

CALL TO ORDER

IN REGULAR SESSION Monday, May 20, 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, Revore (arrived at 7:05 p.m.), and Williams.

Also Present: City Manager Tarkiewicz.

Absent: Council Member Reed.

Moved Metzger, supported Mankerian, to excuse the absence of Council Member Reed. On a voice vote – **MOTION CARRIED.**

INVOCATION/PLEDGE OF ALLEGIANCE

Kris Tarkiewicz of Family Bible Church gave the invocation and Mayor Dyer led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Moved Miller, supported Mankerian, to approve the agenda with the addition of item 13B– Planning Commission Appointment. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON AGENDA ITEMS

Ginger Williams commented on the process/decision regarding the Hospital Campus Overlay District Ordinance.

Martin Overhiser requested council to rescind the Ordinances and produce any new materials received regarding the HCOD since Friday.

CONSENT AGENDA

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

- A. Schedule a public hearing for June 17, 2013 to hear public comment regarding the request to rezone 624 W. Mansion Street (former Shearman School) from Planned Unit Development (PUD) to Public/Semi Public (PSP);
- B. Schedule a public hearing for June 17, 2013 to hear public comment regarding the proposed changes to the City of Marshall Code of Ordinances, Chapter 91 Parks and Recreation;

- C. Schedule a public hearing for June 17, 2013 to hear public comment regarding the proposed text changes to §156.231: Wireless Communications Facilities and Services;
- D. Schedule a public hearing for June 17, 2013 to hear public comment regarding the proposed revisions to Chapters 70 through 76 of the City of Marshall Traffic Code and Section 150.086 (D) of the Marshall City Code;
- E. Schedule a public hearing for June 17, 2013 to hear public comment regarding the Rental Rehabilitation Grant through MSHDA;
- F. Approve minutes of the City Council Regular Session held on Monday, May 6, 2013;
- G. Approve city bills in the amount of \$ 862,940.87.

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

PRESENTATIONS AND RECOGNITIONS

None.

INFORMATIONAL ITEMS

An event report was provided for the Memorial Day Parade.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. East Prospect Street Vacation Request

Moved Miller, supported Metzger to recuse Council Member Williams from voting. On a voice vote – **MOTION CARRIED.**

Mayor Dyer opened the public hearing to hear public comment on the East Prospect Street Vacation Request.

Joanna Tarkiewicz of Oaklawn Hospital, the applicant, provided information regarding their plan and the benefits of closing East Prospect Street.

Carl Fedders stated the City would only lose \$300 in Act 51 monies from the State.

Martin Overhiser feels the request is unwarranted, unjustified, and that we are giving away public open space.

Chris Wettle feels Prospect Street should stay the same.

Joann Dickey urged the Council not to close Prospect Street.

Brian Munger feels the street should not be retired.

Deb Codde requested Council to not close the street.

Ginger Williams clarified there was a traffic study done in the area and the closing of Prospect Street would benefit citizens.

Mayor Dyer closed the public hearing.

Moved Miller, supported Metzger, to approve the resolution vacating East Prospect Street between North Madison Street and High Street, contingent on site plan approval.

Moved Miller, supported Metzger, to table the motion to vacate East Prospect Street. On a voice vote – **MOTION CARRIED.**

B. Fiscal Year 2014 Budget Adoption

Mayor Dyer opened the public hearing to hear public comment on the proposed FY 2014 Budget.

Finance Director Sandra Bird provided some background on the FY 2014 budget and the process to adopt.

Moved Williams, supported Metzger, to approve Budget Amendment 1 to the FY 2014 Proposed Budget. On a roll call vote – ayes: Metzger, Miller, Revore, Williams, Mayor Dyer, and Mankerian; nays: none. **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN
RESOLUTION #2013-24

City of Marshall Authorizing Resolution
To Amend FY 2014 Proposed Budget

Budget Amendment 1

Increase the General Fund Operating Millage Rate by 1.7000, Increase the General Fund Property Tax Revenue Budget by \$330,610 for the Proposed Millage Rate Increase, and Increase the General Fund Non-Departmental Transfers to Other Funds Expenditure Budget by \$330,610 for the Debt Service Payment for the Regional Law Enforcement Center Building and Fire Station/City Hall Renovations Project.

