



# MARSHALL CITY COUNCIL AGENDA

MONDAY – 7:00 P.M.

April 21, 2014

- 1) CALL TO ORDER
- 2) ROLL CALL
- 3) INVOCATION- Brandon Crawford, Grace Baptist 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. Schedule a Public Hearing – P.A. 425 Land Transfer with Marshall Township P. 3

City Council will consider the recommendation to schedule a public hearing for May 5, 2014 regarding a P.A. 425 Land Transfer for the parcel at 16950 F Drive North.

B. Sidewalk Use Licenses P. 10

City Council will consider the recommendation to issue licenses to Schuler's Inc. and Pastrami Joe's to operate an outdoor restaurant/café. The license is effective May 1, 2014 and expires April 30<sup>th</sup> of the following year.

C. Poppy Sales P. 11

City Council will consider the recommendation to approve the request by the American Legion to conduct their Annual Poppy Sales on May 16 and 17, 2014.

D. City Council Minutes P. 12

Regular Session.....Monday, April 7, 2014

E. City Bills P. 15

Regular Purchases .....	\$315,500.16
Purchased Power.....	\$790,343.31
Weekly Purchases –4/4/14 .....	\$ 42,203.10
Weekly Purchases –4/11/14.....	\$ 20,718.92
<b>Total .....</b>	<b>\$ 1,168,765.49</b>

8) PRESENTATIONS AND RECOGNITIONS

9) INFORMATIONAL ITEMS

A. Event Report – Memorial Day Parade P. 22

10) PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. Electric Rate Ordinance Amendment P. 24

City Council will hear public comment on the recommended changes to Chapter 53: Rates of the Marshall City Code of Ordinances.

**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



**11) OLD BUSINESS**

**12) REPORTS AND RECOMMENDATIONS**

**A. Approval of Offer to Purchase Real Estate for Fire Station P. 27**

City Council will consider the recommendation to approve the Offer to Purchase Real Estate with Marshall Medical Building, LLC.

**B. FY 2015 Budget**

At the April 12, 2014 Council Work Session regarding the proposed FY 2015 Budget, Council requested additional time to review the budget document. Staff will receive any additional comments on the FY 2015 Budget from Council.

**13) APPOINTMENTS / ELECTIONS**

**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,

A handwritten signature in black ink, appearing to read "Tom Tarkiewicz". The signature is written in a cursive style with a long, sweeping tail on the last letter.

Tom Tarkiewicz  
City Manager



**ADMINISTRATIVE REPORT**  
**APRIL 21, 2014 - CITY COUNCIL MEETING**

**REPORT TO:** Honorable Mayor and City Council  
**FROM:** Tom Tarkiewicz, City Manager  
**SUBJECT:** Schedule a Public Hearing for May 5, 2014 on a P.A. 425 Land Transfer with Marshall Township

**BACKGROUND:** The City has received a request from the Family Bible Church for a Public Act 425 Land Transfer agreement with Marshall Township. The parcel is a 120' x 200' parcel on F Drive North behind the church building. The Church plans to have a building expansion that would occupy a portion of the parcel.

A PA 425 agreement brings a property into the City to receive City services but gives a portion of the property taxes collected to the Township. Since the property is owned by the Church and used for non-profit purposes, no property taxes would be generated but could generate in the future if the property is sold to a "for-profit" business.

In 2006, the City and Marshall Township entered into a Master 425 Development Agreement. The Master Agreement is attached. The agreement defines the amount of tax given to the Township based on property location and type of development.

PA 425 requires the adoption of a resolution and a public hearing by both governmental bodies. The proposed resolution and contract are attached.

**RECOMMENDATION:** It is recommended that Council approve the request to schedule a public hearing for May 5, 2014 regarding a P.A. 425 Land Transfer for the parcel at 16950 F Drive North.

**FISCAL EFFECTS:** None.

**ALTERNATIVES:** As suggested by Council.

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

Respectfully submitted,

Tom Tarkiewicz  
City Manager

CITY OF MARSHALL, MICHIGAN  
RESOLUTION #2014-

RESOLUTION AUTHORIZING EXECUTION OF CONTRACT  
FOR CONDITIONAL TRANSFER OF PROPERTY

**WHEREAS**, City of Marshall, owner of property commonly known as 16950 F Drive North, 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 16950 F Drive North 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 \_\_\_\_\_.

\_\_\_\_\_  
Trisha Nelson, Clerk  
CITY OF MARSHALL

Dated: \_\_\_\_\_

**CITY OF MARSHALL – TOWNSHIP OF MARSHALL  
CONTRACT FOR CONDITIONAL TRANSFER OF PROPERTY**

This Agreement made on the \_\_\_\_ day of May, 2014, between the CITY OF MARSHALL, a Michigan municipal corporation, having offices at 323 West Michigan Avenue, Marshall, Michigan 49068 (the “City”) and the TOWNSHIP OF MARSHALL, a Township duly organized under the laws of the State of Michigan, and existing in Calhoun County, Michigan, having offices at 13551 Myron Avery Drive, Marshall, Michigan 49068 (the “Township”).

WHEREAS, the City and the Township have adopted a Master 425 Agreement dated February 25, 2006 for the purpose of providing sewer and water services which are available in the City to Township properties upon the request of a Township property owner, and

WHEREAS, the Family Bible Church, the owner of the property described on Schedule 1 attached hereto (“Property”) has requested that the City extend sewer and water services to the Property, and

WHEREAS, the provision of municipal services by the City to the Property would further the economic well-being of both the City and the Township and increase the probability of additional development of the Property, and

WHEREAS, the City has available sewer and water capacity to service the Property, and

WHEREAS, the parties have each conducted a public hearing to receive input on the proposed transfer of property.

NOW, THEREFORE, by authority of Act 425 of the Public Acts of 1984 and pursuant to the Master 425 Agreement entered into between the City and the Township and in consideration of the mutual promises herein set forth, BE IT AGREED AS FOLLOWS:

1. The Township consents to the transfer to the City of the Property.
2. The City agrees to accept the transfer of the Property for all purposes allowed under Public Act 425 of 1984, as amended, to make available municipal services to the Property provided that the Property owner and other users of the utilities extended from the City to the Property shall pay for the cost of the extension.
3. The transfer of the Property contemplated by this agreement shall occur at midnight on July 1, 2014.
4. Following transfer, and during the term of this Agreement, the City shall have full jurisdiction over the Property subject to the following limitations:

Land usages shall be subject to the Joint Municipal Planning Commission pursuant to the provisions of the Master 425 Agreement.

5. The City and Township agree that the City shall have the authority to assess and collect ad valorem taxes, real and personal, on the Property and any improvements thereon during 2015 and for the remainder of the term of this Agreement. The Township shall have the authority to assess and collect ad valorem taxes, real and personal, on the Property and any improvements thereon through calendar year 2014.

