



MARSHALL CITY COUNCIL AGENDA

MONDAY – 7:00 P.M.

March 21, 2016

- 1) CALL TO ORDER
- 2) ROLL CALL
- 3) INVOCATION – Kris Tarkiewicz, Family Bible Church
- 4) PLEDGE OF ALLEGIANCE
- 5) APPROVAL OF AGENDA – Items can be added or deleted from the Agenda by Council action.
- 6) PUBLIC COMMENT ON AGENDA ITEMS – Persons addressing Council are required to give their name and address for the record when called upon by the Mayor. Members of the public shall be limited to speaking for a maximum of five (5) minutes on any agenda item.

7) CONSENT AGENDA

A. Schedule Public Hearing – Stormwater Ordinance P. 4

City Council will consider the recommendation to schedule a public hearing for Monday, April 4, 2016 to hear public comment on the addition of Chapter 54: Stormwater Management to the City of Marshall Code of Ordinances.

B. Schedule Public Hearing – Industrial Facilities Tax Exemption Certificate Application for Mor-Dall Enterprises, LLC P. 21

City Council will consider the recommendation to schedule a public hearing for Monday, April 4, 2016 to hear public comment on the proposed application for an Industrial Facilities Tax Exemption Certificate for Mor-Dall Enterprises, LLC at 511 S. Kalamazoo Avenue.

C. Compost Equipment Agreement P. 31

City Council will consider the recommendation to authorize the City Manager and City Clerk to sign the agreement with the Southwest Michigan Composting Group authorizing annual payments into the equipment replacement fund.

D. Authorized Signers on City Bank Accounts P. 36

City Council will consider the recommendation to approve the resolution authorizing Jon B. Bartlett, Finance Director and Tom Tarkiewicz, City Manager as legal signers for accounts belonging to the City of Marshall and authorizing Cassandra Heitfeld, Payroll/Accounting Clerk and William Dopp, City Treasurer, to conduct daily business.

E. Dial-A-Ride Transit Application for State Financial Assistance for Fiscal Year 2016-2017 P. 38

City Council will consider the recommendation to approve the Resolution of Intent to authorize the City of Marshall to seek financial assistance from the State of Michigan for public transportation.

Mayor:

Jack Reed

Council Members:

Ward 1 - Kari Schurig

Ward 2 - Nick Metzger

Ward 3 - Brent Williams

Ward 4 - Michael McNeil

Ward 5 - Jon Garten

At-Large - Kathy Miller



F. **Amendment to the Staffing Agreement in the Sub-Lease with Calhoun County and the State of Michigan for the Marshall Regional Law Enforcement Center** P. 41

City Council will consider the recommendation to authorize the City Manager and the City Clerk to sign the amendment to the Staffing Agreement with Calhoun County and the State of Michigan.

G. **Michigan Mutual Aid Box Alarm System Agreement** P. 44

City Council will consider the recommendation to authorize the agreement and resolution for the Marshall Fire Department to participate within the Michigan Mutual Aid Box Alarm System.

H. **City Council Minutes** P. 60

Regular Session.....Tuesday, February 16, 2016
 Work Session.....Monday, March 14, 2016

I. **City Bills** P. 66

Regular Purchases	\$ 198,350.42
Regular Purchases	\$ 222,662.62
Purchased Power.....	\$ 662,622.76
Purchased Power.....	\$ 622,333.24
Weekly Purchases – 2/12/16.....	\$ 15,199.10
Weekly Purchases – 2/19/16.....	\$ 797,274.02
Weekly Purchases – 2/26/16.....	\$ 19,322.27
Weekly Purchases – 3/4/16	\$ 114,135.10
Weekly Purchases – 3/11/16.....	\$ 24,201.06
Total.....	\$ 2,676,100.59

8) **PRESENTATIONS AND RECOGNITIONS**

A. **Introduction of New Patrol Officer**

Chief Schwartz will introduce Brian Phillips as the new Patrol Officer for the Marshall Police Department.

B. **Day of Gratitude for Vietnam Veterans Proclamation** P. 80

C. **Land Bank Presentation**

9) **INFORMATIONAL ITEMS**

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

A. **Dark Horse Brownfield Redevelopment Plan** P. 81

City Council will hear public comment on the Brownfield Redevelopment Plan Amendment for Inclusion of Dark Horse Brewing Company Expansion and adopt the authorizing resolution.

B. **Zoning/Sign Ordinance Update** P. 126

City Council will hear public comment on the Zoning and Sign Ordinance Update and will consider the recommendation to approve the Zoning Ordinance Update, with footnotes reincorporated and duplicate statement removed.



11) OLD BUSINESS

12) REPORTS AND RECOMMENDATIONS

- A. **Establish Marshall as a North Country Trail Town** **P. 130**
City Council will consider the recommendation to approve the resolution and sign the memo of understanding with the North Country Trail Association to establish Marshall as an official North Country Trail Town.
- B. **Special Land Use for 1240 S. Kalamazoo** **P. 134**
City Council will consider the recommendation to approve the Special Land Use Permit for 1240 S. Kalamazoo Avenue for the use of a used auto dealership.
- C. **Michigan DNR Recreation Passport Grant Program** **P. 136**
City Council will consider the recommendation to adopt the resolution authorizing City staff to apply to the Michigan Department of Natural Resources for a \$27,600 grant for Ketchum Park Canoe/Kayak Launch.
- D. **Michigan Department of Natural Resources – Trust Fund Grant Application for Ketchum Park Improvements** **P. 138**
City Council will consider the recommendation to adopt the resolution authorizing the application to the Michigan Department of Natural Resources for a \$267,500 grant for Ketchum Park Improvements.

13) APPOINTMENTS / ELECTIONS

- A. **Appointment of City Treasurer**

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) CLOSED SESSION

- A. The City Council will be requested to enter into Closed Session under section 8(c) of the Open Meetings Act to discuss strategy for collective bargaining agreements.
- B. The City Council will be requested to enter into Closed Session under section 8(e) to consult with the City Attorney regarding specific pending litigation.
- C. The City council will be requested to enter into Closed Session under section 8(a) to discuss the periodic personnel evaluation of the City Manager

17) ADJOURNMENT

Respectfully submitted,

Tom Tarkiewicz
City Manager

March 21, 2016



ADMINISTRATIVE REPORT
March 21, 2016 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council Members

FROM: Tom Tarkiewicz, City Manager
Kristin Bauer, Director of Public Services

SUBJECT: Set public hearing on April 4, 2016 to hear comments on a new Ordinance, Chapter § 54, STORMWATER MANAGEMENT

BACKGROUND: The City, along with other units of government in the Kalamazoo River watershed, participates in a Cooperative Agreement to reduce phosphorus discharges into the Kalamazoo River watershed. This is generally referred to as a TMDL – Total Maximum Daily Load, referring to the maximum amount of a pollutant a body of water can receive while still meeting water quality standards. As part of this cooperative agreement the city is required to implement a regulatory mechanism to reduce contaminants into the watershed. As such a Stormwater Water Management Ordinance and a Stormwater Management Plan have been developed. This plan will require new developments and certain redevelopments within the city to manage stormwater on-site prior to discharge into the city stormwater system.

As a condition of the City's wastewater plant NPDES (National Pollutant Discharge Elimination System) permit continued participation in this TMDL Cooperative Agreement is required. If it were decided to no longer participate in this agreement the city would be subject to more stringent requirements at the wastewater plant thus increasing our treatment costs.

RECOMMENDATION: It is recommended that the Council establish a public hearing for April 4, 2016, to hear comments on the new Ordinance, Chapter § 54, STORMWATER MANAGEMENT.

FISCAL EFFECTS: None at this time.

ALTERNATIVES: As suggested by Council.

CITY GOAL CLASSIFICATION:

GOAL AREA 2. QUALITY OF LIFE

Goal Statement: To achieve and sustain a concentrated effort to promote a vibrant community atmosphere in the Marshall area.

GOAL AREA 4. INFRASTRUCTURE

Goal Statement: Preserve, rehabilitate, maintain and expand city infrastructure and assets.

Respectfully submitted,

Kristin Bauer
Director of Public Services

Tom Tarkiewicz
City Manager

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ORDINANCE

CITY OF MARSHALL CALHOUN COUNTY, MICHIGAN CHAPTER 54 STORMWATER MANAGEMENT

AN ORDINANCE TO AMEND THE CITY OF MARSHALL, MICHIGAN CODE OF ORDINANCES; TO ADD NEW CHAPTER 54, TO PROVIDE AUTHORITY FOR STORMWATER MANAGEMENT ENFORCEMENT, AND TO REPEAL ALL OTHER ORDINANCES OR PARTS THEREIN INCONSISTENT OR CONTRARY TO THIS ORDINANCE; AND TO PROVIDE FOR AN EFFECTIVE DATE FOR THIS ORDINANCE.

THE CITY OF MARSHALL ORDAINS:

Section 1:

54.01 General

The purpose of this article is to protect the public health, safety and welfare of city residents and to protect property values, quality of life, and natural systems relating to stormwater runoff control and management. In addition to the requirements herein, all projects shall comply with the City of Marshall requirements including but not limited to all rules and regulations pertaining to Site Plan approval and Building Permit approval.

54.02 Findings

The City finds that uncontrolled stormwater runoff from developed land adversely affects the public health, safety, and welfare because:

- (A) The addition of impervious surfaces alters the natural hydrologic cycle, increasing peak flows and total stormwater runoff volume. This scenario results in environmental degradation through increased flooding, channel erosion, pollution, and ultimately increases the cost of maintaining drainage infrastructure downstream of a development.
- (B) Improper collection and conveyance of stormwater adversely affects off-site property and increases the incidence and severity of flooding, which can endanger property and human life.
- (C) Increased erosion leads to sedimentation in stormwater management systems that decrease their hydraulic capacity and increases the likelihood of pollution in our rivers.

- (D) Stormwater runoff contains numerous pollutants, such as heavy metals, dangerous bacteria from animal excrement, nitrogen, and phosphorus, all of which adversely impact downstream water bodies and endanger the health of humans and other living organisms.
- (E) The City has adopted a master plan that establishes proposed land use and infrastructure service needs for undeveloped areas of the City.
- (F) Inadequate soil erosion and sedimentation control practices can cause increased turbidity, the cloudiness caused by having soil particles suspended in the water column.

54.03 Objectives

It is the intent of this ordinance to protect, maintain, and enhance the health, safety, and general welfare of the citizens of the City by:

- (A) Protecting and maintaining the physical, chemical, and biological integrity of groundwater and surface waters.
- (B) Preventing activities that adversely affect groundwater and surface water resources.
- (C) Encouraging the use of stormwater management systems that approximate natural systems and mimic the pre-development hydrologic response as closely as is practical.
- (D) Ensuring that post-development stormwater runoff peak flow rates, total runoff volumes, and pollutant loadings are no greater than would occur under pre-development conditions.
- (E) Maintaining and restoring groundwater levels.
- (F) Preventing damage to wetlands and other natural resources.
- (G) Minimizing soil erosion and sedimentation.
- (H) Requiring surface and stormwater management practices that comply with the requirements of this chapter and with the post-development runoff Minimum Control Measures, as recommended by the Michigan Department of Environmental Quality (MDEQ) and Environmental Protection Agency (EPA).
- (I) Promoting the development of stormwater retention and detention facilities that are aesthetically desirable, maintainable, and functional.
- (J) Follow the direction established by the City's Master Plan.

54.04 Definitions

Definitions of terminology used in this chapter shall be as follows:

Base Flood Elevation (BFE). The elevation delineating the level of flooding resulting from the 100-year frequency flood discharge.

Bioretention. A water quality feature that uses landscaping and engineered soil media to treat stormwater runoff by collecting it in shallow depressions before filtration and/or infiltration. Where underlying soils have inadequate infiltration capacity, a bioretention area may contain an underdrain to promote dewatering.

Best Management Practice (BMP). A practice or combination of practices that prevent, minimize, or reduce pollution and other effects of stormwater runoff.

Building. A structure that is principally above ground and is enclosed by walls and a roof. The term includes but is not limited to a gas or liquid storage tank, a manufactured home, carport, mobile home, or a prefabricated building. This term also includes recreational vehicles and recreational vehicles to be installed on a site for more than 180 days.

City. The City of Marshall, including staff and elected officials.

Compensatory storage. An excavated, hydraulically equivalent volume of storage used to offset the loss of natural flood storage capacity when artificial fill or structures are placed within a floodplain.

Construction. Any on-site activity that will result in the creation of a new stormwater management system, including the building, assembling, expansion, modification, or alteration of the existing contours of the property; the erection of buildings or other structures, or any part thereof, or land clearing.

Control device. The element of a discharge structure that allows the gradual release of water under controlled conditions, sometimes referred to as bleed-down.

Control elevation. The lowest elevation at which water can be released through the control device.

Control structure. A structure designed to control the rate of flow that passes through the structure, given a specific upstream and downstream water surface elevation.

Director. The Director of Public Service and/or City Engineer and/or his or her designees.

Detention. The collection and temporary storage of stormwater in such a manner as to provide treatment through physical, chemical, or biological processes with subsequent gradual release of the stormwater.

Development. Any of the following:

- (1) Construction, installation, alteration, demolition, or removal of a structure impervious to surface stormwater management system; or
- (2) Clearing, scraping, grubbing or otherwise removing or killing the vegetation of a site; or
- (3) Adding, removing, exposing, excavating, leveling, grading, digging, dumping, or otherwise disturbing the soil or rock of a site in a manner that is contrary to the requirements of this chapter.

Discharge structure. A structural device usually constructed of a material such as concrete, metal or timber through which water from a stormwater management system is discharged and a controlled rate from a site to a receiving drainage component.

Drain. A channel, natural depression, slough, stream, creek or pipe in which storm runoff and floodwater can flow. This includes systems installed to carry urban storm runoff.

Drainage area. The land area above a given point that contributes stormwater to that point.

Dry detention. Water storage with the bottom elevation at least one foot above the control elevation. Sumps, swales, and other minor features may be at a lower elevation.

Elevation. The height in feet above mean sea level. All references to elevation shall be at the NAVD88 Vertical Datum.

Facility. Any development required per the provisions of this chapter to construct and maintain a Stormwater Management System.

FEMA. The Federal Emergency Management Agency and its regulations.

Floodplain (regulatory). Floodplains that may be either riverine or non-riverine depressional areas.

- (1) **Riverine floodplains.** Those areas contiguous to a lake, pond, or stream whose elevation is greater than the normal water pool elevation but equal to or lower than the projected 100-year flood elevation.

(2) **Non-riverine floodplains.** Depressional storage areas not associated with a stream system which surrounding lands drain causing periodic inundation by storm waters. In certain cases, the floodplain may also be known as the Special Flood Hazard Area (SFHA).

Flood Protection Elevation (FPE). The elevation of the base flood or 100-year frequency flood plus a minimum 1 foot of freeboard at any given location in the Special Flood Hazard Area (SFHA).

Floodway (regulatory). The channel, including onstream lakes, and that portion of the floodplain adjacent to a stream or watercourse as designated by the FEMA floodplain maps, which is needed to store and convey the existing and anticipated future 100-year frequency flood discharge with no more than a 1-foot increase in stage due to the loss of flood conveyance or storage.