WHEREAS, the FY 2014 Proposed Budget includes projected General Fund Current Property Tax revenue based on a millage rate of 15.4629, and a 1.7000 rate increase would raise the millage rate to 17.1629, which is below the maximum

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allowable of 18.7874. The new authorized millage rate would increase revenue by approximately \$330,610;

WHEREAS, by raising the current millage rate, approximately \$330,610 of additional revenue will be generated to pay for the debt service payment of the regional law enforcement building and fire station/city hall renovations project

THEREFORE, BE IT RESOLVED, to increase the General Fund millage rate by 1.7000 and increase Current Property Taxes revenue budget by \$330,610 for the additional revenue generated from the millage rate increase and to increase the Non-Departmental Transfers to Other Funds expenditure budget by \$330,610 for the project debt service payment.

As Amended, May 20, 2013

Trisha Nelson, City Clerk

I, Trisha Nelson, being duly sworn as the City Clerk for the City of Marshall, hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on May 20, 2013 and that said meeting was conducted and that the minutes of said meeting were kept and will be or have been made available.

Trisha Nelson, City Clerk

Moved Williams, supported Metzger, to approve the FY 2014 proposed with the approved Budget Amendment. On a roll call vote – ayes: Miller, Revore, Williams, Mayor Dyer, Mankerian, and Metzger; nays: none. **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN
RESOLUTION #2013-22

THE CITY OF MARSHALL
GENERAL APPROPRIATION ACT AND TAX LEVY RESOLUTION
July 1, 2013 – June 30, 2014

THE CITY OF MARSHALL RESOLVES that the expenditures for the fiscal year, commencing July 1, 2013, and ending June 30, 2014, are hereby appropriated on a departmental and fund total basis as follows:

GENERAL FUND REVENUES

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| | |
|----------------------------|--------------------|
| Taxes | \$3,538,055 |
| Licenses and Permits | 33,500 |
| Intergovernmental Revenues | 759,384 |
| Charges for Services | 78,600 |
| Fines and Forfeits | 118,075 |
| Interest | 20,000 |
| Miscellaneous | 259,950 |
| Other Financing Sources | 978,644 |
| Recreation | 401,923 |
| Composting | 62,254 |
| Airport | <u>170,440</u> |
| Total Revenues | \$6,420,825 |

GENERAL FUND EXPENDITURES

| | |
|---------------------------|--------------------|
| City Council | \$3,408 |
| City Manager | 129,981 |
| Assessor | 83,299 |
| Attorney | 65,000 |
| Human Resources | 63,512 |
| Clerk | 54,494 |
| Finance/Treasurer | 229,280 |
| City Hall | 84,971 |
| Chapel | 2,400 |
| Other City Property | 44,850 |
| Cemetery | 204,975 |
| Non-Departmental | 767,805 |
| Police | 1,468,223 |
| Crossing Guards | 17,782 |
| Dispatch | 109,000 |
| Fire | 797,859 |
| Inspection | 91,007 |
| Planning/Zoning | 94,713 |
| Streets | 1,098,415 |
| Engineering | 18,540 |
| PSB Operations | 103,347 |
| Community Development | 14,861 |
| Parks | 87,140 |
| Capital Improvements | 140,906 |
| Recreation | 410,623 |
| Composting | 57,560 |
| Airport | <u>170,440</u> |
| Total Expenditures | \$6,424,831 |

Fund balance reserves shall be decreased by (\$4,006) based on the FY 2014 revenues and expenditures for the General Fund budget. There is a \$4,006 planned use of fund balance for Recreation capital purchases.

The City Council does hereby levy a tax of 17.1629 mills for the period of July 1, 2013, through June 30, 2014 on all real and personal taxable property in the City of Marshall, according to the valuation of the same. This tax is levied for the purpose of defraying the general expense and liability of the City of Marshall and is levied pursuant to Section 8.01, Article 8 of the Charter of the City of Marshall.