The City and Township further agree that commencing in the year 2015 and continuing through the fiftieth (50<sup>th</sup>) full calendar year thereafter, all such taxes which the City collects for its own general operating fund purposes only, and which are attributable to the Property for the term of this Agreement shall be shared between the City and the Township as follows:

A. The Township shall receive the equivalent of 3 mills levied on the taxable value of the Property for the taxable year as established by the City subject to any subsequent adjustments resulting from tax appeals. The City shall transmit the Township's share of such revenues annually on or before 30 days after receipt.

B. Thereafter, all tax revenues from the Property shall be collected and retained by the City.

6. Except as provided in paragraph 7, upon termination, expiration or non-renewal of this Agreement, jurisdiction of the Property shall pass to the City and the Township shall have no further rights or interests in the Property.

7. In the event that the City shall not share tax revenues from the Property as provided in paragraph 5 or shall breach any other provision of this Agreement, the Township shall be entitled to terminate this Agreement, whereupon jurisdiction of the Property shall revert to the Township or the Township may pursue whatever other legal remedies are available to the Township.

8. Any liability the City or the Township incurs to a third party as a result of the performance of duties or the exercise or rights imposed or granted hereunder shall be jointly shared and defended in the same proportion as the taxes are shared as described in paragraph 5.

9. The burden of all tax abatements shall be shared by the City and the Township in the same percentage as the millage is shared. In the event the City reduces its millage, the Township's share of millage shall be proportionately reduced provided no additional taxes are levied by the City to replace the reduction in millage.

10. Sewer and water rates charged to the Property owner shall not be greater than the rates charged in the City for similar users. Property owners shall contribute to repairs and capital improvements to the sewage treatment facilities, water purification plant, well facilities, and distribution systems in the same manner as similar users within the City of Marshall.

11. In the event there is a conflict between this Agreement and the Master 425 Development Agreement, the terms of the Master 425 Development Agreement shall control unless there is a specific reference in the conflicting provision that it is intended to prevail despite the Master 425 Development Agreement.

12. Within fifteen (15) days of execution of this contract, the City Clerk shall file a duplicate original of this contract with the Calhoun County Clerk, the Michigan Secretary of State and the Calhoun County Register of Deeds.

WITNESSES:

CITY OF MARSHALL

\_\_\_\_\_

By:

\_\_\_\_\_  
Tom Tarkiewicz, City Manager

\_\_\_\_\_

By:

\_\_\_\_\_  
Trisha Nelson, Clerk

WITNESSES:

MARSHALL TOWNSHIP

\_\_\_\_\_

By:

\_\_\_\_\_  
Eugene Hamaker, Supervisor

\_\_\_\_\_

By:

\_\_\_\_\_  
Cynthia Sink, Clerk

Prepared by:  
Paul K. Beardslee  
Marshall City Attorney  
206 S. Kalamazoo Ave.  
Marshall, Michigan 49068  
(269) 781-5193

Schedule 1

Legal Description of Property

Township of Marshall, County of Calhoun, State of Michigan.

MARSHALL TWP SEC 23 Z23-R6W BEG 355.29 FT W OF NE SEC COR – S 200 FT-W  
120FT-N 200FT-E 120 FT.

FAMILY BIBLE CHURCH

Senior Pastor: *Richard Gerten*  
Associate Pastor: *Kelly Tarkewicz*

*A non-denominational  
Bible teaching church*

April 7, 2014

Gene Hamaker  
Marshall Township Supervisor  
13551 Myron Avery Drive  
Marshall, Michigan 49068

Tom Tarkewicz  
City of Marshall – Manager  
323 W. Michigan Avenue  
Marshall, Michigan 49068

Gentlemen,

Family Bible Church is currently studying the possible expansion of the facilities located at 725 US Hwy 27 North, located in the City of Marshall. It has come to our attention that when the sanctuary property was brought into the City that the parsonage property (16-232-006-01) was left in Marshall Township. The legal description of the property can be found below:

MARSHALL TWP SEC 23 Z2S-R6W BEG 355.29 FT W OF NE SEC COR-S 200 FT - W 120 FT-N 200 FT - E 120 FT. EXC N 35 FT 0.45 AC PA 425 TO CITY EXPIRING 2056

Because the potential expansion would utilize both of these properties we are requesting that the parsonage property be brought into the City utilizing the existing PA 425 conditional land transfer agreement. At this time we are not requesting a change in the existing zoning of this property.

Thank you for your assistance in this process. Please do not hesitate to contact me with questions or request for additional information.

Sincerely,

  
Richard Gerten, Lead-Pastor  
Family Bible Church



**ADMINISTRATIVE REPORT**  
**April 21, 2014 – CITY COUNCIL MEETING**

**REPORT TO:** Honorable Mayor and City Council Members  
**FROM:** Trisha Nelson, Clerk  
Tom Tarkiewicz, City Manager  
**SUBJECT:** Sidewalk Use Licenses

**BACKGROUND:** In 1993 Schuler's Incorporated signed a Sidewalk Use Agreement and in 2006 Pastrami Joe's signed a Sidewalk Use Agreement specifying the license fee of \$100 which may be renewed annually after paying the fee, submitting an application and providing a certificate of insurance in a minimum of \$500,000.

In accordance with Section 90-16(c) of the Marshall City Code, City Council may license.....an outdoor restaurant, café and other public/private sidewalk uses under such terms and conditions as the Council may determine upon submittal of a sidewalk use application. Pastrami Joe's and Schuler Restaurant have submitted their applications, certificates of insurance and paid the proper fees.

**RECOMMENDATION:** Approve the annual licenses for Pastrami Joe's and Schuler's Restaurant.

**FISCAL EFFECT:** \$200 license fee.

**ALTERNATIVES:** As suggested by Council.

Respectfully submitted,

  
Trisha Nelson  
Clerk

  
Tom Tarkiewicz  
City Manager

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



**Stanley E. Lamb Post 79  
American Legion  
Marshall, MI**

March 25, 2014

The Honorable Mayor James Dyer  
City of Marshall  
323 W. Michigan Ave.  
Marshall, MI 49068

Dear Mayor Dyer and City Council Members:

The American Legion Marshall Stanley E. Lamb Post 79 is asking approval to conduct their annual Poppy Sale at various locations within the City of Marshall on May 16 & 17, 2014.

The American Legion Marshall Stanley E. Lamb Post 79 is a 501(c)(19) tax exempt military veterans' organization under the IRS code.

All profits raised in the poppy sale go toward the assistance of military veterans and present members of the military in need. This assistance includes, but is not limited to, providing access to a Legion service officer to assist with dealing with the bureaucracy of the Veterans Administration. Among the other uses of the proceeds from this sale is the purchase of coupon books to allow patients at the Battle Creek VA hospital to purchase snacks and toiletries (Remember-A-Vet).

