

CALL TO ORDER

IN REGULAR SESSION Monday, May 18, 2015 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 Reed.

ROLL CALL

Roll was called:

Present: Council Members: Caron, McNeil, Metzger, Miller, Mayor Reed, Schurig, and Williams.

Also Present: City Manager Tarkiewicz and Deputy Clerk Hall.

Absent: None.

INVOCATION/PLEDGE OF ALLEGIANCE

Zack Langford of Marshall Wesleyan Church gave the invocation and Mayor Reed led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

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

PUBLIC COMMENT ON AGENDA ITEMS

Kristen Holbrook of 610 East Drive read a letter in support of the Marshall Carriage Company on behalf of Laura Bartlett.

Sarah Koplus expressed support for the Marshall Carriage Company and feels they attract people to Marshall and brings something special.

James Hackworth of 306 High Street, spoke in favor of the Marshall Carriage Company. He feels people come into town for carriage rides and then shop other businesses. The business is an important part of the downtown.

Carl Field of 904 E Green Street, has been involved with the equine industry for over 50 years and encouraged Council to approve Brian Mason's request for parking and feels it will not interfere with other businesses.

Mike Kinter of 148, 150, and 152 West Michigan Avenue, encouraged Council to support the Marshall Carriage Company and not handicap his business by limiting his hours of operation. Marshall is extremely fortunate to have an active downtown and the need for parking spaces is just minimal.

Brian Mason of 123 W. Prospect Street, stated his business is to promote Marshall and to support the local businesses and keep the downtown vibrant. He urged Council to think about the hours of operation for his business.

Theresa Chaney-Huggett of 227 N. Madison, spoke in support of the Marshall Carriage Company and their proven track record of bringing tourism to Marshall.

Ann Michaels spoke regarding her experience with the Carriage Company and urged Council to show him support.

Karen Diatta expressed her pleasure with seeing the horses pass by their home each day and urged Council to support the Marshall Carriage Company.

Jeff Wilson urged Council to support Brian's business and allow him to continue to promote Marshall's image and tourism as he has been the last 4 years.

CONSENT AGENDA

Moved Miller, supported Williams, to approve the Consent Agenda with the addition of the Michigan South Central Power Agency in the amount of \$586,317.97:

- A. Accept the proposal from the MML Worker's Compensation Fund in the amount of \$82,422 for FY 2016 and accept the contract for a term of three years for the periods ending June 30, 2016 through June 30, 2018;
- B. Schedule a public hearing for Monday, June 1, 2015 to hear public comment on the proposed IFT application for Progressive Dynamics, Inc., 507 Industrial Road;
- C. Minutes of the City Council Regular Session held on Monday, May 4, 2015;
- D. Approve city bills in the amount of \$ 971,246.27.

On a voice vote – **MOTION CARRIED.**

PRESENTATIONS AND RECOGNITIONS

A. Letters of Commendation:

Deputy Chief Scott McDonald presented Letters of Commendation to Jamie Cushman, Tim Sanders, and Jeff Taylor on behalf of the City Marshall.

B. Paint the Town Recognition:

Janet Ostrum spoke regarding the "Paint the Town" campaign.

INFORMATIONAL ITEMS

None.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. Fiscal Year 2016 Budget Adoption:

Mayor Reed opened the public hearing to hear public comment on the proposed budget and related property tax millage rates for the Fiscal Year 2016.

Finance Director Ken Swisher provided background on the FY 2016 proposed budget.

Hearing no comment, the hearing was closed.

Moved Williams, supported Metzger, to approve the Fiscal Year 2016 proposed budget and related property tax millage rates. On a roll call vote – ayes: McNeil, Metzger, Miller, Mayor Reed, Schurig, Williams, and Caron; nays: none. **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN
RESOLUTION #2015-20

THE CITY OF MARSHALL
GENERAL APPROPRIATION ACT AND TAX LEVY RESOLUTION
July 1, 2015 – June 30, 2016

THE CITY OF MARSHALL RESOLVES that the expenditures for the fiscal year, commencing July 1, 2015, and ending June 30, 2016, are hereby appropriated on a departmental and fund total basis as follows:

<u>GENERAL FUND REVENUES</u>	
Taxes	\$3,497,613
Licenses and Permits	96,200
Intergovernmental Revenues	824,000
Charges for Services	120,000
Fines and Forfeits	115,500
Interest	10,000
Miscellaneous	217,150
Other Financing Sources	1,136,740
Marshall Reg. Law Enforce.	281,775
Recreation	397,459
Farmer's Market	14,023
Composting	27,750