The City Council does hereby levy a tax of .5000 mills for the period of July 1, 2013, through June 30, 2014, on all real and personal taxable property in the City of Marshall, according to the valuation of the same. This tax is levied for the purpose of defraying the expense of operating the Leaf, Brush and Trash Removal Services of the City of Marshall as authorized by a vote of the citizens on November 6, 2012.

The City Council does hereby levy a tax of .4840 mills for the period of July 1, 2013, through June 30, 2014, on all real and personal taxable property in the City of Marshall, according to the valuation of the same. This tax is levied to operate the Dial-A-Ride Transportation System in the City of Marshall as authorized by a vote of the citizens on August 5, 1975.

The City Council does hereby levy a tax of .9393 mills for the period of July 1, 2013, through June 30, 2014, on all real and personal taxable property in the City of Marshall, according to the valuation of the same. This tax is levied for the purpose of defraying the expense of operating the Recreation Department of the City of Marshall as authorized by a vote of the citizens on April 4, 1959.

The City Council does hereby levy a tax of 1.6129 mills for the period of July 1, 2013, through June 30, 2014, on all real and personal taxable property in the City of Marshall, according to the valuation of the same in a district known as the Downtown Development District. This tax is levied for the purpose of defraying the cost of the Downtown Development Authority.

| | PROPOSED <u>FY 2014</u> | ACTUAL <u>FY 2013</u> | <u>DIFFERENCE</u> |
|--|------------------------------------|----------------------------------|--------------------------|
| General | 17.1629 | 15.4629 | 1.7000 |
| Operating Leaf, Brush and Trash Removal Services | 0.5000 | 0.0000 | 0.5000 |
| Recreation | .9393 | .9393 | 0.0000 |
| Dial-A-Ride | .4840 | .4840 | 0.0000 |
| Downtown Development | 1.6129 | 1.6129 | 0.0000 |
| | _____ | _____ | _____ |

Authority

TOTAL 20.6991 18.4991 2.2000

The City Manager is authorized to make budgetary transfers within the appropriation centers established through this budget, and that all transfers between appropriations may be made by the City Manager in an amount not to exceed \$10,000 per year without prior Council approval pursuant to Section 19.2 of the provisions of the Michigan Uniform Accounting and Budgeting Act.

The City Council establishes the budget for the period of July 1, 2013, through June 30, 2014 for the following funds in the amounts set forth below:

ALL FUNDS REVENUES

| | |
|-------------------------------|---------------------|
| General Fund | \$6,090,215 |
| MVH-Major & Trunkline | 423,277 |
| MVH-Local | 326,067 |
| Leaf, Brush and Trash Removal | 98,811 |
| Local Development Finance | 460,566 |
| Downtown Development | 222,000 |
| Marshall Area Econ. Develop. | 653,619 |
| Special Projects | 20,373 |
| Marshall House | 581,660 |
| Electric | 13,708,310 |
| Dial-a-Ride | 359,690 |
| Wastewater | 1,587,500 |
| Water | 1,601,900 |
| Data Processing | 147,378 |
| Motorpool | 745,550 |
| Safety | 400 |
| Total Revenues | \$27,027,316 |

ALL FUNDS EXPENDITURES

| | |
|-------------------------------|-------------|
| General Fund | \$6,094,221 |
| MVH-Major & Trunkline | 442,156 |
| MVH-Local | 340,117 |
| Leaf, Brush and Trash Removal | 98,811 |
| Local Development Finance | 386,521 |
| Downtown Development | 246,253 |
| Marshall Area Econ. Develop. | 653,619 |
| Special Projects | 19,651 |
| Marshall House | 698,901 |
| Electric | 15,280,065 |
| Dial-a-Ride | 417,794 |
| Wastewater | 1,839,032 |
| Water | 1,395,493 |
| Data Processing | 165,272 |
| Motorpool | 980,515 |

| | |
|---------------------------|---------------------|
| Safety | <u>3,400</u> |
| Total Expenditures | \$29,061,821 |

Fund balance reserves shall be decreased by (\$2,034,505) based on the FY 2014 revenues and expenditures for All Funds.