Historic discharge or volume. The peak rate or volume at which stormwater runoff leaves a parcel of land in an undisturbed, natural site condition by gravity, or the legally allowable discharge at the time of permit approval.

Impervious surface. A surface that has been compacted or covered so that it is highly resistant to infiltration by water.

NOAA Atlas 14. The preferred source of statistical data for rainfall depths for design storm selection. NOAA Atlas 14 supersedes all previous references for rainfall depths, including TP 40, Bulletin 71, or any other document from state agencies referencing rainfall depths.

NPDES Permit. National Pollutant Discharge Elimination System permit. The Clean Water Act prohibits the discharge of "pollutants" through a point source into a water of the United States without an NPDES permit. The permit will contain limits on what you can discharge, monitoring and reporting requirements, and other provisions to ensure that the discharge does not hurt water quality or people's health. In essence, the permit translates general requirements of the Clean Water Act into specific provisions tailored to the operations of each person discharging pollutants.

Overflow elevation. The design elevation of a discharge structure at which or below which, water is contained behind the structure except for that which discharges through a control device down to the control elevation.

Professional Engineer. A Professional Engineer registered in Michigan who is competent in the fields of hydrology, hydraulics, and stormwater management.

Retention. The prevention of or to prevent the discharge of a given volume of stormwater runoff into surface waters by complete on-site storage and infiltration.

Retention design requires demonstration of adequate onsite soils to provide infiltration.

Soil conservation plan. A document prepared or approved by the local Soil and Water Conservation District Board that outlines a system of management practices to control stormwater and soil erosion, reduce sediment loss, or protect receiving water quality on a specific parcel of property.

Special Flood Hazard Area (SFHA). Any base flood area subject to flooding from a river, creek, stream, or any other identified channel or ponding and shown on a Flood Hazard Boundary Map or Flood Insurance Rate Map as Zone A, AO, A1-30, AE, A99, AH, VO, V30, VE, V, M, or E.

Stormwater. The flow of water that results from runoff that occurs during and immediately following a rainfall event.

Stormwater management plan (SWMP). A plan for receiving, handling, and transporting stormwater and surface waters within the City stormwater management system. This manual shall be used in conjunction with this Chapter.

Stormwater management system. Includes all natural and man-made elements used to convey stormwater from the first point of impact with the surface of the earth to a suitable outlet location internal or external to the boundaries of the City. The stormwater management system includes all pipes, channels, streams, ditches, wetlands, sinkholes, detention/retention basins, ponds, and other stormwater conveyance and treatment facilities, whether public or private.

Structure. A man-made change to the land constructed on or below the ground, including the construction, reconstruction or placement of a building or any addition to a building; installing a manufactured home on a site; preparing a site for a manufactured home or installing a recreational vehicle on a site for more than 180 days; and includes retaining walls, tanks and manholes.

Surface water. Water that finds its way to an open channel without infiltrating into the soil.

Swale. A man-made trench that:

- (1) Has a top depth-to-width ratio of the cross-section equal to or greater than 1:6, or side slopes equal to or greater than 3 feet vertical to 1 foot horizontal; and
- (2) Contains contiguous areas of standing or flowing water only following a rainfall event; and
- (3) Is planted with or has stabilized vegetation suitable for soil stabilization, surface water treatment, and nutrient uptake; and

- (4) Is designed to take into account the soil erodibility, soil percolation, slope, slope length, and drainage area so as to prevent erosion and reduce pollutant concentration of any discharge.

Total Suspended Solids (TSS). The particles or other solid material suspended in stormwater or stormwater runoff. Commonly expressed in concentration of milligrams per liter (mg/l) or parts per million (PPM).

Watershed area. Any drainage area contributing surface and stormwater runoff to the City stormwater management system.

Wet detention. Permanent water storage below the control elevation of the detention pond that will effectively remove total suspended solids (TSS).

Water course. A natural or artificial channel, whether lined or unlined, in which a flow of storm water, ground water or clean water occurs, either continuously or intermittently.

54.05 Applicability

This ordinance shall apply to all land within the City of Marshall. No person may subdivide, develop, change to a more intense land use, construct or reconstruct a structure, or change the size of a structure, except as hereinafter exempted, without complying with the terms of this chapter.

54.06 Exemptions

The following shall be exempt from the requirements of this chapter:

- (A) Construction of single-family or duplex homes on individual lots that are part of a larger subdivision with a city approved stormwater management plan.
- (B) Maintenance activity that does not change or affect the quality, rate, volume, or location of stormwater flows on the site or runoff from the site.
- (C) Bona fide agricultural pursuits for which a soil conservation plan has been approved by the local Soil and Water Conservation District.
- (D) Action taken under emergency conditions to prevent imminent harm or danger to persons or to protect property from imminent fire, violent storms, tornadoes, flooding, or other hazards, whether man-made or naturally occurring.

54.07 Nonconforming Areas

When any of the following improvements are made to an existing development that currently does not conform to this chapter, such improvements shall comply whether or not the existing development has received an approval prior to adoption of this chapter.

- (A) Floor area expansion: The gross floor area of a structure is expanded by more than ten percent or more than 4,000 square feet, whichever is less. Repeated expansions of a development constructed over a period of time commencing with the effective date of this chapter shall be combined in determining whether the threshold has been reached.
- (B) Use change: The use of a development changes to a more intense classification.
- (C) Site alteration: A site alteration activity requires the submission of a development plan or amended development plan and involves ten percent or more of the site area.
- (D) Reconstruction: A structure is reconstructed following substantial destruction by fire or other calamity. A structure is considered substantially destroyed if the cost of reconstruction is fifty percent or more of the fair market value of the structure before the calamity.
- (E) In any case, notwithstanding items A-D above, if the improvements propose a ½ acre of new impervious area or more than 1 acre of total disturbed area, the whole site shall comply with this chapter.

54.08 Requirements.

This section sets forth specific design and construction standards that will be used in review of proposed stormwater management systems in accordance with the objectives of managing both the quantity (volume and rate) and quality of stormwater runoff.

- (A) These requirements shall apply to all public and private sites within the City, regardless of whether the stormwater outlet(s) from the site discharge to a designated county drain, City storm sewer system, waters of the state or any other types of conveyance.
- (B) These requirements shall also apply to sites under the control of public agencies such as schools, Federal and State governmental facilities, and other entities that might not otherwise be subject to site plan review procedures and requirements as set forth in other sections of the City's codified ordinances.
- (C) A stormwater management plan shall be submitted to the City, with exception to those activities listed in section 54.06 of this chapter. All new developments shall comply with this chapter and requirements as set forth in the City's SWMP, as required. Any proposed redevelopment proposing greater than ½ acre of new

impervious area or more than 1 acre of total disturbed area shall comply with this chapter and the SWMP, as required.

- (D) Refer to the City of Marshall Stormwater Management Plan for specific submittal and design requirements.
- (E) The City of Marshall reserves the right to direct site plan stormwater designs and submittals to adhere to all or part of the Calhoun County Technical Reference Manual, latest edition.

54.09 Storm water storage facilities and/or BMP's:

Stormwater storage facilities and/or BMP's shall be implemented to protect water quality and prevent adverse flooding on-site and off-site. This is to improve the quality of stormwater runoff and reduce the discharge of sediment into wetlands, watercourses, roadways, structures and other property within, and downstream of the City of Marshall.

- (A) Natural watercourses shall not be dredged, cleared of vegetation, deepened, widened, straightened, stabilized or otherwise altered without approval from the Michigan Department of Natural Resources and/or Calhoun County Water Resources Commissioner.
- (B) Discharge of runoff from commercial and industrial sites which may contain oil, grease, toxic chemicals, or other polluting materials shall be prohibited unless approval has been obtained from the Michigan Department of Natural Resources and Calhoun County Water Resources Commissioner.
- (C) The use of stormwater management areas and vegetated buffer areas as open space, recreation, and conservation areas shall be encouraged.
- (D) Pipes, conduits, ditches, drains, or other conveyance facilities shall not discharge directly to the following without providing the minimum treatment volume and channel protection criteria (refer to the City of Marshall Stormwater Management Plan):
 - (1) Any natural watercourses, including lakes, ponds, rivers and streams.
 - (2) Wetlands with unique or natural wildlife or habitat characteristics as defined by a professional wetlands delineation specialist, biologist or ecologist.
 - (3) Wetlands which are within a 500 foot distance of any natural lake or pond.
 - (4) Wetlands which are within a 100 foot distance of any river or stream.
 - (5) City of Marshall stormwater conveyance system.
- (E) Discharges from stormwater conveyance facilities shall be routed through swales, vegetated buffer strips, stormwater basins, hydrologically isolated

wetlands, and other facilities designed to decrease runoff velocity and volume, allow for natural infiltration, allow suspended solids to settle, and remove pollutants.

- (F) If wetlands are proposed for stormwater detention, runoff must be diffused to non-erosive velocities before it reaches the wetlands.
- (G) No storm water management plan shall be approved if the City of Marshall finds that the action will or is likely to pollute, impair or destroy air, water or other natural resources or the public trust therein, provided that there is a feasible and prudent alternative consistent with the reasonable requirements of the public health, safety and welfare.

54.10 Right of entry; furnishing information.

Representatives of the City of Marshall, State of Michigan, or Calhoun County Water Resources Commissioner's office shall have the right to enter at any reasonable time any property served by a storm water drainage facility. Entry shall be limited to review and inspection of storm water drainage facilities as required to ensure compliance. On request, the owner, lessees or occupants of any property so served shall furnish to the inspection agency any pertinent information regarding the drainage system or systems on such property. The refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of unlawful discharge.

- (A) Operation and Maintenance: All structural and vegetative best management practices installed as a performance standard for storm water management shall include a plan for maintaining maximum performance through long-term operation and maintenance (O&M). The plan shall include a schedule for O&M procedures and recordkeeping provisions such as periodic inspections.
- (B) Records Retention: Inspections and other records pertaining to the O&M of best management practices for storm water quality protection shall be maintained by the property owner and retained for a minimum of five years.

54.11 Compliance with other permits

Any person subject to a NPDES stormwater discharge permit, Calhoun County soil erosion and sedimentation control permit, or City of Marshall site plan review shall comply with all provisions of such permit or approvals. Proof of compliance with said permits or approvals may be required in a form acceptable to the City of Marshall prior to the allowing of discharges to the stormwater system.

54.12 Monitoring and Access of discharges

- (A) As a condition to having a direct connection to waters of the State or to the municipal separate storm sewer system (MS4) an industrial or commercial

facility shall permit the City to enter and inspect the stormwater facilities, at reasonable times and in a reasonable manner, to determine compliance with this chapter and the City's SWMP. Such entry and inspection may include but not be limited to sampling, analysis, dye testing, smoke testing, remote video inspection (TV-ing), and examination and/or copying of records that are required by this chapter to be maintained.

- (B) The City may require a commercial or industrial facility that discharges into the stormwater system to install devices as are reasonably necessary to monitor and/or sample the facility's stormwater discharge to ensure compliance with this chapter and the SWMP. In the alternative, and at the City's option, the City may install such devices. All such devices shall be calibrated to ensure accuracy.
- (C) The City is hereby empowered to seek assistance from any court of competent jurisdiction in obtaining entry to a facility if the City's designated personnel has been refused access to any part of the premises from which stormwater originates and/or is discharged, and if the City is able to demonstrate probable cause to believe that there may be a violation of this chapter, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this chapter or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community. In addition, or in the alternative, the City's designated personnel, if denied entry, may terminate the facility's connection to the stormwater system. Such termination must be preceded by written notice to the facility of such intent.

54.13 Requirement to prevent, control, and reduce stormwater pollutants by the use of best management practices

- (A) If the owner or operator of a facility does not provide reasonable protection from illicit discharge, the City may require best management practices (BMP's) and/or stormwater pollution prevention plans (SWPPP's) for a facility that discharges, or is reasonably suspected of discharging, pollution into the stormwater system, at the facility's expense. A BMP shall be consistent with the guidelines set forth in the most current MDEQ Guidebook of BMP's for Michigan Watersheds, or equivalent practices and design criteria that accomplish the purposes of this chapter, as approved by the City. A BMP and/or a SWPPP, which may be imposed even if the facility is subject to a NPDES permit, shall be communicated in writing by City's designated personnel to the facility.
- (B) If the owner or operator believes all or a portion of the BMP or SWPPP is unreasonable, it may appeal for a variance in accordance with the provisions of this chapter.

54.14 Notification of spills

- (A) Notwithstanding other requirements of law, as soon as any person/facility responsible for a facility, or responsible for emergency response for a facility, has information of a release, or suspected release, of pollutants into the stormwater system, said person shall take all reasonable and necessary steps to discover, contain, and clean up such release, including, if necessary, contacting emergency response agencies. Said person shall also notify the City's designated personnel of the discharge either in person, by telephone, or by facsimile as soon as possible, but in no event more than six hours after learning of the release.

- (B) All spill notifications provided to the City's designated personnel in person or by telephone shall be documented by said person in writing and mailed to the City of Marshall within five business days of said incident. Such written notice shall specify the following:
 - (1) The composition of the discharge and the cause thereof;
 - (2) The exact date, time, and estimated volume of the discharge;
 - (3) All measures taken to clean up the discharge,
 - (4) All measures proposed to be taken to reduce and prevent any recurrence;
 - (5) The name and telephone number of the person making the report;
 - (6) The name of the person who may be contacted for additional information on the matter. The person shall also provide the City of Marshall with copies of all documents the person submits to state or federal agencies relating to the same release.

54.15 Enforcement

- (A) Whenever the City's designated personnel finds that a person/facility has violated a provision of this chapter, the city may order compliance by issuing a written notice of violation to the responsible person. Such notice may require one or more of the following:
 - (1) The performance of monitoring, analyses, and reporting;
 - (2) The elimination of an illicit connection or discharge;
 - (3) That violating discharges, practices, or operations cease and desist;
 - (4) The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;
 - (5) The abatement and correction of any degradation of riparian habitat and aquatic life caused by the failure to design, install, operate, or maintain sediment control, stormwater management, or agricultural BMP's in accordance with an approved sediment control plan, stormwater plan, sediment control permit, Soil Conservation and Quality Plan, or plan for compliance;
 - (6) The reimbursement to the City in an amount sufficient to reimburse the City for all reasonable administrative and remediation costs;

(7) The implementation of source control or treatment BMP's.

- (B) If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work may be done by the City, with the expense thereof charged to the violator.