Sincerely

Rodney Detty,  
Post Commander  
1035 Lowe Drive  
Marshall, MI 49068  
(269) 781-9594

**CALL TO ORDER**

IN REGULAR SESSION Monday, April 7, 2014 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, Miller, Reed, Revore, and Williams.

Also Present: City Manager Tarkiewicz and Clerk Nelson.

Absent: Council Member Mankerian and Metzger.

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

**INVOCATION/PLEDGE OF ALLEGIANCE**

Jeremy Young of Marshall Church of Christ gave the Invocation and Mayor Dyer led the Pledge of Allegiance.

**APPROVAL OF THE AGENDA**

**Moved** Reed, 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. Schedule a public hearing for April 21, 2014 to hear public comment on the proposed amendment to the Electric Rate Ordinance;
- B. Approve the Marshall Downtown Development Authority – Marshall Main Street Façade Improvement Program Guidelines;
- C. Approve the Community Compost Center Agreement including the proposed fees with Calhoun County;
- D. Approve the resolution authorizing the Clerk to sign the contract with the Michigan Department of Transportation for the Rehabilitation of Hughes Street from South Kalamazoo Avenue to South Marshall Avenue;
- E. Approve HR Policy #14.01 regarding Rx Prescription Reimbursement;
- F. Adopt the resolutions in support of the submittal of a grant from the Michigan Department of Transportation Local Bridge Program for the

- Monroe Street Bridge over Rice Creek and Marshall Avenue Bridge over the Kalamazoo River;
- G. Approve the request from the Marshall Lions Club to hold their Annual White Cane Sales on Friday, May 2 and Saturday, May 3, 2014;
  - H. Approve minutes of the City Council Regular and Work session held on Monday, March 3, 2014 and the Work Session held on Monday, March 24, 2014;
  - I. Approve city bills in the amount of \$ 2,935,004.35.

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

### **PRESENTATIONS AND RECOGNITIONS**

None.

### **INFORMATIONAL ITEMS**

#### **A. Event Report – Hospitality Classic:**

An event report was provided for the Hospitality Classic being held on Saturday, May 17, 2014.

#### **B. Event Report – 1918 American LaFrance Fire Apparatus Delivery:**

An event report was provided for the 1918 American LaFrance Fire Apparatus Delivery on Thursday, May 15, 2014.

### **PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION**

None.

### **OLD BUSINESS**

None.

### **REPORTS AND RECOMMENDATIONS**

#### **A. Marshall Area Farmers' Market:**

**Moved** Williams, supported Reed, to approve the request for the use of the Brooks Parking Lot on South Hamilton Street for the Marshall Area Farmers' Market on Saturday mornings from 8 to noon beginning May 17, 2014 through October 25, 2014 and to form a committee consisting of Council member Miller, City Manager, and Jane Dadow to discuss the future of the Farmers' Market and report back to Council on or before the first meeting in July. On a roll call vote – ayes: Reed, Revore, Williams, Mayor Dyer, and Miller; nays: none. **MOTION CARRIED.**

**B. Schedule FY 15 Budget Work Session:**

City Council scheduled a Work Session to discuss the Fiscal Year 2015 Budget for April 12, 2014 at 9:00 a.m. in the City Hall Training Room.

**APPOINTMENTS / ELECTIONS**

**A. Appointments to Zoning Board of Appeals:**

**Moved** Miller, supported Reed, to approve the reappointment of Kelly Feneley and Dave DeGraw to the Zoning Board of Appeals with terms expiring March 10, 2017. On a voice vote – **MOTION CARRIED.**

**B. Appointment to Library Board:**

**Moved** Reed, supported Williams, to approve the reappointment of Donna Daines to the Library Board with a term expiring March 31, 2017. On a voice vote – **MOTION CARRIED.**

**PUBLIC COMMENT ON NON-AGENDA ITEMS**

Hugh Coward of the Michigan Building and Construction Trades Council spoke regarding responsible Contracting for the Law Enforcement Center and passed out related materials.

Joe Michilizzi, Vice President of the Southwest Michigan Building and Construction Trades Council, also spoke regarding the construction of the Law Enforcement Center.

**COUNCIL AND MANAGER COMMUNICATIONS**

**ADJOURNMENT**

The meeting was adjourned at 7:53 p.m.