Airport	<u>186,500</u>
Total Revenues	\$6,924,710

GENERAL FUND EXPENDITURES

City Council	\$3,676
City Manager	138,568
Assessor	164,885
Attorney	55,000
Human Resources	69,641
Clerk	54,563
Finance/Treasurer	235,621
City Hall	81,548
Chapel	2,400
Other City Property	37,700
Cemetery	188,451
Non-Departmental	381,857
Police	1,632,529
Crossing Guards	12,487
Dispatch	112,900
Fire	927,110
Inspection	102,386
Planning/Zoning	150,384
Streets	871,292
Engineering	51,983
PSB Operations	122,042
Parks	101,988
Capital Improvements	164,300
Transfers Out	517,443
Marshall Reg. Law Enforce.	245,375
Recreation	430,397
Farmer's Market	13,101
Composting	60,072
Airport	<u>186,446</u>
Total Expenditures	\$7,116,145

Overall General Fund balance reserves shall be decreased by \$191,435 based on the FY 2016 revenues and expenditures for the General Fund budget. There is a \$32,939 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, 2015, through June 30, 2016 on all real and non-exempt 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 .4000 mills for the period of July 1, 2015, through June 30, 2016, on all real and non-exempt 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, 2015, through June 30, 2016, on all real and non-exempt 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, 2015, through June 30, 2016, on all real and non-exempt 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, 2015, through June 30, 2016, on all real and non-exempt 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	ACTUAL	DIFFERENCE
	<u>FY 2016</u>	<u>FY 2015</u>	
General Operating	17.1629	17.1629	0.0000
Leaf, Brush and Trash Removal Services	.4000	.5000	0.1000
Recreation	.9393	.9393	0.0000
Dial-A-Ride	.4840	.4840	0.0000
Downtown Development Authority	1.6129	1.6129	0.0000
TOTAL	<u>20.5991</u>	<u>20.6991</u>	<u>0.1000</u>

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, 2015, through June 30, 2016 for the following funds in the amounts set forth below:

ALL FUNDS REVENUES

General Fund	\$6,924,710
MVH-Major & Trunkline	448,800
MVH-Local	235,160
Leaf, Brush and Trash Removal	74,966
Local Development Finance	440,000
Downtown Development	216,540
Marshall House	622,510
Electric	14,408,000
Dial-a-Ride	379,523
Wastewater	1,592,100
Water	1,578,100
Data Processing	163,720
Motorpool	<u>696,650</u>
Total Revenues	\$27,780,779

ALL FUNDS EXPENDITURES

General Fund	\$7,116,145
MVH-Major & Trunkline	382,941
MVH-Local	307,360
Leaf, Brush and Trash Removal	95,532
Local Development Finance	865,850
Downtown Development	239,624
Marshall House	702,135
Electric	14,407,813
Dial-a-Ride	441,693
Wastewater	1,850,358
Water	1,628,096
Data Processing	154,017
Motor Pool	<u>1,041,197</u>
Total Expenditures	\$29,232,761

Total fund balance reserves shall be decreased by \$1,451,982 based on the FY 2016 revenues and expenditures for All Funds.

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, 2015.

Dated: May 18, 2015

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 18, 2015 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

A. Fire Withholding Act:

Moved Miller, supported McNeil, to approve the resolution requesting the City of Marshall be placed on the Fire Withholding Participants List and approving the establishment of an escrow account for Fire Withholding in order to comply with the requirements contained in Act 495 of the Public Acts of 1980; as amended by Act 216 of the Public Acts of 1998. On a voice vote – **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN RESOLUTION #2015-19

WHEREAS, the provision of Act 495 of the Public Acts of 1980, as amended by Act 216 of the Public Acts of 1998, and the provisions of Act 217 of the Public Acts of 1998, provide that a portion of certain casualty losses for fire or explosion otherwise payable by insurers may be withheld in escrow by participating municipalities in order to secure repair, replacement or removal of damaged structures which violate the City of Marshall health or safety standards; and

WHEREAS, the City of Marshall has determined that participation in said program would protect and promote the public health, safety and welfare and

wishes to be included in the list of participating municipalities published by the Commissioner of Insurance; and ,