54.16 Appeal of notice of violation

- (A) If an owner of property believes the requirements of this chapter impose an unreasonable burden on the use of the owner's property, the owner may seek a variance from the Director. Such a request must be in writing with enough detail to understand the situation and proposed variance. If the Director determines that additional information is needed, the request for additional information shall be made within 30 days of the owner's request. Within 30 days of the receipt of such additional information, or, if no such request is made, within 30 days of the owner's request, the Director shall issue a written response to the owner. The response shall grant, deny, or grant partial or different relief than was requested. A grant, partial or complete, may relieve the property owner from strict compliance of this chapter. Reasonable conditions may be imposed as part of such a grant. The Director shall be guided by the primary goal of protecting the waters of the State without creating undue hardship upon the property owners affected.
- (B) In determining whether to grant a variance, and conditions to impose, the Director shall be guided by the Performance Standards adopted by City Council Resolution from time to time.
- (C) Meting the Performance Standards may constitute exceptional challenges when contemplating redevelopment of existing sites. Any additional storm water imperviousness shall generally be off-set to the extent defined by the SWMP. However, to be consistent with the goals of this chapter, redevelopment is also generally expected to result in increased environmental protection whenever the overall site is not currently performing to these SWMP. Therefore, in determining whether to grant a variance and the conditions to impose, for a reconstruction project the Director shall be guided by seeking a minimum 20% improvement over existing conditions for water quality or water volume or both.
- (D) Any person receiving a Notice of Violation or whose variance request has been denied in whole or in part may appeal the determination set forth within the Notice or the variance decision to the Zoning Board of Appeals by submitting a written notice of appeal to the City. The notice of appeal must be received by the Director within 30 days from the date of the Notice of Violation, with enough detail to allow the Zoning Board of Appeals to understand the situation. Within 30 days of the receipt of an appeal, the Zoning Board of Appeals shall set the matter for hearing. Notice of the hearing shall be given in writing to the applicant and to the owner of the stormwater system. The applicant shall be

given the opportunity to present evidence at the hearing in person or in writing or by representative. The Zoning Board of Appeals shall issue a written decision on the appeal. The Zoning Board of Appeals response shall affirm, reverse, or modify the Notice of Violation being appealed.

- (E) If the person who has made an appeal does not agree with the Zoning Board of Appeals decision, said person may appeal the matter by filing an appeal in a Court of competent jurisdiction in the County of Calhoun, which may affirm, reverse or modify the decision being appealed. Such an appeal must be filed within 30 days of the Zoning Board of Appeals decision.
- (F) In considering all such appeals, the Director may grant a variance from the terms of this chapter so as to provide relief, in whole or in part from the action being appealed, but only upon finding that the following requirements are satisfied:
 - (1) The application of the chapter provisions being appealed will present or cause unreasonable difficulties for a facility; and
 - (2) The granting of the relief requested will not substantially prevent the goals and purposes sought to be accomplished by this chapter from being accomplished, nor result in less effective management of stormwater runoff.

54.17 Suspension of access to the stormwater system

- (A) The City may, after providing written notice, suspend stormwater discharge access to a person in violation of this chapter. Written notice shall describe the nature of the violation and the action necessary to correct the violation. If the violation continues for 10 calendar days after the notice was sent, the City may suspend discharge access into the stormwater system.
- (B) The City may suspend storm water discharge access to a person in violation of this chapter, without prior notice, when such suspension is necessary to stop an actual or threatened discharge that presents an imminent and substantial danger to the stormwater system or to the environment.

54.18 Abatement activities by the City

- (A) The City may perform reasonable and necessary abatement activities whenever the City determines a violation of this chapter has occurred and it appears that the responsible party cannot or will not timely perform said activities, or when no known responsible party exists. The responsible party shall reimburse the City for all reasonable expenses thus incurred.
- (B) If the City desires the responsible party to reimburse it for reasonable abatement activity expenses, the City shall, within 90 days of the completion of said activities, mail to that person a notice of claim outlining the expenses incurred, including reasonable administrative costs, and the amounts thereof. The person billed shall pay said sum in full within 30 days of receipt of the claim. If the

person billed desires to object to all or some of the amount sought by the Director, said person may file, within the same thirty-day period, a written objection so stating. The Director shall, within 30 days of its receipt of the objection, provide an opportunity for the objecting party to present facts or arguments supporting said objection. If the Director determines that some or the entire amount originally billed is appropriate, the person shall pay said sum within 30 days of receipt of that determination. If the amount due is not timely paid, the City may cause the charges to become a special assessment against the property and shall constitute a lien on the property.

54.19 Injunctive relief

If a person has violated or continues to violate the provisions of this chapter, the City may petition the appropriate court for injunctive relief restraining the person from activities which would create further violations, or compelling the person to perform necessary abatement or remediation.

54.20 Violations deemed a public nuisance

In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this chapter is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken by the City.

54.21 Penalty for violation

The penalty for violation of this chapter, in addition to the general code penalty, shall include revocation of site plan approval and revocation of any existing building permits for the site. The City may refuse any further permit applications until such time as the site has been brought into compliance with this chapter. A citation charging such a violation may be issued by the City's Ordinance Enforcement Officer, or his or her designee.

54.22 Existing Ordinances

All Ordinances or parts thereof in conflict herewith are hereby repealed and shall be of no further force and effect.

54.23 Severability

Any and all sections, terms, provisions and/or clauses herein shall be deemed independent and severable. Should any court of competent jurisdiction hold any section, term, provision or clause void and/or invalid, all remaining sections, terms, provisions and/or clauses not held void and/or invalid shall continue in force and effect.

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 upon publication.

Adopted and signed this _____ day of _____, 2016.

Jack Reed, MAYOR

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 an ordinance approved by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on April 4, 2016, 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
March 21, 2016 – City Council Meeting

REPORT TO: Honorable Mayor and Council Members

FROM: Tom Tarkiewicz, City Manager
K. Scott Fleming, President & CEO of MAEDA

SUBJECT: Mor-Dall Enterprises, LLC, 511 S Kalamazoo Ave,
Industrial Facilities Tax Exemption

BACKGROUND: The City of Marshall has received a request from Mor-Dall Enterprises, LLC, for an Industrial Facilities Tax Exemption Certificate. The requested abatement is to consider a \$571,846.47 investment in equipment. The application and agreement are attached.

RECOMMENDATION: It is recommended that the Council schedule a public hearing for April 4, 2016 as required by the Industrial Facilities Tax Exemption Certificate Application to hear comments on the IFT.

FISCAL EFFECTS: If the IFT is granted, the City will forego an estimated \$5,428 in taxes each year over the next 12 years. The company will receive an estimated \$19,962 in tax savings each year over the next 12 years. This assumes that personal property will remain taxable.

CITY GOAL CLASSIFICATION:

GOAL AREA I. ECONOMIC DEVELOPMENT

Goal Statement: Sustain and intensify the economic vitality of the Marshall area.

ALTERNATIVES: As suggested by Council.

Respectfully submitted,

Tom Tarkiewicz
City Manager

K. Scott Fleming
President & CEO of MAEDA

323 W. Michigan Ave.
Marshall, MI 49068

p 269.781.5183

f 269.781.3835

cityofmarshall.com

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form or would like to request an informational packet, call (517) 373-3272.

To be completed by Clerk of Local Government Unit	
Signature of Clerk	Date received by Local Unit
STC Use Only	
Application Number	Date Received by STC

APPLICANT INFORMATION

All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility) Mor-Dall Enterprises LLC		1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 2082	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 511 S. Kalamazoo Ave, Marshall, MI 49068		1d. City/Township/Village (indicate which) City	1e. County Calhoun
2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(1)) <input type="checkbox"/> Research and Development (Sec. 2(9))		3a. School District where facility is located Marshall Public Schools	3b. School Code 13110
		4. Amount of years requested for exemption (1-12 Years) 12	

5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.

Chiller (\$189k), solar array (\$136k) project as well as fermentor and bottling line upgrade purchases (\$245k) to enhance production capabilities.

6a. Cost of land and building improvements (excluding cost of land)..... * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	▶ \$0.00
6b. Cost of machinery, equipment, furniture and fixtures..... * Attach itemized listing with month, day and year of beginning of installation, plus total	▶ \$571,846.47
6c. Total Project Costs..... * Round Costs to Nearest Dollar	▶ \$571,846.47
Total of Real & Personal Costs	

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.

	<u>Begin Date (M/D/Y)</u>	<u>End Date (M/D/Y)</u>		
Real Property Improvements	_____	_____	▶	<input type="checkbox"/> Owned <input type="checkbox"/> Leased
Personal Property Improvements	7/1/14	12/31/15	▶	<input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased

8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. Yes No

9. No. of existing jobs at this facility that will be retained as a result of this project. **11** 10. No. of new jobs at this facility expected to create within 2 years of completion. **5**

11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.

a. TV of Real Property (excluding land)	_____
b. TV of Personal Property (excluding inventory)	_____
c. Total TV	_____

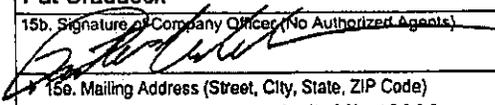
12a. Check the type of District the facility is located in:
 Industrial Development District Plant Rehabilitation District

12b. Date district was established by local government unit (contact local unit) **8/16/10** 12c. Is this application for a speculative building (Sec. 3(8))?
 Yes No

APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name Pat Craddock	13b. Telephone Number (269) 558-4915	13c. Fax Number (269) 781-8261	13d. E-mail Address pat@darkhorsebrewery.co
14a. Name of Contact Person Pat Craddock	14b. Telephone Number (269) 558-4915	14c. Fax Number (269) 781-8261	14d. E-mail Address pat@darkhorsebrewery.com
▶ 15a. Name of Company Officer (No Authorized Agents) Pat Craddock			
15b. Signature of Company Officer (No Authorized Agents) 		15c. Fax Number (269) 781-8261	15d. Date 3-16-2016
15e. Mailing Address (Street, City, State, ZIP Code) 511 S Kalamazoo, Marshall, MI 49068		15f. Telephone Number (269) 558-4915	15g. E-mail Address pat@darkhorsebrewery.com

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit <input type="checkbox"/> Abatement Approved for ____ Yrs Real (1-12), ____ Yrs Pers (1-12) After Completion <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Denied (Include Resolution Denying)	16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: Check or indicate N/A if Not Applicable <input type="checkbox"/> 1. Original Application plus attachments, and one complete copy <input type="checkbox"/> 2. Resolution establishing district <input type="checkbox"/> 3. Resolution approving/denying application. <input type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant) <input type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant) <input type="checkbox"/> 6. Building Permit for real improvements if project has already begun <input type="checkbox"/> 7. Equipment List with dates of beginning of installation <input type="checkbox"/> 8. Form 3222 (if applicable) <input type="checkbox"/> 9. Speculative building resolution and affidavits (if applicable)
16a. Documents Required to be on file with the Local Unit Check or indicate N/A if Not Applicable <input type="checkbox"/> 1. Notice to the public prior to hearing establishing a district. <input type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing. <input type="checkbox"/> 3. List of taxing authorities notified for district and application action. <input type="checkbox"/> 4. Lease Agreement showing applicants tax liability.	
16c. LUCI Code	16d. School Code 13110
17. Name of Local Government Body City of Marshall	▶ 18. Date of Resolution Approving/Denying this Application

Attached hereto is an original and one copy of the application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time.

19a. Signature of Clerk	19b. Name of Clerk Trisha Nelson	19c. E-mail Address tnelson@cityofmarshall.com
19d. Clerk's Mailing Address (Street, City, State, ZIP Code) 323 W Michigan Ave, Marshall, MI 49068		
19e. Telephone Number (269) 781-5183	19f. Fax Number (269) 781-3835	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

State Tax Commission
Michigan Department of Treasury
P.O. Box 30471
Lansing, MI 48909-7971

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

**CITY OF MARSHALL, MICHIGAN
RESOLUTION #2016-**

Minutes of a regular meeting of the City Council of the City of Marshall held on April 4, 2016, in the Council Chambers of Town Hall, located at 323 West Michigan Avenue, Marshall, Michigan.

Present:

Absent:

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

**RESOLUTION TO APPROVE APPLICATION OF
MOR-DALL ENTERPRISES
511 S. KALAMAZOO,
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 August 16, 2010, the Council by Resolution established Industrial Development District No. D-31 as requested; and

WHEREAS, Mor-Dall Enterprises 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-31; 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 April 4, 2016 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 begun earlier than six (6) months before March 16, 2016, 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 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 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 Mor-Dall Enterprises, 511 S. Kalamazoo, for an Industrial Facilities Exemption Certificate, with respect to personal property improvements described as new machinery and equipment to be acquired and installed within the Industrial Development District No. D-31 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:

NAYS:

Trisha Nelson, City 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 April 4, 2016.

Trisha Nelson, City Clerk

IFTEC LETTER OF AGREEMENT

DATE: _____
COMPANY NAME: Mor-Dall Enterprises, Inc.
FACILITY ADDRESS: 511 South Kalamazoo Ave
Marshall, MI 49068

City Council
City of Marshall
323 W. Michigan Avenue
Marshall, MI 49068

RE: Industrial Facilities Tax Exemption Certificate between:

Mor-Dall Enterprises, Inc. and the City of Marshall

Dear Members of Council:

Mor-Dall Enterprises, Inc. (the "Company") has submitted the attached Application (the "Application") to you requesting approval of an Industrial Facilities Tax Exemption Certificate ("IFTEC"), pursuant to Michigan Public Act 198 of 1974, as amended, for the property located at 511 South Kalamazoo, Marshall, (the "Facility") (Legal Description of the property where the Facility is located is attached).

To encourage approval of the IFTEC and in recognition of the investments the City of Marshall (the "City") will make toward the economic growth of the Company, which will benefit the City, the Company agrees as follows:

- 1. General.** (Check applicable lines consistent with the Application)
- ___ a. The Company will make the improvements set forth in the Application within two (2) years of the effective date of the IFTEC (the "Effective Date").
 - ___ b. The Company will purchase and/or lease and install the personal property as set forth in the Application within two (2) years of the Effective Date.
 - ___ c. The Company will create 5 new full-time jobs at the Facility within two (2) years of the Effective Date, and/or the Company will retain 11 existing jobs at the Facility within two (2) years of the Effective Date.
 - ___ d. The Company will comply with the requirements imposed by the City as part of the site review prior to issuance of a Certificate of Occupancy.

2. **Compliance with Laws.** The Company agrees that it will operate the Facility in accordance with all applicable Federal, State, and local laws or regulations, including but not limited to zoning, outside storage, industrial waste disposal, air and water quality, utility, noise control, and other environmental regulations.
3. **Continued Operation of the Facility.** The Company further agrees to continue to operate the Facility within the City for the period of 12 years from the effective date of the IFTEC in order to retain the benefits of the IFTEC.
4. **Premature Vacation of the Facility.** If the Company vacates, or intends to vacate, the Facility prior to the end of the term of the IFTEC, the Company shall be responsible for the following:
 - a. If the Company intends to vacate the Facility for which the IFTEC has been approved and issued prior to the end of the term of this agreement, the Company agrees to notify the City Assessor in writing of such intent and the reasons for vacating not less than 60 days prior to vacating the facility.
 - b. The Company agrees to make reasonable provisions satisfactory to the City and in compliance with all applicable laws, codes and ordinances to maximize the likelihood of re-occupancy or re-use of the unoccupied building for productive use within a reasonable time period after the Facility is vacated.
 - c. The Company shall, if requested by the City, deposit an amount equal to the amounts anticipated to be due from the Company under this agreement as a result of the Company vacating the Facility prior to the term for which the IFTEC was approved, including but not limited to any reasonable cleanup or maintenance costs, administrative fees, court costs, and attorney fees incurred.
 - d. The Company shall pay any outstanding taxes and shall repay to all affected municipalities an amount equal to the total tax amount abated by the IFTEC (unless recovery of a lesser amount is requested by the City or other taxing authority) within 30 days of the date of an invoice for such taxes.
 - e. If the Company fails to pay the amount of the invoice for abated taxes within 30 days of the date of the City invoice, the Company shall be responsible for any additional costs incurred by the City in recovery of such taxes, including, but not limited to administrative fees, court costs, and attorney fees incurred.
5. **Notice of Completion and Final Cost Report.** The Company will submit to the City, not later than 90 days after the completion date for each property component for which an IFTEC was granted a Notice of Completion and Final Cost Report in a form requested by the City which includes the actual completion date and final cost of each project component for which an IFTEC was originally granted, and an explanation if the final cost of either the real or personal property listed on the Application was greater than the original estimated amount by more than 10%.