\_\_\_\_\_  
James L. Dyer, Mayor

\_\_\_\_\_  
Trisha Nelson, City Clerk

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
041514	AFFORDABLE HANDYMEN	DOOR REPLACEMENT	259.95
9917906565	AIRGAS USA LLC	CYLINDER RENTAL	87.98
X026905	ALL-TRONICS INC	MONITORING SERVICE CHARGE 04/01/14 THRU	120.00
9-1170314	ALLIANCE ARCHITECTS	2013 APARTMENT MODERNIZATION	1,050.00
43419	ARROW ENERGY	AVGAS 100LL	22,066.37
12-812084	ARROW UNIFORM	CUST #010198-02	56.09
12-812086	ARROW UNIFORM	CUST #010198-03	147.46
12-812087	ARROW UNIFORM	CUST #010198-05	20.00
12-812080	ARROW UNIFORM	CUST #010198-01	21.64
12-812085	ARROW UNIFORM	CUST #010198-04	50.54
12-804570	ARROW UNIFORM	CUST #010198-01	21.64
12-804575	ARROW UNIFORM	CUST #010198-04	50.54
12-804577	ARROW UNIFORM	CUST #010198-05	20.00
12-804574	ARROW UNIFORM	CUST #010198-02	56.09
12-804576	ARROW UNIFORM	CUST #010198-03	153.20
388-104626-01	AUSTIN-BATTERIES PLUS	T12 BULBS	194.70
388-104612-01	AUSTIN-BATTERIES PLUS	KENWOOD RADIO BATTERIES	143.98
225-343939	AUTO VALUE MARSHALL	PWR STR STOPLEAK, OIL	84.35
225-343372	AUTO VALUE MARSHALL	IRIDIUM PLUG, TAILOR RES WIRES	71.28
628614	BOSHEARS FORD SALES I	HANDLE AS, LATCH	163.77
70842	BOSHEARS FORD SALES I	2005 FORD F250	394.99
70872	BOSHEARS FORD SALES I	2011 CROWN VIC - AIR BAG	409.29
81392445	BOUND TREE MEDICAL LL	MEDICAL SUPPLIES	381.14
10F8QG	BOYNE USA RESORTS	CONFIRMATION #10F8QG, CHERYL VOSBURG	575.93
65727	BUDGET DRAIN CLEANING	JET OUT ALL ROOF VENTS AND DRAINS	425.00
57667	C2AE	ARCHITECTURAL SERVICES FOR FIRE STATION	44,235.32
49858	CARON CHEVROLET	RPLC AIR BAG SENSOR	251.67
14-0172206	CITY OF ALBION	INTERNET	127.49
18987	CLARK CONSTRUCTION CO	CONSTRUCTION MANAGER SERVICES-FIRE DEPA	525.00
18986	CLARK CONSTRUCTION CO	CONSTRUCTION MANAGER SERVICES-POLICE DE	7,807.00
033114	COLLINS PROFESSIONAL	GROUND OUT 1 STUMP @ 315 HUGHES ST	200.00
632992	COMMERCIAL OFFICE PRO	YARDSTICKS	735.00
IN41495	CORNERSTONE OFFICE SY	DELIVERY CHARGE	9.50
IN41328	CORNERSTONE OFFICE SY	STONENET	21.90
9411	COURTNEY & ASSOCIATES	MONTHLY RETAINER - MARCH	250.00
610104001	CRYSTAL FLASH ENERGY	DYED DIESEL	1,315.85
770134	CRYSTAL FLASH ENERGY	PROPANE FOR FORK LIFT	28.10
445227	DARLING ACE HARDWARE	NUTS, BOLTS, FASTENERS	1.59
444986	DARLING ACE HARDWARE	NUTS, BOLTS, FASTENERS	3.18
445134	DARLING ACE HARDWARE	WIRE STRIPPER LOCK	23.98
444627	DARLING ACE HARDWARE	NYLON ROPE, BORING BIT	19.98
444769	DARLING ACE HARDWARE	WALLPAPER REMOVAL SUPPLIES	12.98
434156A	DARLING ACE HARDWARE	PAINT SUPPLIES	60.47
444487	DARLING ACE HARDWARE	DRAIN OPENER	2.99
444750	DARLING ACE HARDWARE	MOUNTING TAPE	6.49
444584	DARLING ACE HARDWARE	CABLE TIES, STAPLES	21.97
444884	DARLING ACE HARDWARE	AUGER	26.99
937511	DARWIN GWIN	BRUSH HOG BROOKS NATURE AREA	100.00
83401	DEFOREST BROTHERS CON	CONCRETE SIDEWALK--JEFFERSON & GREEN	1,250.00
83402	DEFOREST BROTHERS CON	CONCRETE DRAIN PAD--MANSION & MADISON	590.00
INV14908	DORNBOS SIGN INC	ROLL-UP SIGN FOR SIGN TRAILER	1,701.50
INV14963	DORNBOS SIGN INC	METAL SPACERS	87.00
3096772	EDWARDS INDUSTRIAL SA	C-O-C JIC MALE RIGID AND FEMALE SWIVEL	51.23
880979	ELECTION SYSTEMS & SO	BREAK/FIX-HDW MTC-AUTO	30.53
714379	ENVIRONMENTAL RESOURC	QA/AC TEST KIT	551.13
11728	ERIC DALE HEATING & A	FAN MOTOR	192.00
MIMA151932	FASTENAL COMPANY	MOP HEAD	122.95
MIMA151893	FASTENAL COMPANY	JANITORIAL SUPPLIES	172.11
210295	FIRE EXTINGUISHER SER	POWER PLANT EXTINGUISHER MAINTENANCE	851.00
210299	FIRE EXTINGUISHER SER	POLICE EXTINGUISHER MAINTENANCE	96.00
210422	FIRE EXTINGUISHER SER	CITY HALL EXTINGUISHER MAINTENANCE	219.00
210425	FIRE EXTINGUISHER SER	FIRE DEPT EXTINGUISHER MAINTENANCE	109.00
210424	FIRE EXTINGUISHER SER	WATER DEPT EXTINGUISHER MAINTENANCE	72.00
210300	FIRE EXTINGUISHER SER	UTILITY EXTINGUISHER MAINTENANCE	99.00
410420	FIRE EXTINGUISHER SER	ELECTRIC DEPT EXTINGUISHER MAINTENANCE	74.00
210298	FIRE EXTINGUISHER SER	CITY GARAGE EXTINGUISHER MAINTENANCE	195.00
210421	FIRE EXTINGUISHER SER	DART EXTINGUISHER MAINTENANCE	83.00
210523	FIRE EXTINGUISHER SER	AIR TANK HYDROSTATIC TEST	27.00
2113066235	GANNETT MICHIGAN NEWS	BCE DISPLAY	88.32
11-19947	GARAGE DOORS UNLIMITE	SERVICE CALL	656.80
11-19916	GARAGE DOORS UNLIMITE	SERVICE CALL - PSB	392.80
591	GLGC PLUMBING COMPANY	632 EAST DR - RPR DUE TO WATER MAIN BRE	80.00
73072	HERMANS MARSHALL HARD	BUNN COFFEE MAKER & SQUEEGEE	128.48
73059	HERMANS MARSHALL HARD	KEY	2.29
73335	HERMANS MARSHALL HARD	FIBERGLASS HANDLED AX	32.47
73098	HERMANS MARSHALL HARD	PAINT SUPPLIES	25.05
3997	HEKSTRA ROOFING COMP	CAULKED ROOF	328.25
276639462	HOEXX DISTRIBUTION CO	WATER TEST SUPPLIES	1,234.08
2688928	IIX INSURANCE INFORMA	MOTOR VEHICLE REPORTS	121.00