Amendments:

Budget Amendment 1:

Increase General Fund millage rate by 1.7 mils, increase Property Tax revenue by \$330,610, and increase Non-Departmental Transfers to Other Funds expenditure by \$330,610 for the regional law enforcement building and fire station/city hall renovations project, authorized by Council at the May 20, 2013 Regular Council Meeting and Budget Public Hearing-Truth in Taxation.

As Amended May 20, 2013

The City Council of the City of Marshall did give notice of the time and place when a public hearing on adoption of the budget would be held in accordance with Public Act 43 of 1963, proof of publication of the Notice of Public Hearing is now on file, and which Public Hearing was duly held pursuant to said notice and in conformity therewith. A copy of the budget proposal was on file with the City Clerk and available for public inspection for at least one week prior to adoption of the budget; and

Further, the City Council of the City of Marshall did give notice of the time and place when a public hearing would be held in conformity with the provisions of Public Act 5 of 1982 authorizing a tax rate in excess of the present authorized tax rate for General Operating, Recreation, Dial-A-Ride and Downtown Development Authority tax levies, proof of publication of Notice of Public Hearing is now on file, and which Public Hearing was duly held pursuant to said notice and in conformity therewith; and

This Resolution shall take effect July 1, 2013.

Dated: May 20, 2013

Trisha Nelson, City Clerk

I, Trisha Nelson, being duly sworn as the City Clerk for the City of Marshall, hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on May 20, 2013 and that said meeting was conducted and that the minutes of said meeting were kept and will be or have been made available.

Trisha Nelson, City Clerk

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. Referendum on Reconsideration of Ordinance No. 2013-02 and 2013-03:

Moved Metzger, supported Miller, to rescind Ordinance Numbers 2013-02 and 2013-03. On a roll call vote – ayes: Revore, Mayor Dyer, Mankerian, Metzger, and Miller; nays: none. **MOTION CARRIED.**

Moved Miller, supported Metzger, to refer this matter back to the Planning Commission for consideration at their June meeting 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. On a voice vote – **MOTION CARRIED.**

Moved Metzger, supported Miller, to require the Planning Commission to report back to Council by the second City Council meeting in July. On a voice vote – **MOTION CARRIED.**

B. Marshall Area Economic Development Alliance – Partner Agreement:

Moved Williams, supported Metzger, to authorize the Clerk to sign the Management and Administrative Services Agreement with the Marshall Area Economic Development Alliance and the changes recommended by the Local Development Finance Authority. On a roll call vote – ayes: Mankerian, Metzger, Miller, Revore, Williams, and Mayor Dyer; nays: none. **MOTION CARRIED.**

C. Industrial Park Lift Station Rehabilitation:

Moved Miller, supported Metzger, to approve the recommendation to award Davis Construction the rehabilitation of the Industrial Road Lift Station at a cost of \$305,301. On a roll call vote – ayes: Williams, Mayor Dyer, Mankerian, Metzger, Miller, and Revore; nays: none. **MOTION CARRIED.**

D. Annual Compensation of Administrative Officials, Department Heads, and Salaried Personnel:

Moved Metzger, supported Mankerian, to approve the proposed FY 2014 wages for the administrative officials, department heads and salaried personnel. On a

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

APPOINTMENTS / ELECTIONS

A. Local Development Finance Authority:

Moved Williams, supported Mankerian, to approve the reappointment of Mark Oerther with a term expiring on June 2, 2014, John Tracy with a term expiring on June 2, 2016, Steve Dodge with a term expiring on June 2, 2017, J.P. Walters with a term expiring on June 2, 2015 and Wendee Woods with a term expiring on June 2, 2017 to the Local Development Finance Authority. On a voice vote – **MOTION CARRIED.**

B. Planning Commission:

Moved Miller, supported Mankerian, to appoint Lynne Meservey to the Planning Commission with a term expiring November 1, 2014. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

COUNCIL AND MANAGER COMMUNICATIONS

ADJOURNMENT

The meeting was adjourned at 9:20 p.m.

James L. Dyer, Mayor

Trisha Nelson, City Clerk