6. **Employment Status Report.** In accordance with the initial letter of intention to apply for an IFTEC, the Company will submit to the City, not later than January 10th of the second year after the effective date and every two years thereafter while the IFTEC is in effect, an Employment Status Report in a form requested by the City, which includes the number of actual full-time jobs created and/or retained as a direct result of the project for which the certificate was granted, and an explanation if the jobs actually created was less than the original estimated amount.
7. **Review and Audit: Payment of Costs.** The Company understands that the City may review and audit the information provided by the Company to determine compliance with this agreement and that in the event the audit raises a material non-compliance with the provisions of this agreement, that any costs for such services will be paid by the Company in accordance with a fee schedule approved by the City Council, which may be adjusted from time to time based upon increases in costs to the City. Except as provided in this paragraph, each party shall bear its own costs for a review or audit.
8. **Remedies for Default for Failure to Satisfy Representations Made in Application.** The Company recognizes and agrees that the amount of abated taxes to be paid shall constitute a lien under Michigan Law, and that the City retains all rights to enforce the lien. The Company understands that the City may pass a resolution requesting that the State Tax Commission reduce the term of the IFTEC or revoke the IFTEC to the extent that the construction or expansion of the Facility has not been completed, expenditures made, or employment reached as represented by the Company in the application, by sending a copy of this Agreement along with a copy of the City Council resolution authorizing such action to the State Tax Commission. In addition, the Company acknowledges that the City may take into account any deficiency in job creation, or real or personal property investment made under this application in a subsequent application for an IFTEC filed by the Company.
9. **Consequences of Unsuccessful Real or Personal Property Tax Appeal.** The Company acknowledges that if during the term of this Agreement, the Company appeals any real or personal property assessment to the Michigan Tax Tribunal or other court of competent jurisdiction upon which it does not prevail, that the Company shall pay to the City all reasonable costs, expenses, and attorney fees incurred by the City in defending such appeals within thirty (30) days of the date of receipt of an invoice from the City. The Company also acknowledges that the City may consider such appeals in deciding the term of any subsequent certificates granted to the Company.
10. **Unforeseen Events.** By execution of this agreement, it is understood that the Company's investment in the Facility and the City's investment in the granting of the IFTEC are to encourage economic growth within the City. The City acknowledges that in some instances, economic conditions may prevent the Company from complying fully with this agreement and the terms of the Application. The City will give the Company an opportunity to explain the reasons for any variations from the representations contained in the application and will evaluate the Company's situation prior to taking any action authorized by paragraph 4 and 8 of this agreement.

11. **Entire Agreement.** Together with the complete application, this is the entire agreement of the parties relating to the matters covered by this Agreement, and no prior or subsequent promises, representations or assurances, whether in any other form, shall be used to modify, vary or contradict any provision of this Agreement, except for any written amendment to this Agreement or separate agreement signed following the date of this Agreement by authorized representatives of all parties to this Agreement. In the event of conflict between the documents, the terms in this Letter of Agreement shall prevail.

12. **Severability.** The invalidity of any section, subsection, clause or provision of this Agreement shall not affect the validity of the remaining sections, subsections, clauses or provisions thereof, which shall remain in full force and effect to govern the parties' relationship.

13. **Reimbursement of Attorney Fees for Modification of Standard Agreement.** The Company agrees to reimburse the City within 30 days of the date of a receipt of an invoice from the City for all attorney fees incurred by the City in the negotiation or preparation of changes to the standard IFTEC Letter of Agreement.

ACCEPTED BY: THE COMPANY

NAME: Patrick Craddock
 TITLE: Chief Financial Officer
 SIGNATURE: _____

STATE OF MICHIGAN
 COUNTY OF CALHOUN

The forgoing acceptance was acknowledged this ____ day of _____

by _____, _____ on behalf of _____
 (Name) (Title) (Company Name)

 Notary Public, _____ County, MI
 My Commission expires: _____

**ACCEPTED BY: THE CITY OF MARSHALL, A
MICHIGAN MUNICIPAL
CORPORATION**

NAME: Jack Reed

TITLE: Mayor

SIGNATURE: _____

NAME: Trisha Nelson

TITLE: City Clerk

SIGNATURE: _____

**STATE OF MICHIGAN
COUNTY OF CALHOUN**

The forgoing acceptance was acknowledged this _____ day of _____
by Jack Reed and Trisha Nelson, Mayor and City Clerk, respectively, on behalf of
the City of Marshall, a Michigan municipal corporation.

Notary Public, _____ County, MI

My Commission expires: _____

When recorded, return to:
City Clerk
City of Marshall
323 W. Michigan Ave.
Marshall, MI 49068

Drafted by:
City of Marshall
323 W. Michigan Ave.
Marshall, MI 49068



ADMINISTRATIVE REPORT
March 21, 2016 - CITY COUNCIL MEETING

TO: Honorable Mayor and City Council

FROM: Kristin Bauer, Director of Public Services
Michael Hackworth, Dept. of Public Works
Tom Tarkiewicz, City Manager

SUBJECT: Agreement to Continue Joint Ownership of Certain Composting Equipment by the Southwest Michigan Composting Group (SWMCG).

BACKGROUND: The City of Marshall along with the Cities of Three Rivers, Coldwater, Sturgis, and Southeast Berrien County form the SWMCG. The SWMCG has collectively purchased several pieces of equipment for use by all partners. The SWMCG has established the "Composting Equipment Depreciation Fund" for replacement of the shared equipment. A budget request of \$65,000 has been submitted to the Finance Department for the FY2017 operation of the Calhoun County Compost Center.

RECOMMENDATION: To authorize the City Manager and the City Clerk to sign this agreement with the SWMCG authorizing annual payments into the equipment replacement fund.

FISCAL EFFECTS: The initial year annual payment to the equipment replacement fund is \$6,400, with a total 10 year commitment of approximately \$80,000. Funds to be dispersed from the City Compost Fund.

CITY GOAL CLASSIFICATION:

GOAL AREA 2. QUALITY OF LIFE

Goal Statement: To achieve and sustain a concentrated effort to promote a vibrant community atmosphere in the Marshall area.

ALTERNATIVES: As suggested by Council.

Respectfully submitted,

Kristin Bauer
Director of Public Services

Michael Hackworth
DPW Superintendent

Tom Tarkiewicz
City Manager

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

f 269.781.3835

cityofmarshall.com

AGREEMENT NO. A16-02

**CLEAN MICHIGAN COMMUNITY & SOLID WASTE ALTERNATIVES PROGRAMS
AGREEMENT**

AGREEMENT is made and entered into as of the _____ day of _____, 201__, by and between the City of Three Rivers, a Michigan municipal corporation, with offices at 333 West Michigan Avenue, Three Rivers, Michigan 49093, the City of Sturgis, a municipal corporation, with offices at 130 N. Nottawa Street, Sturgis, Michigan 49091, the City of Coldwater, a Michigan municipal corporation, with offices at 1 Grand St, Coldwater, Michigan 49036, the City of Marshall, a Michigan municipal corporation, with offices at 323 West Michigan Avenue, Marshall, Michigan 49068, and the Southeast Berrien County Landfill, a Michigan Authority, with offices at 1540 Mayflower Road, Niles, MI 49120 all known as the Southwest Michigan Composting Group (SWMCG).

RECITALS

- A. The City of Three Rivers has applied for and received a State of Michigan Department of Environmental Quality (MDEQ), Solid Waste Alternatives Program Grant for the composting equipment.
- B. The City of Buchanan has received a State of Michigan, Department of Natural Resources, Clean Michigan Community Grant. The City of Buchanan was an original participant, but has since sold all of its interest to the Southeast Berrien County Landfill.
- C. The MDEQ lien upon the equipment terminated on June 30, 2002.
- D. The City of Three Rivers and the Southeast Berrien County Landfill will be sharing composting equipment with the City of Sturgis, the City of Coldwater and the City of Marshall.
- E. A designated agency of the SWMCG will be maintaining the composting equipment.
- F. The MDEQ requires certain data collection, operational standards, and reporting procedures for composting of yard wastes.
- G. The composting equipment will include a SCAT Engineering Model No.482C compost turner, a Holden Industries equipment trailer, and a Bandit Beast or horizontal grinder.

NOW THEREFORE, the parties agree as follows:

1. The Participants shall continue to follow the requirements outlined in the application and agreement between the City of Three Rivers and the DEQ.
2. The composting equipment may be used by non-participating municipalities if the Participant transports and operates the equipment. This equipment can only be shared with the approval of the majority of the group. There will be an equipment rate charged for the use of the equipment, rate to be determined annually by the SWMCG.

3. The Participants shall maintain the maintenance and operation log, which will remain with the composting equipment. That log shall record hours used by each participant and incidental (non-fuel) expenses incurred for maintenance.
4. The major maintenance of the composting equipment will be accomplished by a designated member of the SWMCG. The other Participants shall provide a maintenance facility and heavy tools, if a major breakdown occurs, whereby the maintaining member's mechanic must provide service at another Participants jurisdiction.
5. The composting equipment will be available for use based on the needs of each entity, provided that each entity is allowed a fair amount of time for use before it goes to the maintenance location and then on to the next entity.
6. Equipment will be cleaned, prepped, filled with fuel and transported back to the designated maintenance entity where it will be inspected before release to the next member. If it is not full of fuel, then returning entity will pay for the fuel fill-up. If machine is returned un-cleaned, the returning entity will pay for the labor of cleaning the equipment.
7. The Participants will abide by the daily maintenance schedule. The maintenance schedule will be provided by the maintaining entity to the entity picking up the equipment. The schedule will come with the log.
8. The costs of the major maintenance provided by the maintaining member will be divided five (5) ways and billed annually to each member of the SWMCG. The maintaining member will charge the actual cost for parts, labor and fringes. The participants will reimburse the maintaining member within 30 days of receipt of the bill.
9. The Participants shall indemnify the other Participants, its officers, agents and employees, from any and all claims and demands of third persons, including employees of the Participant, for personal injury, including death and/or property damage arising out of the acts or omissions of the Participant, their employees, agents, representatives, contractors, customers, guests, invitees and other persons doing business with the Participant.
10. Insurance on the equipment is to be held by each SWMCG member for damages incurred while in their possession.
11. The Participants shall maintain public liability and property damage insurance in an insurance company qualified to do business in the State of Michigan with limits of not less than One Million (\$1,000,000.00) Dollars for bodily injury or death to any one person, and One Million (\$1,000,000.00) Dollars for damage to property. Certificates of such insurance, with the other Participants as additional insured, shall be filed with each of the Participants.
12. The Participants will continue to use the "Composting Equipment Depreciation Fund."

The new beast grinder will be depreciated by the "straight line" method over a ten-year period. Each Participant will deposit annually into the "Fund", commencing at the beginning of their respective fiscal year, but no more than 1-year following the signing of the agreement as follows:

$$\frac{\text{Equipment Purchase Cost} \times 20\% + \text{Inflation Factor (5\%)}}{10 \text{ years}}$$

This fund contribution shall be sent to the City of Three Rivers and placed into an interest bearing account. All interest shall be accrued within the fund and the City Finance Director shall render an accounting of principal and interest for the SWMCG annual meeting. The Inflation Factor will be 5% of the previous year's payment. The payment plan is listed below for the original purchase price of \$266,000

Compost Equipment Payments		
inflation factor	5%	
cost increase	20%	
number of entities	5	
Original purchase price	\$266,000	
	Total	Per entity
Year 1	\$31,921.00	\$6,384.20
Year 2	\$33,518.00	\$6,703.60
Year 3	\$35,194.00	\$7,038.80
Year 4	\$36,954.00	\$7,390.80
Year 5	\$38,802.00	\$7,760.40
Year 6	\$40,743.00	\$8,148.60
Year 7	\$42,781.00	\$8,556.20
Year 8	\$44,921.00	\$8,984.20
Year 9	\$47,168.00	\$9,433.60
Year 10	\$49,527.00	\$9,905.40
Total	\$401,529.00	

The SWMCG will evaluate the equipment and replacement costs at year 5 and 10 to confirm that we are setting aside the proper amount of funding for the new equipment purchase. Any changes to the amount or length of time will be reviewed and approved by each members governing body.

13. No modification of this contract will be allowed without prior written approval by the members of the SWMCG.
14. In the event that a participant chooses to no longer be a member of the SWMCG, that group shall not receive any of its contributed funds back. However, the possibility does exist that a participant may have a new agency buy out its interest in the SWMCG, providing that the remaining members of the SWMCG agree to this buy out and an agreement is reached between the SWMCG and the new agency.

IN WITNESS WHEREOF, the parties have signed this Agreement as of the day and year first above written.

THE CITY OF THREE RIVERS

By: _____

Tom Lowry, Mayor

By: _____

Melissa Bliss, City Clerk

THE CITY OF MARSHALL

By: _____

Tom Tarkiewicz, City Manger

By: _____

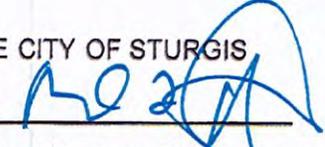
Trisha Nelson, City Clerk

THE S.E. BERRIEN COUNTY LANDFILL

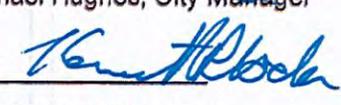
By: _____

Sonny Fuller, General Manager

THE CITY OF STURGIS

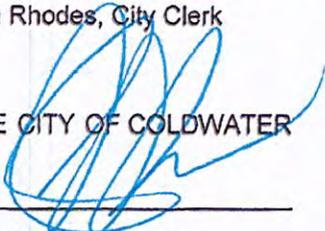
By:  _____

Michael Hughes, City Manager

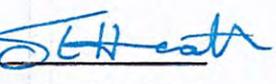
By:  _____

Ken Rhodes, City Clerk

THE CITY OF COLDWATER

By:  _____

Tom Kramer, Mayor

By:  _____

Sue Heath, City Clerk



ADMINISTRATIVE REPORT
March 21, 2016 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council

FROM: Tom Tarkiewicz, City Manager
Jon Bartlett, City Treasurer

SUBJECT: Authorized Signers on City Bank Accounts

BACKGROUND: Banking and financial institutions require a resolution from the governing body for the persons authorized to have access to bank accounts held in and for the City of Marshall. Periodically this resolution needs to be "updated" for the record. With the recent retirement announcement of our Finance Director it is necessary for the City Council to affirm those persons authorized as account signers for the City of Marshall. All city accounts will be updated with new signature cards and this resolution placed on file with all financial institutions holding moneys belonging to the City.