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
219951	INTERNATIONAL SOCIETY	CHERYL VOSBURG - MEMBERSHIP RENEWAL	209.00
040414	ISAAC & SONS	APTS #405 & 407	140.00
101	JOHN D BRUNDAGE & JOH	FEBRUARY SERVICES	4,240.00
5401	JS BUXTON	BULK LIME	1,152.78
165109	K & H CONCRETE CUTTIN	ASPHALT SLAB SAWING - INDUSTRIAL & MITC	175.00
402042	KAR LABORATORIES INC	MERCURY ANALYSIS	195.00
215994	KELLOGG COMMUNITY COL	2014 CONSORTIUM MEMBERSHIP FEES	160.00
S102495960.001	KENDALL ELECTRIC INCO	COMMUNICATION CABLE	79.29
26695	LAKELAND ASPHALT CORP	COLD PATCH	246.56
26685	LAKELAND ASPHALT CORP	COLD PATCH	544.64
26712	LAKELAND ASPHALT CORP	COLD PATCH	590.64
26726	LAKELAND ASPHALT CORP	COLD PATCH	185.84
200026.10-2140305	LAWSON-FISHER ASSOCIA	NUISANCE PLANT MONITORING	161.30
1029855	LEGG LUMBER	1/2 TREATED PLYWOOD	27.99
1528265-20140331	LEXISNEXIS RISK DATA	MARCH 2014 SERVICE	148.05
5413	LOU'S GLOVES INC	LAB GLOVES	86.00
040114	MARSHALL ACTIVITY CEN	MEN'S BASKETBALL GAMES	367.50
22901	MARSHALL CUTTING EDGE	SNOW REMOVAL - FEBRUARY 2014	3,475.00
22844	MARSHALL CUTTING EDGE	SNOW REMOVAL - JANUARY 2014	6,738.50
040414	MGFOA	KEN SWISHER--YEAR END ADJ TRAINING	100.00
9974	MICHIGAN MUNICIPAL LE	DRIVING THE FOOD - NATALIE DEAN	75.00
040414	MWEA	VOSBURG, CHERYL - REGISTRATION	285.00
336559	NORTH CENTRAL LABORAT	LAB SUPPLIES	987.36
459340	NYE UNIFORM COMPANY	SHIRT	56.13
459312	NYE UNIFORM COMPANY	PANTS	85.32
459175	NYE UNIFORM COMPANY	SHIRT	46.50
459317	NYE UNIFORM COMPANY	SHIRT	40.50
454245	NYE UNIFORM COMPANY	COLLAR BRASS	224.49
457311	NYE UNIFORM COMPANY	SHIRT	76.45
446519	NYE UNIFORM COMPANY	BADGES, HATS	648.58
454223	NYE UNIFORM COMPANY	COAT, STRIPES, HASHMARK-MALTESE	237.60
59521	O'LEARY WATER CONDITI	WATER DELIVERED	22.50
149	PALM TEES	T-SHIRTS	272.00
148	PALM TEES	T-SHIRTS	48.00
344120-IN	PAUL CONWAY SHIELDS	LFH1039, PCH REAR HDBND ASSY	27.93
38947	PEERLESS MIDWEST INC	VFD'S WELLS #1 AND #2	65,360.00
5814231	POWER LINE SUPPLY	#2 ALUMINUM TRIPLEX	1,267.00
5814230	POWER LINE SUPPLY	GRAY SPOOL	54.74
284735001 001	PRINTEK INC	USB CABLE	43.85
6229	QUALITY ENGRAVING SER	UPS CHARGES	153.21
57188	QUALITY FIRST AID & S	ELEVATOR SIGN	22.21
25206	R & M LOCK SHOP	LATCH PROTECTORS	111.00
9091	RADIO COMMUNICATIONS	CABLE, TESTED ANTENNA	66.00
9095	RADIO COMMUNICATIONS	INSTALL COBAN CPU & TESTED	67.50
9107	RADIO COMMUNICATIONS	M-6 INSTALLED CAMERA SYSTEM, CONSOLE,	1,351.90
11096	RADIO SHACK	150W 3 OUTLET POWER INVERTER	49.99
040714	REDMOND, KEVIN	MAINTENANCE	446.25
8035	REDSTONE ARCHITECTS I	ARCHITECTURAL & DESIGN SRVCS FOR REGION	121,988.50
70513126	ROSE PEST SOLUTIONS	PEST CONTROL @ MH	55.00
7151909109	SCHINDLER ELEVATOR CO	SERVICE CALL	413.74
4097-9	SHERWIN-WILLIAMS	PAINT	193.55
5065	SHOULDICE BROTHERS	TROUBLE SHOOT & REPAIR CIRCUIT	130.00
17313	SPECTRUM ENGINEERING	ELECTRIC SYSTEM STUDY	2,415.00
17314	SPECTRUM ENGINEERING	POWER FACTOR CORRECTIVE SOLUTIONS	1,288.00
30585	STANDARD PRINTING & O	DELIVERY CHARGE	7.00
30445	STANDARD PRINTING & O	TOWN CRIER	336.72
181802	STANLEY LAWN & GARDEN	ROLLER CHAIN, LINK, STRAPS	29.89
7001136463	STAPLES CONTRACT & CO	PLASTIC SLEEVES	46.99
7001136462	STAPLES CONTRACT & CO	TICKET HOLDERS	17.99
SE 364825	STATE OF MICHIGAN - M	SE BILLING FOR 04/01/13 - 09/30/13	616.79
67560	T & T TOOLS, INC	SOIL PROBES & ADAPTORS	271.20
CLAIM #21409588-1	TOM'S BODY SHOP	REPAIRS TO TRUCK 104	3,315.40
79945	TRI AIR TESTING INC	AIR ANALYSIS	154.00
249871740	U.S. BANK EQUIPMENT F	LEXMARK XS463 COPIER	63.67
P32492	VERMEER OF MICHIGAN,	HCS SCREWS	155.25
EO-02-2014	WARREN ENERGY SOLUTIO	E.O. ANNUAL REPORT	225.00
RITSEMA	WMACP	SGT ROBERT RITSEMA	25.00
LANKERD-2014	WMACP	LT JOSH LANKERD	25.00
SCHWARTZ	WMACP	DIRECTOR JAMES M SCHWARTZ	25.00
OTTJEPKA-2014	WMACP	SGT ADAM OTTJEPKA	25.00
MCDONALD	WMACP	DEPUTY CHIEF OF POLICE, SCOTT MCDONALD	25.00
AMBROSE	WMACP	SGT KRIS AMBROSE	25.00
			315,500.16



## MICHIGAN SOUTH CENTRAL POWER AGENCY

720 HERRING ROAD • LITCHFIELD, MICHIGAN 49252  
 PHONE (517) 542-2346 • FAX (517) 542-3049  
 www.mscca.net

### ORIGINAL INVOICE

MARSHALL CITY ELECTRIC DEPARTMENT  
 323 WEST MICHIGAN AVENUE  
 MARSHALL, MICHIGAN 49068  
 Attn: Mr. Tom Tarkiewicz

Invoice Date: 15-Apr-14  
 Due Date: 30-Apr-14  
 Service From: 01-Mar-14  
 To: 31-Mar-14

Peak Demand 16,920 kw

Total Energy Received 9,439,632 kWh  
 Hydro Generation 141,421 kWh  
 Net Billing kWh's 9,298,211 kWh

Area	Entitlement %	Operating and Maintenance Costs	Debt Service Costs and Capacity Credits	Total
<b>PROJECT 1-ENDICOTT</b>	24.0%	753,198.85	-	753,198.85
<b>PROJECT 2</b>	24.0%	-	-	-
<b>PRAIRIE STATE</b>	16.7%	41,986.11	35,001.29	76,987.40
<b>MENOMINEE HYDRO</b>	24.0%	35,559.38	-	35,559.38
<b>OCONTO FALLS HYDRO</b>	24.0%	10,298.69	-	10,298.69
<b>AFEC</b>	12.3%	134,695.19	29,790.75	164,485.94
<b>AMP CONTRACTS</b>	11.5%	113,573.26	-	113,573.26
<b>CVEC</b>	0.0%	-	-	-
<b>MISO PURCHASES</b>	8.0%	15,290.81	-	15,290.81
<b>MISO SALES</b>	13.4%	(212,171.48)	-	(212,171.48)
<b>TRANSMISSION</b>	25.6%	(84,784.01)	-	(84,784.01)
<b>MISO</b>	17.7%	8,601.56	-	8,601.56
<b>SUBSTATION</b>	34.4%	-	-	-
<b>ADMINISTRATION</b>	17.7%	21,695.55	-	21,695.55
<b>MEMBER</b>	12.3%	303.95	-	303.95
<b>MEMBER HYDRO</b>	0.0%	-	-	-
<b>CAPACITY</b>	12.3%	-	-	-
<b>RATE STABILIZATION</b>		(10,800.00)	-	(10,800.00)
<b>TOTAL COST</b>		\$ 827,447.86	64,792.04	892,239.90
		\$/kWh 0.08899	0.00697	0.09596
<b>CREDITS</b>		\$ (101,896.59)	-	(101,896.59)
		\$/kWh (0.01096)	0.00000	(0.01096)
<b>NET COST</b>		\$ 725,551.27	64,792.04	790,343.31
		\$/kWh 0.07803	0.00697	0.08500

