changes and additions. This involves a detailed assessment of upgrade recommendations, including specific cost/benefit data used in establishing the prioritized list of improvements and a step-by-step timing chart of when/if the recommended system improvements are to be implemented. Additionally, Spectrum Engineering has included options to expand this 5 year Master Plan that Spectrum feels will benefit the Marshal Electric Utility, to include continued system upgrades related to overall system reliability and continued load growth.

Spectrum Engineering will review the existing distribution system, powerhouse equipment and substations and provide a detailed System Model, Reliability and Risk Analysis, System Loading/Loss Analysis and Protective Devises Coordination Analysis.

The City of Marshall will be utilizing Spectrum Engineering, who is currently in the process of completing the plant 2 -15 Kv indoor metal-clad switchgear addition.

Two other proposals were received and it was determined that they failed to provide the required services necessary for a detailed master plan that will aid in the future expansion and operation of the electrical system.

The project is included in the current budget with an estimate of $75,000. Staff feels that this project is a priority and will cut other approved capital projects to absorb the gap between the budgeted figure and the actual cost.

RECOMMENDATION: It is recommended that City Council approve staff to enter into an agreement with Spectrum Engineering for $99,874.20 for the Electric System Study with 5 Year Master Plan.

FISCAL EFFECTS: To appropriate $99,874.20 from the FY 2013 Electric Capital expenditure budget line item 582-900-970.00 for the Spectrum Engineering's professional engineering services.

ALTERNATIVES: As suggested by the Council.

Respectfully submitted,

Carl Fedders
Director of Public Services

Dennis Dixon
Electric Superintendent

Tom Tarkiewicz
City Manager

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CITY OF Marshall Michigan

ADMINISTRATIVE REPORT
August 19, 2013 – City Council Meeting

REPORT TO: Honorable Mayor and Council Members

FROM: Tom Tarkiewicz, City Manager

SUBJECT: Downtown Development Authority–Main Street Board Appointment

BACKGROUND: The Downtown Development Authority (DDA) was established under Public Act 197 of 1975. By this Act, the Board consists of 13 members, 12 of which are appointed by the City Manager subject to the approval of City Council. The thirteenth member is the City Manager. The oversight of the Michigan Main Street Program was given to the DDA Board.

Colleen Koppenhaver has resigned from her appointment with a term expiring December 31, 2013.

The City Manager has been contacted by Mike Beck, Development Director for Oaklawn Hospital to be appointed.

RECOMMENDATION: It is recommended that Mike Beck be appointed to the DDA/Main Street Board for a term expiring on December 31, 2017.

FISCAL EFFECTS: None

ALTERNATIVES: As suggested by Council.

Respectfully submitted,

Tom Tarkiewicz
City Manager

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cityofmarshall.com

OaklawnHospital

200 North Madison
Marshall, Michigan 49068
269 781-4271

Advancing medicine.
Compassionate care.

July 30, 2013

Mr. Tom Tarkiewicz, City Manager
City of Marshall
323 West Michigan Avenue
Marshall, Michigan 49068

Dear Tom,

Please consider this letter as a formal expression of my interest in serving on the Marshall Downtown Development Authority/Main Street Board. I sincerely feel that my experience in the business and community service areas would be helpful to the DDA in its mission to revitalize and sustain downtown business while enhancing the historic identity of the community.

I am including my City of Marshall Boards and Commissions Application with this letter, and I humbly and respectfully ask that you consider me for appointment to any open position as it becomes available.

Feel free to contact me if you have any questions or would like me to provide further information.

Sincerely,

E. Michael "Mike" Beck

M MAGNET RECOGNITION AMERICAN NURSES CREDENTIALING CENTER

Highest award for nursing excellence worldwide.

CITY OF MARSHALL
BOARDS & COMMISSIONS
APPLICATION

Your interest and willingness to serve the City of Marshall is appreciated. The purpose of this application is to provide the Mayor and Council with basic reference data and information pertaining to residents being considered for appointment to a City board or commission. The information supplied on this form will be available for the Mayor and Council and may be used for their deliberation concerning such appointments.

Date JULY 30, 2013

Please type or print –

Name E. MICHAEL "MIKE" BECK

Address 9945 D. DRIVE NORTH, B.C., MI 49014

cell # 517-202-3693

Home Phone 269-963-1975 Work Phone 269-789-3904

Fax Number 269-789-4927 E-Mail Address mbeckeoaklawnhospital.com

How long have you lived in the City of Marshall? N/A

Education HIGH SCHOOL GRAD Primary Personal Interest COMMUNITY RELATIONS

Please feel free to attach, for example, a resume, brief bio, hobbies, former committee work, etc.

* * * \