RECOMMENDATION: Adopt the attached resolution authorizing Jon B. Bartlett, Finance Director and Tom Tarkiewicz, City Manager as legal signers for accounts belonging to the City of Marshall and authorizing Cassandra Heitfeld, Payroll/Accounting Clerk, and William Dopp, City Treasurer, to conduct daily business.

FISCAL EFFECTS: None. This is an administrative policy only.

ALTERNATIVES: As suggested by the Council.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tom Tarkiewicz", written in a cursive style.

Tom Tarkiewicz
City Manager

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

f 269.781.3835

cityofmarshall.com

City of Marshall
RESOLUTION # 2016-

WHEREAS, all financial institutions require a resolution to change persons authorized to act for a corporation or voluntary association on checking, savings, pool funds or share accounts; and

WHEREAS, Jon B. Bartlett has accepted the roll of Finance Director effective April 4, 2016 and William Dopp will be appointed as City Treasurer effective April 4, 2016;

THEREFORE, BE IT RESOLVED, that the Marshall City Council certifies to all financial institutions where accounts are held in the name of and on behalf of the City of Marshall that the following persons are authorized to transact business on said bank accounts effective April 1, 2016:

Jon B. Bartlett, Finance Director
Tom Tarkiewicz, City Manager
William Dopp, City Treasurer
Cassandra Heitfeld, Payroll/Accounting Clerk

AYES:

NAYS:

Dated: March 21, 2016

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 March 21, 2016 and that said meeting was conducted in accordance with the Open Meeting Act and that the minutes of said meeting were kept and will be or have been made available to the public.

Trisha Nelson, City Clerk



ADMINISTRATIVE REPORT
March 21, 2016 - CITY COUNCIL MEETING

TO: Honorable Mayor and City Council Members

FROM: Josh de St. Aubin, DART Manager
Natalie Dean, Director of Community Services
Tom Tarkiewicz, City Manager

SUBJECT: Dial-A-Ride Transit Application for State Financial Assistance for 2016-2017 Fiscal Year

BACKGROUND: As required by Michigan Public Act 51, Marshall Dial-A-Ride Transit must submit an annual application to the State of Michigan for financial assistance for transit operations and adopt a Resolution of Intent signifying the City of Marshall's desire to participate in the Comprehensive Transportation Fund (CTF).

The application submitted to the State of Michigan includes the following information:

- Proposed revenues and expenditures for fiscal year 2016-2017, covering the period of October 1, 2016 – September 30, 2017.
- Coordination Plan. This report lists other transit providers in the area and describes the efforts for coordinating transit services.
- Federal & State Certifications. Various certifications required as a condition of receiving Federal and State funding.
- Local Bus Capital Assistance. Includes an inventory of DART's current fleet and documentation of ADA accessibility. Marshall DART is requesting capital assistance funds in the attached 2017 application.
- Operational Data. This refers to projected ridership figures, as well as vehicle miles and hours of service.

For the 2017 State of Michigan fiscal year, Marshall Dial-A-Ride Transit has proposed a preliminary budget with funding sources of \$94,379 (18.5%) estimated Federal Section 5311 grant funds, \$190,697 (37.38%) estimated State funds, \$226,560 estimated local funds (millage, fund balance to offset budget shortfall, and charitable donations), \$59,600 estimated fare revenues, and \$5,008 estimated other funds (*RTAP training funding \$2,000, and Advertising \$3,008*, and with total estimated eligible expenses of \$510,159 and estimated ineligible expenses of \$190,289 (*\$51,070 for depreciation, \$140,000 for Bus purchase, and \$119 for Association dues*) for 2017.

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RECOMMENDATION: It is recommended that the Council adopt the attached Resolution of Intent to authorize the City of Marshall to seek financial assistance from the State of Michigan for its public transportation service, DART.

FISCAL EFFECTS: None at this time. This action pertains to just the submittal phase of the application process for Federal and State operating assistance in the amount of \$321,029, but it is not the final contract for these funds.

CITY GOAL CLASSIFICATION:

GOAL AREA 4. INFRASTRUCTURE

Goal Statement: Preserve, rehabilitate, maintain and expand city infrastructure and assets.

ALTERNATIVES: As suggested by Council.

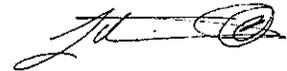
Respectfully Submitted,



Tom Tarkiewicz
City Manager



Natalie Dean
Assistant City Manager
Director of Community Services



Josh de St. Aubin
DART Manager

**CITY OF MARSHALL, MICHIGAN
RESOLUTION #2016-**

Michigan Department
of Transportation
3078 (10/2010)

RESOLUTION OF INTENT

*The approved Resolution of Intent to apply for financial assistance for
Fiscal Year 2017 under act 51 of the Public Acts of 1951, as amended*

WHEREAS, pursuant to Act No. 51 of the public Acts of 1951, as amended (Act 51), it is necessary for the City of Marshall, (hereby known as THE APPLICANT) established under Act 279 to provide a local transportation program for the state fiscal year of 2017 and, therefore, apply for state financial assistance under provisions of Act 51; and

WHEREAS, it is necessary for THE APPLICANT, to name an official representative for all public transportation matters, who is authorized to provide such information as deemed necessary by the State Transportation Commission or department for its administration of Act 51; and

WHEREAS, it is necessary to certify that no changes in eligibility documentation have occurred during the past state fiscal year; and

WHEREAS, the performance indicators for this agency have been reviewed and approved by the governing body; and

WHEREAS, THE APPLICANT has reviewed the proposed balanced (surplus) budget and funding sources of estimated federal funds \$94,379, estimated state funds \$190,697, estimated local funds \$226,560 (millage, fund balance to offset budget shortfall, and charitable donations), estimated fare box revenues \$59,600, and estimated other funds \$5,008 with total estimated eligible expenses of \$510,159.

NOW THEREFORE, be it resolved that THE APPLICANT hereby makes its intentions known to provide public transportation services and to apply for state financial assistance with this annual plan, in accordance with Act 51; and

HEREBY, appoints the DART Manager as the Transportation Coordinator for all public transportation matters, who is authorized to provide such information as deemed necessary by the State Transportation Commission or Department for its administration of Act 51 for 2017.

I, Trisha Nelson, Clerk of **THE APPLICANT**, does hereby certify that I have compared this Resolution adopted by the APPLICANT, at the meeting of March 21, 2016, with the original minutes now on file and of record in the office and that this Resolution is true and correct.

IN TESTIMONY

SIGNATURE



ADMINISTRATIVE REPORT
March 21, 2016 - CITY COUNCIL MEETING

TO: Honorable Mayor and City Council

FROM: Ken Swisher, Finance Director
Tom Tarkiewicz, City Manager

SUBJECT: Amendment to the Staffing Agreement (Enclosure G), in the Sub-Lease with Calhoun County and the State of Michigan.

BACKGROUND: The City of Marshall along with Calhoun County and the State of Michigan are parties to a sub-lease involving the operation and staffing of the Marshall Regional Law Enforcement Center (MRLEC). This amendment allows the staffing for the Evidence Property Room to be someone other than an employee of the Michigan Department of State Police (MSP). Currently, the City of Marshall contracts with an independent contractor who is supervised and directed by MSP.

RECOMMENDATION: To authorize the City Manager and the City Clerk to sign this amendment authorizing the staffing as noted.

FISCAL EFFECTS: The City will be reimbursed by the Michigan Department of State Police for any and all costs associated with the staffing of this position.

ALTERNATIVES: As suggested by Council.

Respectfully submitted,

Ken Swisher
Finance Director

Tom Tarkiewicz
City Manager

323 W. Michigan Ave.

Marshall, MI 49068

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f 269.781.3835

cityofmarshall.com

Addendum to Enclosure G - Staffing Agreement
MEMORANDUM OF UNDERSTANDING BETWEEN THE
CITY OF MARSHALL
AND THE
COUNTY OF CALHOUN
AND THE CALHOUN COUNTY SHERIFF
AND THE MICHIGAN DEPARTMENT OF STATE POLICE

WHEREAS, the parties to this Memorandum of Understanding executed their original agreement on or about June 6, 2014; and

WHEREAS, the parties have cooperated together to properly staff the Marshall Regional Law Enforcement Center ("MRLEC") ; and

WHEREAS, the parties desire to create more flexibility in the staffing of the MRLEC, now

THEREFORE, the parties, by their signatures below, agree as follows:

The language contained in Section III Terms and Condition, paragraph 3.2, b. provides that "during the term of this Agreement, the MSP will provide the staff necessary to operate and manage a joint property room utilizing the standard operating procedures of the MSP. A civilian, working under the supervision of a MSP sergeant can be assigned to serve in this capacity. *This individual will be an employee of the MSP* and may be assigned by the MSP such duties as are not inconsistent with the duties as set forth in this paragraph. (emphasis added)

Notwithstanding the above language, the parties agree that the staff person to operate and manage a joint property room *may be an employee of the MSP* but such an arrangement is not necessary provided that such staff person is selected and supervised by the MSP and compensated by the City of Marshall as an independent contractor. At any time that the MSP determines to proceed in this manner the change shall be reflected in an agreed upon changed to the spreadsheet attached to the sublease between the County of Calhoun, as Sub-Lessor and The State of Michigan, as Sub-Lessee, as Enclosure H - Annual Operating Costs - Marshall - Michigan State Police - CCSD Patrol Estimated Operating Costs and Assignment by Agency with Personnel Costs."

In all other respects the terms and conditions contained in the Memorandum of Understanding Between the City of Marshall, the County of Calhoun, The Calhoun County Sheriff and the Michigan Department of State Police shall remain in full force and effect.

IN WITNESS THEREOF, the parties to this Addendum to Memorandum of Understanding subscribe their names on the date(s) set forth below:

City of Marshall

County of Calhoun

By: Trisha Nelson
Its Clerk

By: Derek King
Its Board Chair

date: _____

date: _____

Calhoun County Sheriff

Department of State Police

By: Matt Saxton, Sheriff

by: _____

date: _____

date: _____



ADMINISTRATIVE REPORT

March 21, 2016 - CITY COUNCIL MEETING

TO: Honorable Mayor and City Council

FROM: James M. Schwartz, Police Chief
Tom Tarkiewicz, City Manager

SUBJECT: Michigan Mutual Aid Box Alarm System Agreement (MABAS)

BACKGROUND: The City of Marshall Fire Department has researched the possibility of joining the Michigan Mutual Aid Box Alarm System that currently exists with many fire agencies throughout Michigan. This is a pre-arranged agreement between entities throughout the State of Michigan to respond and assist in events that require large scale interventions and responses.

Michigan MABAS Association is established as a separate legal entity and public body corporate pursuant to the Michigan Urban Cooperation Act of 1967. This is governed by an Executive Board selected by members from each Division of MABAS.

The authority to activate or render proper action for MABAS is dictated by the Associations established guidelines. This does not allow an agency to deny response for assistance because of their community needs or if the alarm would hinder the Agencies ability to provide necessary services to their community. Equipment, personnel and other services provided pursuant to this agreement shall be at no charge to the requesting party for the first eight hours. If funds do become available through a third party, then those funds shall be distributed equitably among the responding parties.

This agreement may be rescinded for ANY reason at all upon thirty (30) days written notice to the association.

RECOMMENDATION: To authorize the agreement for the City of Marshall Fire Department to participate within the Michigan Mutual Aid Box Alarm System Agreement (MABAS). To adopt and approve the resolution so attached.

FISCAL EFFECTS: Minimum fiscal impact.

ALTERNATIVES: As suggested by Council.

Respectfully submitted,

323 W. Michigan Ave.

Marshall, MI 49068

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cityofmarshall.com

James M. Schwartz
Police Chief

Tom Tarkiewicz
City Manager

**CITY OF MARSHALL, MICHIGAN
RESOLUTION #2016-**

**RESOLUTION FOR SUPPORT OF THE MARSHALL FIRE DEPARTMENT
TO PARTICIPATE IN THE CALHOUN COUNTY MUTUAL AIDE BOX
ALARM SYSTEM**

WHEREAS, the City of Marshall has the power, privilege and authority to maintain and operate a fire department providing fire protection, fire suppression, emergency medical services, technical rescue, hazardous incident response, and other emergency response services (“Fire Services”)

WHEREAS, Fire Services can further be improved by cooperation between political subdivisions during times of public emergency, conflagration or disaster (“Incidents”); and

WHEREAS, the Michigan Constitution of 1963, Article 7, 28, and the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of 1967, Ex. Sess, being MCL 124.501 et seq. (“the Act”), permit a political subdivision to exercise jointly with any other political subdivision any power, privilege or authority which such political subdivisions share in common and which might exercise separately; and

WHEREAS, the City of Marshall desires to enter into an inter-local agreement, pursuant to the act, to further improve fire services; and

WHEREAS, the Mutual Aid Box Alarm System (MABAS) is a mechanism that may be used for deploying personnel and equipment in a multi-jurisdictional or multi-agency emergency mutual aid response; and

WHEREAS, as a result of entering into an inter-local agreement to further improve Fire Services, the Parties are creating the Calhoun County MABAS Division; and

WHEREAS, the Marshall City Council has the authority to execute this Agreement pursuant to resolution of its governing body; and

WHEREAS, the City of Marshall desires to commit personnel and equipment to another Party if deemed reasonable upon the request of another Party; and

NOW THEREFORE, BE IT RESOLVED, the Marshall City Council finds it is the best interest of its citizens from a safety and fiscal standpoint thereby resolves and authorizes the City Clerk to sign an Inter-Local Agreement creating the Calhoun County MABAS Division

AYES, Council members:

NAYES, Council members:

ABSTAIN, Council members:

RESOLUTION DECLARED ADOPTED.

CERTIFICATE

The foregoing is a true and a complete copy of the resolution adopted by the City Council and the City of Marshall at a regular meeting on March 21, 2016. Public notice was given and the meeting was conducted in full compliance with the Michigan Open Meetings Act (PA 267, 1976, as amended). Minutes of the meeting will be available as required by the Act.

IN TESTIMONY WHEREOF, I have hereunto set my hand affixed seal of said City of Marshall, this 21st day of March A.D.2016

Trisha Nelson, CLERK

MICHIGAN MUTUAL AID BOX ALARM SYSTEM AGREEMENT

Effective Date: _____

BETWEEN

**PARTICIPATING POLITICAL SUBDIVISIONS AS SIGNATORIES TO THIS
INTERLOCAL AGREEMENT**

This Agreement is entered into between the participating units of local government "Parties" that execute this Agreement and adopt its terms and conditions as provided by law.