**Pay this amount \$ 790,343.31**

Any amounts due and not paid by the due date shall bear interest at the rate of 1% per month until paid.

User: ctanner

EXP CHECK RUN DATES 04/04/2014 - 04/04/2014

DB: Marshall

UNJOURNALIZED OPEN

BANK CODE: MAIN

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
31-081400-03	ABEL, BRADLEY & MEGAN	REFUND UTILITY DEPOSIT	76.76
7-002900-20	BERNINGER, MARK	REFUND UTILITY DEPOSIT6	33.01
315107014074511	CAPITAL ONE COMMERCIA	ACCT #6004-3004-9900-5848	17.94
25500568113	CHEMICAL BANK SOUTH	HSA CONTRIBUTION TRISHA NELSON, #255005	1,125.00
40844301	CITGO	FLEET #132271610	58.28
632313	COMMERCIAL OFFICE PRO	INDEX, FLDRS, PENS, POSTITS, PICTURE HA	112.51
033114	EDWARD COSTINE	TRAVEL EXPENSE REIMBURSEMENT	421.14
040114	FLOWER HAUS	ENERGY OPTIMIZATION - FURNACE	150.00
2-002800-17	GILROY, BECKY	REFUND UTILITY DEPOSIT	85.43
2-010000-29	HAMM, SUSAN	REFUN UTILITY DEPOSIT	73.22
EH113013-912765	KENT COUNTY HEALTH DE	ACCT #KC 912765, WELL OWNER: GREAT LAK	20.00
040114	LAKE MICHIGAN MAILERS	POSTAGE FOR ACCT #M323	500.00
033114	LUCAS, BEVERLY	ENERGY OPTIMIZATION - LED BULBS	60.00
032714	MAILLOUX, GENE	ENERGY OPTIMIZATION - FURNACE, A/C & TH	365.00
9421-0314	MARSHALL COMMUNITY CU	9421 - SEARS	953.44
29-000500-21	OSMOND, LANCE	REFUND UTILITY DEPOSIT	38.99
249-004159866	REPUBLIC SERVICES #24	ACCT #3-0249-1022021	728.28
032814	RUSSELL, MATTHEW	ENERGY OPTIMIZATION - DISHWASHER	25.00
38-6004708-0314	STATE OF MICHIGAN	38-6004708, #163, MAR2014, SALES TAX	30,380.16
040314	SWISHER, KEN	CASH ADVANCE FOR GFOA TRAINING IN CHICA	300.00
033114	WATERS, MERRANDA	REFUND FOR CANCELLED PROGRAMS	63.00
			35,587.16

User: ctanner

EXP CHECK RUN DATES 04/04/2014 - 04/04/2014

DB: Marshall

JOURNALIZED OPEN

BANK CODE: MAIN VENDOR CODE: 4472

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
395303	HUB INTERNATIONAL MID	COMMERCIAL PROPERTY #BINDER1CQ6559	5,745.78
			5,745.78

04/03/2014 04:23 PM  
User: ctanner  
DB: Marshall

(LAST USED) APPROVAL LISTING FOR CITY OF MARSHALL  
EXP CHECK RUN DATES 04/04/2014 - 04/04/2014  
UNJOURNALIZED OPEN  
BANK CODE: MAIN

Page: 1/1

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
0011	COMMERCIAL OFFICE PRO	CRTDGS	870.16
			870.16

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
6100458-000-0414	AD-VISOR & CHRONICLE	MARCH ADS	1,274.38
3-009000-32	BOURGEOIS, ELIZABETH	REFUND UTILITY DEPOSIT	42.98
5-008600-04	BRUBAKER & CO., LLC	REFUND UTILITY OVERPAYMENT	2.84
EQUAL-2014-0000007	CALHOUN COUNTY TREASU	ASSESSMENT SERVICES - APRIL	2,298.00
033114	CALHOUN COUNTY TREASU	MARCH TRAILER FEES	80.00
633112	COMMERCIAL OFFICE PRO	OFFICE SUPPLIES	58.40
201358974884	CONSUMERS ENERGY	1000 0033 5602	7,389.78
11-000100-20	CURRAN, COLLEEN	REFUND UTILITY DEPOSIT	35.61
032914	DELAPAS, JOE	MEAL	10.00
21-035600-05	DINGEE, JONATHON	REFUND UTILITY OVERPAYMENT	7.36
3-107160-01	FORRESTER, TARA & SIN	REFUND UTILITY REFUND	101.99
040114	FUN SERVICES	BOUNCE HOUSE	78.75
20-007600-03	GRANT SHIPPELL	REFUND UTILITY OVERPAYMENT	11.13
020514	HUEPENBECKER, JOHN	PARKING AT JOINT EXPO	6.00
15-022810-19	JACKSON, DOUG	REFUND UTILITY OVERPAYMENT	42.87
31-029000-20	JAY LONSWAY	REFUND UTILITY DEPOSIT	24.54
040814	LEACH, KAYLA	REFUND FOR JR BASEBALL	39.00
99007320387-0314	LOWE'S	ACCT #9900 732038 7	824.13
M 03-14	MICHIGAN SOUTH CENTRA	MARCH NATURAL GAS PURCHASES	4,326.42
4014-PWR	MORRIS STULBERG TRUST	POWER LINE EASEMENT	5.00
4014-STRMSWR	MORRIS STULBERG TRUST	STORM SEWER EASEMENT	24.00
4014-WATER	MORRIS STULBERG TRUST	WATER MAIN EASEMENT	10.00
UPCS	MSHDA	UNIFORM PHYSICAL CONDITIONS STDS TRAINI	70.00
21-010600-05	MURPHY, TAMMY	REFUND UTILITY OVERPAYMENT	4.41
372009	NAPA OF MARSHALL	OIL FILTER	42.66
371886	NAPA OF MARSHALL	RED FLAG	25.47
790004405582930704	NEOFUNDS BY NEOPOST	7900 0440 5582 9307	3,000.00
032914	NOWLIN, JAMES	MEAL	10.00
32-024600-20	OWEN, DOROTHY	REFUND UTILITY DEPOSIT	74.15
3-002400-02	PRUDENTIAL PREFERRED	REFUND UTILITY DEPOSIT	12.74
040314	SEVY, LOUISE	FOR MEDICATION LOST WHEN REFRIGERATOR W	80.00
21063-0414	SPARTAN STORES	MARCH CHARGES	153.02
10058364-0314	WOW! BUSINESS	ACCT #010058364	32.97
10040269-0314	WOW! BUSINESS	ACCT #010040269	373.92
			20,572.52