WHEREAS, the City of Marshall desires to implement all procedures necessary to administer said program by designating the City official responsible for administration of the program and establish an escrow account for said purpose.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. That the City of Marshall does hereby become a participating municipality in the program providing for the escrow of fire insurance as established by Act 495 of the Public Acts of 1980; as amended by Act 216 of the Public Acts of 1998, or as established by Act 217 of the Public Acts of 1998, and does declare its intention to uniformly apply the provisions of Section 2845 or 2227 to all properties within the City of Marshall.
2. That the City of Marshall official responsible for the administration of Section 2845 or 2227 of said Acts and any rules promulgated by the Commissioner of Financial and Insurance Services is hereby designated as follows: City of Marshall Finance Director.
3. That the City of Marshall Finance Director shall establish an escrow account with Chemical Bank for the purpose of receiving and holding deposits of money received from insurers pursuant to Section 2845 or 2227 of said Acts, which account shall be separately maintained from all other accounts and may be an interest bearing account.

Dated: May 18, 2015

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 18, 2015 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

REPORTS AND RECOMMENDATIONS

A. Marshall Carriage Company:

Moved Miller, supported Schurig, to approve a traffic control order for a vehicle for hire parking only area, 7 days a week in front of 107 West Michigan Avenue consisting of two spaces. On a roll call vote – ayes: Miller, Mayor Reed, Schurig, Williams, Caron, McNeil, and Metzger; nays: none. **MOTION CARRIED.**

B. Water Tower Painting:

Moved, Williams, supported McNeil, to approve the bid from L & T Painting of Shelby Township, MI in the amount of \$179,000 for the repainting of the 500,000 Gallon water tower and approve a proposal from Dixon Engineering, Inc. in the amount of \$14,380 for construction engineering on the project. On a roll call vote – ayes: Mayor Reed, Schurig, Williams, Caron, McNeil, Metzger, and Miller; nays: none. **MOTION CARRIED.**

C. Fire Truck Purchase:

Moved Williams, supported Metzger, to authorize the purchase of a 2016 Rosenbauer Pumper/Rescue from EV+ of Holland, MI in the amount not to exceed \$550,000. On a roll call vote – ayes: Schurig, Williams, Caron, McNeil, Metzger, Miller, and Mayor Reed; nays: none. **MOTION CARRIED.**

D. Fire Department Demolition:

Moved McNeil, supported Williams, to approve the bid from Clark Construction for \$259,400 for the demolition of the fire apparatus bay, repairs to the office structure, reconstruction of the parking lot and site improvements. On a roll call vote – ayes: Williams, Caron, McNeil, Metzger, Miller, Mayor Reed, and Schurig; nays: none. **MOTION CARRIED.**

E. Department of Public Services Contract – Teamsters Local 214:

Moved Schurig, supported Williams, to approve the contract with Teamsters Local 214. On a roll call vote – ayes: Caron, McNeil, Metzger, Miller, Mayor Reed, Schurig, and Williams; nays: none. **MOTION CARRIED.**

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

Moved Williams, supported Metzger, to approve the proposed FY16 wages for the Administrative Officials, Departments heads and Salaried Personnel as presented. On a roll call vote – ayes: McNeil, Metzger, Miller, Mayor Reed, Schurig, Williams, and Caron; nays: none. **MOTION CARRIED.**

G. Fiber to the Premise (FTTP):

Moved Miller, supported Caron, to approve the \$30,000 due diligence expenditure to determine the feasibility of a Fiber to the Premise project for the City of Marshall. On a roll call vote – ayes: Metzger, Miller, Mayor Reed, Schurig, Williams, Caron, and McNeil; nays: none. **MOTION CARRIED.**

H. FY 2016 Police Vehicle Purchase:

Moved Williams, supported Metzger, to approve the purchase of a 2016 Ford Police Interceptor Utility Vehicle from Boshears Ford in the amount of \$27,282. On a roll call vote – ayes: Miller, Mayor Reed, Schurig, Williams, Caron, McNeil, and Metzger; nays: none. **MOTION CARRIED.**

APPOINTMENTS/ELECTIONS

Moved Miller, supported Metzger, to approve the appointment of Helen Starkey to the Parks and Recreation Board with a term expiring July 1, 2016. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

COUNCIL AND MANAGER COMMUNICATIONS

ADJOURNMENT

The meeting was adjourned at 9:02 p.m.

Jack Reed, Mayor

Trisha Nelson, City Clerk