WHEREAS, the Constitution of the State of Michigan, 1963, Article VII, Section 28, authorizes units of local government to contract as provided by law; and,

WHEREAS, the Urban Cooperation Act, of 1967, 1967 PA 7, MCL 124.501, et seq., provides that any political subdivision of Michigan or of another state may enter into interlocal agreements for joint exercise of power, privilege, or authority that agencies share in common and might each exercise separately; and,

WHEREAS, the Parties have determined that it is in their best interests to enter into this Agreement to secure to each the benefits of mutual aid in fire protection, suppression, rescue and emergency medical assistance, hazardous materials control, technical rescue and/or other emergency support for an Emergency, Disaster, or other Serious Threat to Public Health and Safety; and,

WHEREAS, the Parties have determined that it is in their best interests to form an association to provide for communications procedures, training, and other functions

to further the provision of said protection of life and property during an Emergency, Disaster, or other Serious Threat to Public Health and Safety; and

WHEREAS, the Constitution and people of the State of Michigan have long recognized the value of cooperation by and among the state and its political subdivisions;

NOW, THEREFORE, the Parties agree as follows:

SECTION ONE

Purpose

It is recognized and acknowledged that in certain situations, such as natural disasters and man-made catastrophes, no political subdivision possesses all the necessary resources to cope with every possible Emergency, Disaster or Serious Threat to Public Safety, and an effective, efficient response can be best achieved by leveraging collective resources from other political subdivisions. Further, it is acknowledged that coordination of mutual aid through the Mutual Aid Box Alarm System is the most desirable for the effective and efficient provision of mutual aid.

SECTION TWO

Definitions

The Parties agree that the following words and expressions, as used in this Agreement, whenever initially capitalized, whether used in the singular or plural, possessive or non-

possessive, either within or without quotation marks, shall be defined and interpreted as follows:

- A. "Agreement" means Mutual Aid Box Alarm System Agreement.
- B. "Mutual Aid Box Alarm System" ("MABAS") means a definite and prearranged plan whereby response and assistance is provided to a Requesting Party by an Assisting Party in accordance with the system established and maintained by MABAS Members;
- C. "Party" means a political subdivision which has entered into this Agreement as a signatory;
- D. "Requesting Party" means any Party requesting assistance under this agreement;
- E. "Assisting Party" means any Party furnishing equipment, personnel, and/or services to a Requesting Party under this agreement;
- F. "Emergency" means an occurrence or condition in a Party's jurisdiction which results in a situation of such magnitude and/or consequence that it cannot be adequately handled by the Requesting Party and such that a Requesting Party determines the necessity of requesting aid;
- G. "Disaster" means an occurrence or threat of widespread or severe damage, injury, or loss of life or property resulting from a natural or human-made cause, including fire, flood, snowstorm, ice storm, tornado, windstorm, wave action, oil spill, water contamination, utility failure, hazardous peacetime radiological incident, major transportation accident,

- hazardous materials incident, epidemic, air contamination, or similar occurrences resulting from terrorist activities, riots, or civil disorders;
- H. "Serious Threats to Public Health and Safety" means other threats or incidents such as those described as Disasters, of sufficient magnitude that the necessary public safety response threatens to overwhelm local resources and requires mutual aid or other assistance;
- I. "Division" means the geographically associated Parties which have been grouped for operational efficiency and representation of those Parties;
- J. "Training" means the regular scheduled practice of emergency procedures during non-emergency drills to implement the necessary joint operations of MABAS;
- K. "Executive Board" means the governing body of MABAS composed of Division representatives.
- L. "Effective Date" means the date on which the Agreement is first filed with the Department of State, the Office of the Great Seal, and each county where Parties are located.

SECTION THREE

Executive Board of MABAS

An Executive Board shall be established to consider, adopt, and amend needed rules, procedures, by-laws and any other matters deemed necessary by the Parties. The Executive Board shall consist of a member elected from each Division of MABAS who shall serve as the voting representative of said Division of MABAS matters, and

may appoint a designee from his or her Division to serve temporarily in his or her stead. Such designee shall have all rights and privileges attendant to a representative of the Division.

A President and Vice President shall be elected from the representatives of the Parties and shall serve without compensation. The President and other officers shall coordinate the activities of the MABAS Association.

SECTION FOUR

Duties of the Executive Board

The Executive Board shall meet regularly to conduct business and to consider and publish the rules, procedures, and bylaws of the MABAS Association, which shall govern the Executive Board meetings and such other relevant matters as the Executive Board shall deem necessary.

SECTION FIVE

Rules and Procedures

Rules, procedures, and by laws of the MABAS Association shall be established by the Member Units via the Executive Board as deemed necessary for the purpose of administrative functions, the exchange of information, and the common welfare of the MABAS.

SECTION SIX

Authority and Action to Effect Mutual Aid

- A. The Parties hereby authorize and direct their respective Fire Chief or his or her designee to take necessary and proper action to render and/or request mutual aid from the other Parties in accordance with the policies and procedures established and maintained by the MABAS Association.
- B. Upon a Fire Department's receipt of a request from another Party for Fire Services, the Fire Chief, the ranking officer on duty, or other officer as designated by the Fire Chief shall have the right to commit the requested Firefighters, other personnel, and Fire Apparatus to the assistance of the requesting Party. The aid rendered shall be to the extent of available personnel and equipment not required for adequate protection of the territorial limits of the Responding Party. The judgment of the Fire Chief, or his or her designee, of the Responding Party shall be final as to the personnel and equipment available to render aid.
- C. An authorized representative of the Party which has withheld or refused to provide requested assistance under this Agreement shall immediately notify the Requesting Party, and shall submit an explanation for the refusal.

SECTION SEVEN

Jurisdiction Over Personnel and Equipment

Personnel dispatched to aid a party pursuant to this Agreement shall at all times remain employees of the Assisting Party, and are entitled to receive benefits and/or compensation to which they are otherwise entitled to under the Michigan Workers' Disability Compensation Act of 1969, any pension law, or any act of Congress.

Personnel dispatched intrastate to assist a party pursuant to this Agreement continue to enjoy all powers, duties, rights, privileges, and immunities as provided by Michigan Law. When Parties are dispatched pursuant to the Emergency Management Assistance Compact (EMAC), the Parties shall adhere to all provisions of the EMAC. Personnel rendering aid shall report for direction and assignment at the scene of the emergency to the Incident Commander of the Requesting Party.

SECTION EIGHT

Compensation for Aid

Equipment, personnel, and/or services provided pursuant to this Agreement, absent a state or federal declaration of emergency or disaster shall be at no charge to the Requesting Party for the first eight hours. Any expenses recoverable from third parties shall be equitably distributed among Responding Parties. Nothing herein shall operate to bar any recovery of funds from any state or federal agency under any existing statutes. The Parties reserve the right to waive any charges to a Requesting Party.

SECTION NINE

Insurance

Each Party shall procure and maintain, at its sole and exclusive expense, insurance coverage, including comprehensive liability, personal injury, property damage, worker's compensation, and, if applicable, emergency medical service professional liability, with minimum limits of \$1,000,000 auto and \$1,000,000 combined single limit general liability and professional liability. The obligations of the Section may be satisfied by a Party's membership in a self-insurance pool, a self-insurance plan, or arrangement with an insurance provider approved by the state of jurisdiction. The MABAS Executive Board may require that copies or other evidence of compliance with the provisions of this Section be provided by the Parties to the MABAS Executive Board.

SECTION TEN

Liability

Each Party will be solely responsible for the acts of its own employees, agents, and subcontractors, the costs associated with those acts, and the defense of those acts. The Parties shall not be responsible for any liability or costs associated with those acts and the defense of those acts for Parties outside of their political jurisdictions. It is agreed that none of the Parties shall be liable for failure to respond for any reason to any request for Fire Services or for leaving the scene of an Incident with proper notice after responding to a request for service.

SECTION ELEVEN

No Waiver of Governmental Immunity

All of the privileges and immunities from liability, and exemptions from laws, ordinances and rules, and all pensions, relief, disability, worker's compensation and other benefits which apply to the activity of Parties, officers, agency, or employees of any public agents or employees of any public agency when performing their respective functions within the territorial limits for their respective agencies, shall apply to the same degree and extent to the performance of such functions and duties of such Parties, officers, agents, or employees extraterritorially under the provision of this Agreement. No provision of the Agreement is intended, nor shall any provision of this Agreement be construed, as a waiver by any Party of any governmental immunity as provided by the Act or otherwise under law.

SECTION TWELVE

Term

- A. The existence of the Association commences on the Effective Date and continues until terminated in accordance with this Section.
- B. Any Party may withdraw, at any time, from this Agreement for any reason, or for no reason at all, upon thirty (30) days written notice to the Association. The withdrawal of any Party shall not terminate or have any effect upon the provisions of this Agreement so long as the Association remains composed of at least two (2) Parties. Parties withdrawing from

the Association and subsequently requesting a mutual aid resource from an Association member may be subject to reasonable fees for that resource according to the fee schedule established, and periodically reviewed and updated, by the Executive Board.

- C. This Agreement shall continue until terminated by the first to occur of the following:
- (i) The Association consists of less than two (2) Parties; or,
 - (ii) A unanimous vote of termination by the total membership of the Executive Board.

SECTION THIRTEEN

Miscellaneous

- A. Entire Agreement. This Agreement sets forth the entire agreement between the Parties. The language of this Agreement shall be construed as a whole according to its fair meaning and not construed strictly for or against any party. The Parties have taken all actions and secured all approvals necessary to authorize and complete this Agreement.
- B. Severability of Provisions. If a Court of competent jurisdiction finds any provision of this Agreement invalid or unenforceable, then that provision shall be deemed severed from this Agreement. The remainder of this Agreement shall remain in full force.

- C. Governing Law/Consent to Jurisdiction and Venue. This Agreement is made and entered into in the State of Michigan and shall in all respects be interpreted, enforced, and governed under the laws of the State of Michigan.
- D. Captions. The captions, headings, and titles in this Agreement are intended for the convenience of the reader and not intended to have any substantive meaning and are not to be interpreted as part of this Agreement.
- E. Terminology. All terms and words used in this Agreement, regardless of the numbers or gender in which they are used, are deemed to include any other number and any other gender as the context may require.
- F. Recitals. The Recitals shall be considered an integral part of this Agreement.
- G. Amendment. The Agreement may be amended or an alternative form of the Agreement adopted only upon written agreement and approval of the governing bodies of all Parties. Amendments to this Agreement shall be filed with the Department of State, the Office of the Great Seal, each county of the State where a Party is located, and any other governmental agency, office, and official required by law. The undersigned unit of local government or public agency hereby adopts,

subscribes, and approves this Agreement to which this signature page will be attached, and agrees to be a party and be bound by the terms.

- H. Compliance with Law. The Association shall comply with all federal and State laws, rules, regulations, and orders applicable to this Agreement.

- I. No Third Party Beneficiaries. Except as expressly provided herein, this Agreement does not create, by implication or otherwise, any direct or indirect obligation, duty, promise, benefit, right of indemnification (i.e., contractual, legal, equitable, or by implication) right of subrogation as to any Party's rights in this Agreement, or any other right of any kind in favor of any individual or legal entity.

- J. Counterpart Signatures. This Agreement may be signed in counterpart. The counterparts taken together shall constitute one (1) agreement.

- K. Permits and Licenses. Each Party shall be responsible for obtaining and maintaining, throughout the term of this Agreement, all licenses, permits, certificates, and governmental authorizations for its employees and/or agents necessary to perform all its obligations under this Agreement. Upon request, a Party shall furnish copies of any permit, license, certificate or governmental authorization to the requesting party.

- L. No Implied Waiver. Absent a written waiver, no fact, failure, or delay by a Party to pursue or enforce any rights or remedies under this Agreement shall constitute a waiver of those rights with regard to any existing or subsequent breach of this Agreement. No waiver of any term, condition, or provision of this Agreement, whether by conduct or otherwise, in one or more instances shall be deemed or construed as a continuing waiver of any term, condition, or provision of this Agreement. No waiver by either Party shall subsequently affect its right to require strict performance of this Agreement.

- M. Notices. Notices given under this Agreement shall be in writing and shall be personally delivered, sent by express delivery service, certified mail, or first class U.S. mail postage prepaid to the person appointed to the governing board by the governing body of the participating agency.

Political Entity

Chief Executive Official

Date

CALL TO ORDER

IN REGULAR SESSION Monday, February 16, 2016 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: Gerten, McNeil, Metzger, Mayor Reed, Schurig, and Williams.

Also Present: City Manager Tarkiewicz and Clerk Nelson.

Absent: Council Members Miller.

Moved Williams, supported McNeil, to excuse the absence of Council Members Miller. On a voice vote – **MOTION CARRIED.**

INVOCATION/PLEDGE OF ALLEGIANCE

Richard Gerten of Family Bible Church gave the invocation and Mayor Reed led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Moved Metzger, supported Schurig, to reschedule the Land Bank Presentation for the March 21, 2016 Agenda. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON AGENDA ITEMS

None.

CONSENT AGENDA

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

- A. Schedule a public hearing for Monday, March 21, 2016 to hear public comment on the Draft Zoning/Sign Ordinance;
- B. Minutes of the City Council Work Session and City Council Regular Session held on Monday, February 1, 2016;
- C. Approve city bills in the amount of \$ 217,060.93.

On a roll call vote – ayes: McNeil, Metzger, Mayor Reed, Schurig, Williams, and Gerten; nays: none. **MOTION CARRIED.**

PRESENTATIONS AND RECOGNITION

City Manager Tarkiewicz introduced Scott Fleming, the new MAEDA CEO.

INFORMATIONAL ITEMS

None.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. Udell Property Rezoning:

Assistant City Manager/Director of Community Services Natalie Dean, provided information regarding Zoning Amendments #JPCRZ15.01 and #RZ15.02 for the "Udell Property". The Joint Planning Commission and the City Planning Commission held public hearings and worked through a Zoning Amendment worksheet and found the requirements to be in favor of rezoning.

Mayor Reed opened the public hearing to hear public comment regarding the Udell Property zoning amendments.

Hearing no comment, the hearing was closed.