Prescription reimbursements 146.40

Total Cash Disbursements \$20,718.92

## EVENT REPORT

EVENT: Memorial Day Parade

EVENT LOCATION: Michigan Avenue

SPONSOR: American Legion – Stanley E Lamb Post 79

EVENT DATE: Monday, May 26, 2014

EVENT TIMEFRAME: 10:00am – 11am

MDOT PERMIT REQUIRED: Yes

MDOT PERMIT GRANTED: In Process

ROAD CLOSURE TIMEFRAME: 8:30am to 11am

EVENT CLOSURE DETAIL: Michigan Avenue from West Drive to Liberty.

DETOUR DETAIL: Eastbound Michigan Avenue will be directed south at West Drive to Hanover Street then east to Kalamazoo Avenue, then north to Green Street, then east to Liberty Street, then north to Michigan Avenue.

Westbound Michigan Avenue will be directed north at Liberty Street to Mansion Street then west to Verona Road then west to West Drive, then south on West Drive to Michigan Avenue.

EVENT DETAIL: Parade will have vehicles and walkers.

COUNCIL NOTIFICATION DATE: April 21, 2014



**Stanley E. Lamb Post 79  
American Legion  
Marshall, MI**

March 27, 2014

The Honorable Mayor James Dyer  
City of Marshall  
323 W. Michigan Ave.  
Marshall, MI 49068

Dear Mayor Dyer and City Council Members:

The American Legion Marshall Stanley E. Lamb Post 79 is asking for permission to hold the annual Memorial Day Parade on Monday, May 26, 2012.

We request that Michigan Avenue be blocked off from Redfield Plaza to the Fountain Circle at 8:30 a.m. on that morning. We further request that South Kalamazoo northbound at Green Street, Michigan Avenue westbound at Grand Street, and North Kalamazoo southbound at Mansion Street be blocked off at 9:00 a.m. At 9:30 a.m. we would like for Michigan Avenue to be blocked from the Fountain Circle to Exchange Street, Exchange Street to be blocked from Michigan Avenue to South Marshall Avenue, and South Marshall Avenue to be blocked from Exchange Street to Oakridge Cemetery.

The parade route will be as follows: the staging area will begin at Redfield Plaza, extending east on Michigan Avenue to the east side of the Fountain Circle. The parade will begin at 10:00 a.m. at the Fountain Circle, proceeding east on Michigan Avenue to Exchange Street, turning southeast onto Exchange Street, then turning south onto South Marshall Avenue, and continuing on to Oakridge Cemetery.

The ceremony at the cemetery is scheduled to begin at 11:00 a.m.

Thank you for your attention to this matter.

Sincerely,

Rodney Detty  
Post Commander  
1035 Lowe Drive  
Marshall, MI 49068  
(269) 781-9594



**ADMINISTRATIVE REPORT**  
**April 21, 2014 - CITY COUNCIL MEETING**

**REPORT TO:** Honorable Mayor and City Council

**FROM:** Carl Fedders, Director of Public Services  
Ken Swisher, Finance Director  
Tom Tarkiewicz, City Manager

**SUBJECT:** Electric Rate Ordinance Amendment

**BACKGROUND:** The City of Marshall has recently contracted with Municipal Analytics who has completed an analysis on the electric rates. As a result of that analysis the following changes to the rates are being suggested to be effective on May 1, 2014.

The proposed rate ordinance is attached.

The average residential, commercial, and industrial customer will receive the following change:

<b>Electric</b>	
Residential (600 kWh per month)	\$5.11
Secondary Commercial (2,500 kWh)	\$14.04
Primary Commercial (40 kW & 15,000 kWh per month)	\$122.16
Industrial	\$0

Electric Rates have not been adjusted since May of 2011.

**RECOMMENDATION:** After hearing public comment, it is recommended that the City Council approve the recommended changes to Chapter 53 Rates of the Marshall City Code of Ordinances.

**FISCAL EFFECTS:** The proposed electric rate adjustment will generate an additional \$600,000 in FY 2015.

**ALTERNATIVES:** As suggested by the Council.

Respectfully submitted,

Carl Fedders  
Director of Public Services

Ken Swisher  
Finance Director

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  
ORDINANCE 2014-\_\_\_\_\_

AN ORDINANCE TO AMEND CITY OF MARSHALL CODE §53 RATES OF THE MARSHALL CITY CODE OF ORDINANCES.

THE CITY OF MARSHALL ORDAINS:

**Section 1.** That the Marshall City Code §53 be amended as follows:

**§ 53.03 ELECTRIC RATES.**

(A) Residential Service Rate "A"

- (1) Electric System Access: \$7.25 per customer per month, plus,
- (2) Energy Charge: \$0.1141 per kWh plus Power Supply Cost Adjustment

(B) Residential Rate "A-1"

- (1) Electric System Access: \$7.25 per customer per month, plus
- (2) Energy Charge:
  - Winter: \$0.1141 per kWh plus Power Supply Cost Adjustment for the first 600 kWh (October through May)  
\$0.0741 per kWh plus Power Supply Cost Adjustment for all over 600 kWh per month (October through May)
  - Summer: \$0.1141 per kWh plus Power Supply Cost Adjustment for all kWh (June through September)

(C) Residential Rate-Life Support "LS"

- (1) Electric System Access: \$4.25 per customer per month, plus,
- (2) Energy Charge: \$0.1041 per kWh plus Power Supply Cost Adjustment

(D) Commercial/Industrial Secondary Service "B"

- (1) Electric System Access: \$ 15.50 per customer per month, plus
- (2) Energy Charge: \$ 0.1124 per kWh plus Power Supply Cost Adjustment for all kWh used per month

(E) Commercial/Industrial Secondary Service "B1"

- (1) Electric System Access: \$ 15.50 per customer per month, plus
- (2) Energy Charge:
  - Winter: \$ 0.0724 per kWh plus Power Supply Cost Adjustment
  - Summer: \$ 0.1124 per kWh plus Power Supply Cost Adjustment

(F) Commercial/Industrial Secondary Service "C"

- (1) Electric System Access: \$ 15.50 per customer per month, plus
- (2) Capacity Charge: \$10.87 per kW for all billing demand per month, plus
- (3) Energy Charge: \$0.0706 per kWh plus Power Supply Cost Adjustment

(G) Industrial Primary Service "D"

- (1) Electric System Access: \$ 100.00 per customer per month, plus
- (2) Capacity Charge: \$9.15 per kW for all billing demand per month (Minimum 25 kW), plus
- (3) Energy Charge: \$0.076 per kWh plus Power Supply Cost Adjustment

(H) Industrial Primary Service Rate "D-2"

- (1) Electric System Access: \$ 100.00 per customer per month, plus
- (2) Capacity Charge: \$ 9.15 per kW for all billing demand per month (Minimum 1000 kW ), plus
- (3) Energy Charge: \$0.076 per kWh plus Power Supply Cost Adjustment

(I) Economic Development Rate "E"

- (1) Capacity Charge: To be determined under special contract.
- (2) Energy Charge: To be determined under special contract.

