

CALL TO ORDER

IN REGULAR SESSION Monday, July 1, 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, Metzger, Reed, Revore, and Williams.

Also Present: City Manager Tarkiewicz.

Absent: Council Members Mankerian and Miller.

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

INVOCATION/PLEDGE OF ALLEGIANCE

Barry Chaffin of Church of Christ gave the invocation and Mayor Dyer led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Moved Metzger, supported Williams, to approve the agenda as presented. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON AGENDA ITEMS

None.

CONSENT AGENDA

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

- A. Approve minutes of the City Council Regular Session held on Monday, June 17, 2013;
- B. Approve city bills in the amount of \$ 859,836.09.

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

PRESENTATIONS AND RECOGNITIONS

None.

INFORMATIONAL ITEMS

Director of Public Services Carl Fedders updated the Council regarding asphalt failures on the

North Drive Paving Project.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. J & L Manufacturing IFT:

Mike Hindenach, MAEDA Industrial Manager, provided an overview of the Industrial Facilities Tax Exemption Certificate application by J & L Manufacturing.

Mayor Dyer opened the public hearing to hear public comment on the proposed IFT application for J & L Manufacturing.

Hearing no comment, the hearing was closed.

Moved Metzger, supported Williams, to approve the application for an Industrial Facilities Tax Exemption Certificate for J & L Manufacturing. On a roll call vote – ayes: Reed, Revore, Williams, Mayor Dyer, and Metzger; nays: none. **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN
RESOLUTION #2013-32

RESOLUTION

Minutes of a regular meeting of the City Council of the City of Marshall held on July 1, 2013, in the Council Chambers of Town Hall located at 323 West Michigan Avenue, Marshall, Michigan.

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

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

**RESOLUTION TO APPROVE APPLICATION OF
J&L MANUFACTURING
1507 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, J&L Manufacturing has filed an application for an Industrial Facilities Exemption Certificate with respect to real 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 July 1, 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 June 3, 2013, the date of acceptance of the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, the construction of the building addition 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 J&L Manufacturing, 1507 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.

3. The Industrial Facilities Exemption Certificate, when issued, shall be and remain in force and effect for a period of (12) twelve 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: Reed, Revore, Williams, Mayor Dyer, 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 July 1, 2013.

Trisha Nelson, Clerk

B. Progressive Dynamics, Inc. IFT:

Mike Hindenach, MAEDA Industrial Manager, provided an overview of the Industrial Facilities Tax Exemption Certificate application by J & L Manufacturing

Mayor Dyer opened the public hearing to hear public comment on the proposed IFT application for Progressive Dynamics, Inc.

Hearing no comment, the hearing was closed.

Moved Reed, supported Metzger, to approve the application for an Industrial Facilities Tax Exemption Certificate for Progressive Dynamics, Inc. On a roll call vote – ayes: Revore, Williams, Mayor Dyer, Metzger, and Reed; nays: none.

MOTION CARRIED.

CITY OF MARSHALL, MICHIGAN
RESOLUTION #2013-33

RESOLUTION

Minutes of a regular meeting of the City Council of the City of Marshall held on July 1, 2013, in the Council Chambers of Town Hall located at 323 West Michigan Avenue, Marshall, Michigan.

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

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

**RESOLUTION TO APPROVE APPLICATION OF
PROGRESSIVE DYNAMICS, INC.
507 INDUSTRIAL ROAD, MARSHALL, MI
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR
PERSONAL PROPERTY - NEW MACHINERY AND EQUIPMENT**

WHEREAS, pursuant to P.A. 198 of 1974, MCL 211.551 et seq., after a duly noticed public hearing held on March 19, 2012, the Council by Resolution established Industrial Development District No. D-33 as requested; and

WHEREAS, Progressive Dynamics, Inc. has filed an application for an Industrial Facilities Exemption Certificate with respect to personal property improvements and the acquisition and installation of new machinery and equipment within Industrial Development District D-33; 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 July 1, 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 June 3, 2013, the date of acceptance of the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, the acquisition of the new equipment and machinery 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 Progressive Dynamics, Inc, 507 Industrial Road, Marshall, MI 49068 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-33 is hereby approved.
6. The Industrial Facilities Exemption Certificate, when issued, shall be and remain in force and effect for a period of (12) twelve 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: Revore, Williams, Mayor Dyer, Metzger, and Reed.

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 July 1, 2013.

Trisha Nelson, Clerk

C. Renewable Energy Plan – Biennial Filing:

Carl Fedders, Director of Public Services, provided background on the proposed Renewable Energy Plan.

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

Marshall City Council, Regular Session
Monday, July 1, 2013

Hearing no comment, the hearing was closed.

Moved Williams, supported Metzger, to approve the proposed Renewable Energy Plan – Biennial Filing. On a voice vote – **MOTION CARRIED.**

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

None.

APPOINTMENTS / ELECTIONS

Council Member Revore will fill the Council liaison seat for the Zoning Board of Appeals previously filled by Wayne Booton.

PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

COUNCIL AND MANAGER COMMUNICATIONS

ADJOURNMENT

The meeting was adjourned at 7:12 p.m.

James L. Dyer, Mayor

Trisha Nelson, City Clerk