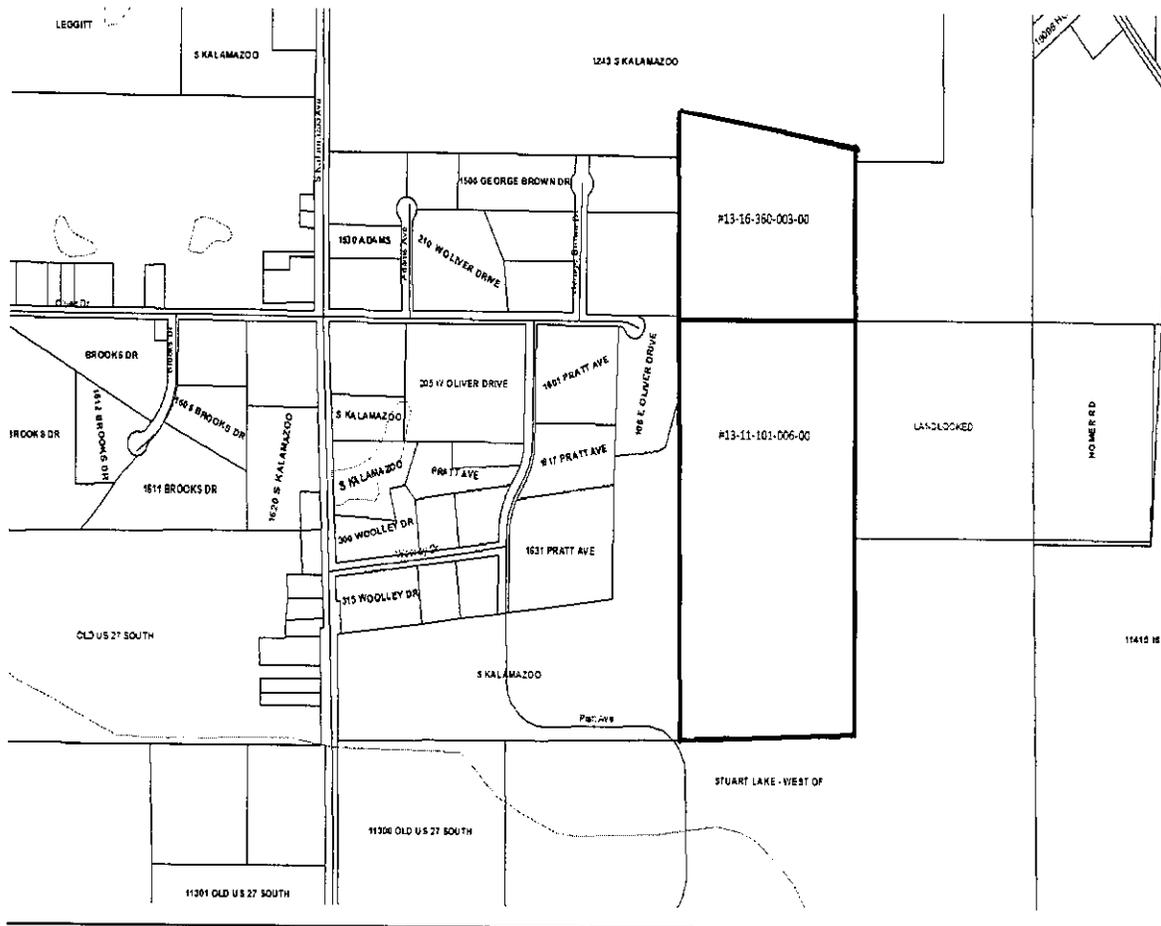
Moved Williams, supported Metzger, to approve Zoning Amendments #JPCRZ15.01 and #RZ15.02 for the property commonly known as "Udell" to rezone both parcels from OC (Open Space Conservation) and AG (Agricultural), respectively, to I-1 (Research and Technical District). On a voice vote – **MOTION CARRIED.**

**CITY OF MARSHALL
ORDINANCE #2016-03**

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF MARSHALL SO AS TO CHANGE THE ZONING OF TWO CERTAIN PARCELS OF REAL PROPERTY COMMONLY KNOWN AS THE "UDELL PROPERTY", PARCELS #13-16-360-003-00 #13-11-101-006-00 FROM THE ZONING DISTRICTS OF OPEN SPACE CONSERVATION (OC) AND AGRICULTURAL (AG) TO RESEARCH AND TECHNICAL DISTRICT (I-1).

THE CITY OF MARSHALL, MICHIGAN ORDAINS:

Section 1. Pursuant to the authority granted in Sections 156.021 and 156.030 of the Marshall City Code, the Zoning Map of the City of Marshall is hereby amended so as to change the zoning district for the below described properties from Open Space Conservation (OC) and Agricultural (AG) to Research and Technical District (I-1).



Property Descriptions

#13-16-360-003-00 Former Marshall Township property

The Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section Number 36, in Town Number 2 South, Range 6 Wet, Marshall Township, Calhoun County, Michigan. Except beginning in the Northwest corner thereof, East 1320 feet then South 280 feet Northwesterly to a point 80 feet South of the place of beginning, North 80 feet to place of beginning.

#13-11-101-006-00 Former Fredonia Township property

The West 78 acres of the West $\frac{1}{2}$ of Northeast $\frac{1}{4}$ of Section 1, Township 3 South of Range 6 West, Fredonia Township, Calhoun County, Michigan.

Common Addresses

UDELL PARCEL #13-16-360-003-00
UDELL PARCEL #13-11-101-006-00

Section 2. This Ordinance or a summary thereof 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, within ten (10) days after its adoption. This Ordinance shall be recorded in the Ordinance Book and such recording shall be authenticated by the signature of the Mayor and the City Clerk.

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

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

Adopted and signed this 16th day of February, 2016.

Jack Reed, MAYOR

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 an ordinance approved by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on February 16, 2016, 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

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. Schedule Public Hearing – Brownfield Redevelopment Plan Amendment for Inclusion of Dark Horse Brewing Company Expansion:

Moved Schurig, supported Gerten, to schedule a public hearing for March 21, 2016 to hear public comment on the Brownfield Redevelopment Plan Amendment for Inclusion of Dark Horse Brewing Company Expansion. On a voice vote – **MOTION CARRIED.**

B. City Hall Renovations:

Moved Gerten, supported Williams, to approve the bid for City Hall Renovation in the amount of \$30,553 with Gordon Martin Builders for renovation of the former fire offices and quarters within City Hall, as well as creation of a conference room and

customer service privacy space in the Finance Department. On a roll call vote – ayes: Metzger, Mayor Reed, Schurig, Williams, Gerten, and McNeil; nays: none. **MOTION CARRIED.**

C. CIP Plan and Asset Management for MDEQ:

Moved Metzger, supported McNeil, to approve the Asset Management Program and Capital Improvement Plan to be submitted to the Michigan Department of Environmental Quality no later than February 29, 2016. On a voice vote – **MOTION CARRIED.**

D. Financial Policies:

Moved Schurig, supported Williams, to approve the updated Investment Policy, Fund Balance Reserve Policy, Debt Management Policy, and Capital Improvement Program Policy. On a voice vote – **MOTION CARRIED.**

APPOINTMENTS/ELECTIONS

A. Marshall Farmer's Market Advisory Board:

Moved Williams, supported McNeil, to approve the appointment of Martin Overhiser to the Marshall Farmer's Market Advisory Board with a term expiring October 20, 2016. On a voice vote – **MOTION CARRIED.**

B. Library Board:

Moved Schurig, and supported Williams, to approve the reappointment of Shelley Preston to the Library Board with a term expiring March 31, 2019. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

COUNCIL AND MANAGER COMMUNICATIONS

ADJOURNMENT

The meeting was adjourned at 7:33 p.m.

Jack Reed, Mayor

Trisha Nelson, City Clerk

IN A WORK SESSION held Monday, March 14, 2016 at 6:00 P.M. in the Training Room of Town Hall, 323 West Michigan Avenue, Marshall, MI, the Marshall City Council was called to order.

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

Also Present: City Manager Tarkiewicz, Electric Utility Director Ed Rice, Public Services Director Kristin Bauer, and Electric Utility Engineer Joe Smith.

Absent: None.

Ed Rice presented an overview of three options for the Kalamazoo River Perrin Dams.

Greg Potter South Kalamazoo Ave discussed the benefit of river restoration.

Jay Wesley MDNR discussed the assistance the State could have in a river restoration project.

Brent Riser Calhoun Conservation District discussed their assistance in funding a river restoration.

Chris Freiburger MDNR Habitat Management Unit discussed future license restrictions, future decisions, and future cost. 10% local match for MDNR grant is needed but this can go to 0% with other matching federal or local grants.

By consensus, the Council determined that the City should move forward to relinquish the FERC hydroelectric license. The City Manager will inform FERC in writing.

Adjourned at 8:20 PM.

Jack Reed, Mayor

Trisha Nelson, Clerk

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
29741-0216	AGA	CGFM 01/01/16--12/31/16, W MICH CHPTR 0		137.50
9934473420	AIRGAS USA LLC	CYLINDER RENTAL		93.97
SLS 10043512	ALEXANDER CHEMICAL CO	CHLORINE AND SULFUR DIOXIDE	2016.004	1,287.00
SLS 10041612	ALEXANDER CHEMICAL CO	CHLORINE AND SULFUR DIOXIDE	2016.004	1,287.00
1203	ALL RAILROAD SERVICES	2016 LINE CLEARANCE- TREE TRIMMING CONT	2016.226	(8,237.17)
1198	ALL RAILROAD SERVICES	2016 LINE CLEARANCE- TREE TRIMMING CONT	2016.226	2,718.52
160210810	AMBS CALL CENTER	ANSWERING SERVICE		256.44
14-577400	ARROW UNIFORM	CUST #010198-03		161.16
14-577398	ARROW UNIFORM	CUST #010198-02		54.25
14-577393	ARROW UNIFORM	CUST #010198-01		27.47
14-577399	ARROW UNIFORM	CUST #010198-04		51.42
14-577403	ARROW UNIFORM	CUST #010198-05		20.00
14-569716	ARROW UNIFORM	CUST #010198-05		20.00
14-569715	ARROW UNIFORM	CUST #010198-06		31.23
14-569712	ARROW UNIFORM	CUST #010198-04		51.42
14-569707	ARROW UNIFORM	CUST #010198-01		27.47
14-569713	ARROW UNIFORM	CUST #010198-03		163.62
14-569711	ARROW UNIFORM	CUST #010198-02		54.25
14-577402	ARROW UNIFORM	CUST #010198-06		31.23
388-191990	AUSTIN-BATTERIES PLUS	BATTERIES		34.32
388-192477	AUSTIN-BATTERIES PLUS	BATTERIES		6.24
388-106243-01	AUSTIN-BATTERIES PLUS	BATTERIES		68.85
225-389166	AUTO VALUE MARSHALL	INSPECTION CAMERA		149.95
225-389547	AUTO VALUE MARSHALL	OIL SEAL		7.09
225-389217	AUTO VALUE MARSHALL	BALL BEARING		31.19
225-389312	AUTO VALUE MARSHALL	ECONO FAST, RESP MED, LRG RESP, TOWEL B		87.29
225-389255	AUTO VALUE MARSHALL	PAINT SUIT		10.75
225-388813	AUTO VALUE MARSHALL	STANDARD HOOD		36.99
225-389216	AUTO VALUE MARSHALL	GOLD 80, WAX & GREASE, REF. MASK		24.67
225-388627	AUTO VALUE MARSHALL	DOMINATOR D2500		102.99
225-388864	AUTO VALUE MARSHALL	PIGTAIL ECONOMY		2.03
225-388358	AUTO VALUE MARSHALL	PIGTAIL & SOCKET		3.79
225-388210	AUTO VALUE MARSHALL	PM R O HYDRAULIC, AIR CHUCK		59.85
225-388851	AUTO VALUE MARSHALL	BATTERY, WIPER BLADES		165.97
225-388863	AUTO VALUE MARSHALL	MARKER PIGTAIL, ABRASIVE CUTOFF, CONNEC		23.04
225-388991	AUTO VALUE MARSHALL	OIL FILTER, 5W30		62.70
225-387681	AUTO VALUE MARSHALL	DEXRON MERCON		38.28
225-388811	AUTO VALUE MARSHALL	BULK COUPLERS, MALE PLUG 1/4		96.02
225-388935	AUTO VALUE MARSHALL	JUMP STARTER, HOSE END		149.98
225-388626	AUTO VALUE MARSHALL	SHOE ASSY, CAST SHOE ASSY		153.36
225-388492	AUTO VALUE MARSHALL	OIL FILTER, DEXRON VI		62.40
225-388713	AUTO VALUE MARSHALL	PIGTAIL & SOCKET, DSL EXH FL 2.5G		17.38
225-388408	AUTO VALUE MARSHALL	OIL FILTER		6.12
241893-IN	BEAVER RESEARCH CO	EZ-GO		67.50
1867	BUILDERS' HANDLE AND	LOCK FUNCTION CHANGE - PARTS & LABOR		295.15
1854	BUILDERS' HANDLE AND	LOCK REPAIRS AND CHANGES	2016.261	1,770.90
156	CALHOUN CO. F.O.P.	ADVERTIZING IN PROGRAM BOOK		90.00
030816	CALHOUN COUNTY MUNICI	NOTICE OF ELECTION		37.15
M12813	CANNON TRUCK EQUIPMEN	TRUCK 307 BUCKET LIFT	2016.259	1,757.79
030416	CARL COMMUNICATIONS	CAT-5 JACK INSTALL		106.93
108327	CHEMCO PRODUCTS INC	POLYMER P-560	2016.244	7,389.03
16-0173184	CITY OF ALBION	INTERNET		127.49
1600007399	CITY OF NOVI TREASURE	POLICE DEPT-HOSTED TRAINING		225.00
2016-61	CLEARZONING	ZONING ORDINANCE		1,000.00
90409	CRT, INC	CLOUD STORAGE		138.67
857949	CRYSTAL FLASH ENERGY	PROPANE CYLINDERS		17.65
3-90883	CUMMINS BRIDGEWAY	GENERATOR SERVICE CALL		565.89
133318	D & D MAINTENANCE SUP	JANITORIAL SUPPLIES		256.80
133696	D & D MAINTENANCE SUP	JANITORIAL SERVICE AT MRLEC - FEBRUARY	2016.123	4,454.67
133695	D & D MAINTENANCE SUP	JANITORIAL SERVICE AT DPW - FEBRUARY		173.33
133767	D & D MAINTENANCE SUP	SERVICE CLARKE CM215 VAC-BROKEN COVERS		118.69
480792	DARLING ACE HARDWARE	KEY		1.99
481378	DARLING ACE HARDWARE	HARDWARE, VOLT TESTER, BLADES		12.97
481739	DARLING ACE HARDWARE	NUTS & BOLTS		1.81
481755	DARLING ACE HARDWARE	TAP PLUG FOR DIGGER TRUCK		6.49
481344	DARLING ACE HARDWARE	PUSHBROOM		22.99
481342	DARLING ACE HARDWARE	KEYS		11.94
481609	DARLING ACE HARDWARE	FUSETRON DUAL-ELEMENT		13.99
481386	DARLING ACE HARDWARE	HARDWARE, CUP HOOKS		11.90
481627	DARLING ACE HARDWARE	CLAMP		3.99
135370	DLZ	ENGINEERING SERVICES FOR S MARSHALL ST	2016.180	1,980.12
030416	DOWELL PLASTERING INC	PLASTER REPAIR		426.00
304-16	ELM TRAINING LLC	QTRLY SAFETY MEETING - BACKFEED AWAREN		180.00
291791	FAIRBANKS-MORSE ENGIN	LABOR TO REPAIR ENGINE #6	2016.056	73,800.00
MIMA164749	FASTENAL COMPANY	BATTERY, MOP HEAD, CAUTION TAPE		47.64
MIMA164763	FASTENAL COMPANY	SUPPLIES		255.45
MIMA164614	FASTENAL COMPANY	SUPPLIES		43.87
MIMA164743	FASTENAL COMPANY	HARDWARE		40.39
MIMA164764	FASTENAL COMPANY	WIPES		94.56