**Section 2.** This Ordinance [or a summary thereof as permitted by MCL 125.3401] shall be published in the Marshall 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 on the 1<sup>st</sup> day of May, 2014.

\_\_\_\_\_  
James Dyer, MAYOR

\_\_\_\_\_  
Trisha Nelson, City Clerk

CERTIFICATE

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 an ordinance approved by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on April 21, 2014, 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, City Clerk



**ADMINISTRATIVE REPORT**  
**APRIL 21, 2014 - CITY COUNCIL MEETING**

**REPORT TO:** Honorable Mayor and City Council Members  
**FROM:** Tom Tarkiewicz, City Manager  
**SUBJECT:** Approval of Offer to Purchase Real Estate for Fire Station site from Marshall Medical Building, LLC

**BACKGROUND:** At the November 18<sup>th</sup> and January 6<sup>th</sup> meetings, the Council approved the acquisition of a parcel from Golden Rule LLC of a 1.8 acre site on East Michigan Avenue to build the new fire station building. The Court appointed Receiver has withdrawn their offer. City Staff have investigated several sites and are recommending a parcel of land on Arms Street near West Drive owned by Marshall Medical Building, LLC. The sites were evaluated for location, site worthiness, and development cost. The City Attorney prepared the attached Offer to Purchase Real Estate.

**RECOMMENDATION:** It is recommended that: the Council approve the Offer to Purchase Real Estate with Marshall Medical Building, LLC.

**FISCAL EFFECTS:** The \$130,000 land purchase for the fire station will be paid through a bond sale in May of 2014.

**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

## **OFFER TO PURCHASE REAL ESTATE**

The City of Marshall, Michigan (“Buyer”) a Michigan Home Rule City with offices at 323 W. Michigan Avenue, Marshall, Michigan 49068 hereby offers to purchase the real estate described below on the terms set forth herein from Marshall Medical Building, LLC (“Seller”) a Michigan limited liability company of 1174 W. Michigan Avenue, Marshall, Michigan 49068.

**BUYER OFFERS TO PURCHASE REAL PROPERTY AS FOLLOWS:**

**PROPERTY:**

The north 2.25 acres, more or less, of the real property bearing tax identification number 53-004-909-10 and more fully described on the attached Exhibit A. The property to be conveyed is roughly depicted in the attached GIS illustration.

Seller reserves an easement across the above described property for the purposes of ingress and egress in favor of the Seller’s remaining property adjacent to the parcel being conveyed under the terms of this Agreement.

**PRICE:** One Hundred Thirty Thousand (\$130,000.00) Dollars.

**TERMS:**

Immediately upon acceptance of this offer Buyer will pay One (\$1.00) Dollar to the Seller as earnest money. The remainder will be due at closing.

**TAXES AND ASSESSMENT:**

Seller shall be responsible for 2013 and prior taxes.

Seller shall be responsible for a pro-rata share of taxes and any assessments through the date of closing of the 2014 taxes. If the exact amount of 2014 taxes and assessments are not known, the Seller’s most recent tax and assessment bills shall be used to determine their pro-rata obligation for the year 2014.

**CONVEYANCE:**

Seller shall deliver a fully executed warranty deed to the Buyer at closing conveying marketable title to the Buyer.

**TITLE INSURANCE:**

Seller shall provide, at Seller’s expense, an owner’s policy of title insurance from a title insurance agency acceptable to Buyer, in the amount of the purchase price, subject only to standard exceptions.

**RIGHT OF INSPECTION:**

Upon acceptance of this offer, Buyer and Buyer's agents and employees shall immediately be granted access to the property for the purpose of conducting non-destructive environmental evaluations including but not limited to soil borings. Buyer shall not share the results of any environmental testing except to the extent required by law.

CLOSING:

Closing shall take place on or before June 1, 2014. The closing shall take place at such location within the State of Michigan as the parties may mutually agree.

The exact closing date shall be determined by agreement of the parties.

POSSESSION:

Buyers shall be entitled to possession no later than the day of closing.

CLOSING COSTS:

The Seller shall be responsible for the cost of the preparation of the Warranty Deed, property Transfer Affidavit, Transfer Tax and Title Insurance. Buyer shall pay the cost of recording the Deed and the cost of any inspection or environmental assessment.

SALE WITHOUT BROKER:

The parties represent to each other that as of the date of this agreement there is no listing agreement in effect with respect to the premises, and that no broker has been engaged by either party nor has any broker been involved in negotiating this agreement. Each party shall indemnify the other and hold the other harmless from any claim to a commission or fee by or on behalf of a broker for representation.

AMENDMENTS:

Amendments of this Agreement are permitted only if written and signed by all parties.

CHOICE OF LAW:

This Agreement is governed by Michigan Law.

BINDING EFFECT:

This Agreement shall be binding upon and inure to the benefit of and be enforceable by the legal representatives, assignees, heirs, executors or administrators of the parties.

FULL AGREEMENT:

This document represents the full extent of the agreement of the parties.

NOTICES:

All notices required to be given under this Contract shall be mailed to the Seller at the address above, and to the Buyer in care of Beardslee Law Offices at the address listed below.

This Offer is made by the City of Marshall, Michigan and is executed by the City Clerk, Trisha Nelson, on behalf of the City of Marshall, having been authorized by the Marshall City Council.

City of Marshall

April \_\_\_\_\_, 2014

\_\_\_\_\_  
By: Trisha Nelson, Clerk

ACCEPTANCE

This offer is ACCEPTED by the Seller, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

Marshall Medical Building, LLC

\_\_\_\_\_  
By:

Its: \_\_\_\_\_

Prepared by:  
Paul K. Beardslee (P42177)  
Attorney for Buyer  
208 W. Michigan Avenue  
Marshall, MI 49068  
(269) 781-9090

Active Layer: Parcels

Map Tips

Search

08-02

53-004-907-00

Length Total:  
1050 Feet



53-004-909-10

04-909-08

53-0