User: ctanner

EXP CHECK RUN DATES 02/05/2016 - 04/15/2016

DB: Marshall

UNJOURNALIZED

OPEN

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
215275	FIRE EXTINGUISHER SER	ANNUAL EXTINGUISHER - MH		125.00
974639	FIRST ADVANTAGE	LIGHTHILL, MOIST		27.50
2502351601	FIRST ADVANTAGE LNS O	RANDOM DRUG SCREENS		221.12
9262	FURNITURE LEISURE, IN	46" SQUARE BLACK THERMOPLASTIC PICNIC T	2016.254	859.95
17557056	GUARDIAN ALARM	MH ALARM MONITORING		36.31
5731	GUTTERS R US LLC	2016 WINTER SNOW PLOWING AND SALTING AT	2016.217	2,845.00
372549	HARVESTER FLOWER SHOP	ANNETTE SANDERS		40.00
INV44764	HASSELBRING CLARK	COPIER CONTRACT		232.00
INV44191	HASSELBRING CLARK	PSB COPIER MAINT AGREEMENT		157.07
100243-0316	HERITAGE CLEANERS	ACCT #100243		289.25
76280	HERMANS MARSHALL HARD	NIPPLES, COUPLINGS, BUSHINGS		16.54
76278	HERMANS MARSHALL HARD	TARP, LT BULBS, BUSHINGS, COUPLING, NIP		80.19
76293	HERMANS MARSHALL HARD	BARB FITTING		5.58
76287	HERMANS MARSHALL HARD	1/2 TO 1 1/4, LT BULBS, GREASED LIGHTNI		56.34
76309	HERMANS MARSHALL HARD	SCREWS, BOLT NUT WASHERS		13.06
76268	HERMANS MARSHALL HARD	SELF TAPPING SCREWS		10.99
76288	HERMANS MARSHALL HARD	TOGGLE BOLTS, WASHERS		20.10
76980	HERMANS MARSHALL HARD	CORD		6.99
76262	HERMANS MARSHALL HARD	RAPID UNI, LEVELS, TAPE MEASURE, LAWN S		114.05
77000	HERMANS MARSHALL HARD	SUPPLIES		56.86
76251	HERMANS MARSHALL HARD	SLYDE		29.99
30178	HYDRO DYNAMICS INC	DUMP GASKETS - LL#2		204.50
2994226	IIX INSURANCE INFORMA	MOTOR VEHICLES REPORT		64.25
100977	J & K PLUMBING SUPPLY	SUPPLIES		2.70
100170	J & K PLUMBING SUPPLY	JG SPEEDFIT 1/2" SLIP CONNECTOR		8.06
PC001277356:01	JACKSON TRUCK SERVICE	LED FLASHING, LED BEACON SHORT DOME		206.46
305384	JUSTICE FENCE	SERVICE CALL		150.00
601910	KAR LABORATORIES INC	CYANIDE ANALYSIS		100.00
251142	KCI	PROCESS & MAIL ASSESSMENTS		361.66
013116	KNIGHT WATCH	FIRE ALAM SYSTEM UPGRADE	2016.255	50,404.00
29263	LAKELAND ASPHALT CORP	COLD PATCH		565.44
1038255	LEGG LUMBER	GRAVEL MIX		8.98
12292	LOU'S GLOVES INC	LAB GLOVES		344.00
6	M.C. SMITH ASSOCIATES	FIRE ALARM SYSTEM UPGRADE	2016.199	887.96
N5829855	MAILFINANCE INC	POSTAGE MACHINE LEASE		638.49
26071	MARSHALL CUTTING EDGE	SNOW AND ICE REMOVAL 2016	2016.263	1,792.50
17656	MARSHALL TIRE CITY	SKID STEER		137.99
200000955	MICHIGAN ASSOCIATION	2016 WIN CONFERENCE - SCOTT MCDONALD		280.00
LANE	MICHIGAN CHAPTER OF N	CRYSTAL LANE - SPRING CONFERENCE		225.00
SEARS, THERESA	MICHIGAN CHAPTER OF N	THERESA SEARS - SPRING CONFERENCE		150.00
791-62323	MICHIGAN DEPT OF AGRI	CALIBRATION		145.00
M 02-16	MICHIGAN SOUTH CENTRA	NATURAL GAS - FEBRUARY 2016		3,062.98
R105003215:01	MIDWEST TRANSIT EQUIP	SERVICE 2008 CHEVY XPRESS CUTAWAY		317.98
R105003137:01	MIDWEST TRANSIT EQUIP	SERVICE 2010 CHEVY XPRESS CUTAWAY # 13		1,030.38
1312174	MILLER CANFIELD PADDO	GENERAL EMPLOYMENT MATTERS		55.00
435689	NAPA OF MARSHALL	COOLANT		27.98
434999	NAPA OF MARSHALL	OILER		15.35
540989	NYE UNIFORM COMPANY	PANTS, SHIRTS		523.43
545108	NYE UNIFORM COMPANY	ASP 21" BATON		102.39
546202	NYE UNIFORM COMPANY	CODE RED SILENT JR EARPIECE		96.70
72244	O'LEARY WATER CONDITI	FEB & MAR COOLER RENTAL, BOTTLED WATER		46.00
4788-129396	O'REILLY AUTO PARTS	SEALED BEAMS		46.02
134888	OAKLAWN HME/OAKLAWN H	TRANSFER BENCH		74.99
625672	OFFICE 360	PAPER		86.89
622188	OFFICE 360	PAPER		197.40
625471	OFFICE 360	INKCART		35.99
623221	OFFICE 360	STAMP, DATER		14.99
623186B1	OFFICE 360	RENFMNT STRIP TO REPAIR CEMETERY BOOKS		47.98
623186	OFFICE 360	INKCART		143.98
615969	OFFICE 360	CALCULATOR, CLIPS, LABELS, POST-IT NOTE		382.18
619124	OFFICE 360	INKCARTS		77.96
614477	OFFICE 360	DVD DISC		57.98
2016020403	PEOPLEFACTS LLC	FEBRUARY SERVICES		46.67
56011836	POWER LINE SUPPLY	COUPLING CONDUIT		9.75
56011835	POWER LINE SUPPLY	ACUITY LED STREETLIGHTING 150W EQUIVIL	2016.241	3,088.00
56009952	POWER LINE SUPPLY	GUY WIRE		200.00
56009948	POWER LINE SUPPLY	ANCHOR TWIN HELIX		228.24
56009951	POWER LINE SUPPLY	SCREW LAGS		126.50
56009950	POWER LINE SUPPLY	ANCHOR HELIX		281.66
56009949	POWER LINE SUPPLY	DEADEND SHOE		464.58
56010477	POWER LINE SUPPLY	FR SWEATSHIRT - JEFF MACK		120.00
56011837	POWER LINE SUPPLY	EYENUT TWINEYE		146.05
56013606	POWER LINE SUPPLY	4/0 COVERED ACSR WIRE- SOUTHWIRE ITEM#	2016.229	4,882.68
33530	PREIN & NEWHOF	ENGINEERING SERVICES FOR RICE CREEK RES	2016.148	896.35
9016	R-S TRUCK & DIESEL, I	REMOVE AND REPLACE ALLISON TRANSMISSION	2016.260	7,134.08
10811	RADIO COMMUNICATIONS	REPAIR USB CORD		67.50
10789	RADIO COMMUNICATIONS	M4 H/D FLIPUP ARMREST W/BROTHER PJ6 PRI		434.88
635466-00	RESCO	DOWNTOWN PARKING LOT- HAPCO POLES AND	2016.240	2,733.60
70585370	ROSE PEST SOLUTIONS	PEST CONTROL AT MH		56.00

APPROVAL LIST FOR CITY OF MARSHALL
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INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
19257	RS TECHNICAL SERVICE	HEAD, 3" DIAPHRAGM, PVC		195.01
750643	SD MYERS	OIL TESTING		700.00
4251-2	SHERWIN-WILLIAMS	2.5 QT SW PLAS		8.13
272914	SHERWIN-WILLIAMS	PAINT		691.30
275529	SOLOMON CORPORATION	112.5 KVA 3 PHASE TRANSFORMER-	12470-7 2016.235	4,695.00
1831775	SPARTAN STORES	CUST #021063		9.99
18235	SSI SURVEYING Solutio	BREWER TRANSMISSION LINE SURVEY; EASEME	2016.256	3,860.00
18179	STANDARD PRINTING & O	BUSINESS CARDS - CRYSTAL LANE, KEN FOST		70.00
18221	STANDARD PRINTING & O	TOWN CRIER		378.20
18204	STANDARD PRINTING & O	CEMETERY SHEET		11.78
17583	STANDARD PRINTING & O	EXIT SIGNS		112.00
8038245367	STAPLES ADVANTAGE	HEADSETS, STEP STOOL, SCISSORS, CEMETER		409.00
8038046358	STAPLES ADVANTAGE	COFFEE, SOAP DISPENSER		59.93
322930	STEENSMA	RAM ASSYS		424.04
502824610	THOMAS NEIDLINGER MD	CURT CROW DOT PHYSICAL		85.00
530347585	UTILITIES INSTRUMENTA	TROUBLESHOOT GENERATOR 3		1,184.00
P44688	VERMEER OF MICHIGAN,	STABLE BRAID		527.30
P44928	VERMEER OF MICHIGAN,	FREIGHT		80.00
2016	WMACP	SCOTT MCDONALD - MEMBERSHIP RENEWAL		25.00
2016-JS	WMACP	JAMES SCHWARTZ - MEMBERSHIP RENEWAL		25.00
2016-JL	WMACP	JOSH LANKERD - MEMBERSHIP RENEWAL		25.00
10040269-0216	WOW! BUSINESS	ACCT #010040269		306.00
				198,350.42

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INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
3-003-16	2 STEPP CONSTRUCTION	PUMP HOUSE FLOORS	2016.220	2,900.00
Q003601	A-1 AUTO GLASS	MIRRORS FOR MRLEC FITNESS ROOM AND LOCK	2016.207	1,039.20
20160006	AETISTRY TECHNOLOGIES	NEW SSL CERTIFICATE FOR WWW.MARSHALLREC		195.00
9933745551	AIRGAS USA LLC	CYLINDER RENTAL		99.70
9047708161	AIRGAS USA LLC	NZL GEL, INM 25% CD/AR 60		63.14
9433320	AIRWAY OXYGEN INC	RAISED TOILET SEAT		36.25
9420743	AIRWAY OXYGEN INC	RAISED TOILET SEAT W/O ARMS		24.95
1179	ALL RAILROAD SERVICES	2016 LINE CLEARANCE- TREE TRIMMING CONT	2016.226	3,976.80
7334 REVISED	ALL RAILROAD SERVICES	2016 LINE CLEARANCE- TREE TRIMMING CONT	2016.226	3,634.48
1186	ALL RELIABLE SERVICES	2016 LINE CLEARANCE- TREE TRIMMING CONT	2016.226	2,554.52
86153	ALL-TRONICS INC	SET UP EXT 4310		110.00
10514437	ALTEC INDUSTRIES INC	MED DUTY GLOVE LINER		33.60
160110428	AMBS CALL CENTER	ANSWERING SERVICE		183.48
772531	APPLIED IMAGING	SERVICE LEXMARK COPIER		150.00
4102102	ARGUS-HAZCO	MSA CO/H2S SENSOR ALTAIR FX		462.03
14-562066	ARROW UNIFORM	CUST #010198-01		27.47
14-562071	ARROW UNIFORM	CUST #010198-04		51.42
14-562074	ARROW UNIFORM	CUST #010198-06		31.23
14-562075	ARROW UNIFORM	CUST #010198-05		20.00
14-562070	ARROW UNIFORM	CUST #010198-02		54.25
14-562072	ARROW UNIFORM	CUST #010198-03		442.58
14-554421	ARROW UNIFORM	CUST #010198-06		31.23
14-554419	ARROW UNIFORM	CUST #010198-04		51.42
14-554412	ARROW UNIFORM	CUST #010198-01		27.47
14-554422	ARROW UNIFORM	CUST #010198-05		20.00
14-546764	ARROW UNIFORM	CUST #010198-01		27.47
14-546770	ARROW UNIFORM	CUST #010198-04		51.42
14-546773	ARROW UNIFORM	CUST #010198-06		31.23
14-546771	ARROW UNIFORM	CUST #010198-03		153.72
14-546769	ARROW UNIFORM	CUST #010198-02		54.25
14-546774	ARROW UNIFORM	CUST #010198-05		20.00
14-554420	ARROW UNIFORM	CUST #010198-03		153.72
14-554418	ARROW UNIFORM	CUST #010198-02		54.25
388-191503	AUSTIN-BATTERIES PLUS	BATTERIES		47.90
388-106181-02	AUSTIN-BATTERIES PLUS	BATTERIES		119.85
225-387308	AUTO VALUE MARSHALL	HALOGEN CAPSULE, SOCKET		29.07
225-388107	AUTO VALUE MARSHALL	EMERY CLOTH		15.38
225-387531	AUTO VALUE MARSHALL	OIL FILTER		15.47
225-387474	AUTO VALUE MARSHALL	12V 1000 CCA		212.99
225-387620	AUTO VALUE MARSHALL	F GAS MAGNUM		81.98
225-387691	AUTO VALUE MARSHALL	AIR FILTER		19.41
225-387629	AUTO VALUE MARSHALL	REMAN PUMP W/RESER		101.99
225-387732	AUTO VALUE MARSHALL	CREDIT FOR BAT CORE4, PWR STR PUMP		(95.00)
225-387756	AUTO VALUE MARSHALL	PRTS WASHER FL, BRUSH, MINRL SPRTS		293.56
225-388139	AUTO VALUE MARSHALL	OIL DRI		21.98
225-388184	AUTO VALUE MARSHALL	GOLD BAND R O		91.98
225-388173	AUTO VALUE MARSHALL	12G-12MP, 12M2T X50FT		117.08
225-388103	AUTO VALUE MARSHALL	HOOP II XP4TIT		92.99
225-388116	AUTO VALUE MARSHALL	MINI CIRCUIT TST		19.99
225-388029	AUTO VALUE MARSHALL	TWECO/BENZIL TIP		5.39
022216	BAKER TOOL RENTAL & S	MINI 24' BUCKET RENTAL		175.00
020416	BAKER TOOL RENTAL & S	MINI EX		175.00
241214-IN	BEAVER RESEARCH CO	BLUE MAGIC CLEANER		82.80
82362	BOSHEARS FORD SALES I	2015 FORD E-450		49.74
630948	BOSHEARS FORD SALES I	TUBE, PLUNGER, LEVER		127.39
82048376	BOUND TREE MEDICAL LL	GLOVES		249.25
700003456-SUNDBERG	BRONSON HEALTHCARE GR	SUNDBERG, KIP		65.00
700003456-MORAN	BRONSON HEALTHCARE GR	MORAN, DARRYL		65.00
97636279	BSN SPORTS	WHISTLES, HOCKEY PUCKS		44.74
021116	CALHOUN COUNTY MUNICI	CLOSE OF REGISTRATION NOTICE		57.58
198	CAT REC	REMOVAL OF LEAD BASED PAINT IN CITY HAL	2016.230	3,189.78
53452/1	CEM SUPPLY INC	RPR HAMMER DRILL		35.00
STREETS-2016-00000	CITY OF BATTLE CREEK	QUARTERLY TRAFFIC SIGNAL MAINT		236.92
151102-2	CIVIL ENGINEERS INC	DESIGN SERVICES - NORTH DR & MONROE ST.	2016.218	11,118.00
56633	COGITATE INC	MMS STATE TRUNKLINE SUPPORT		155.00
9956	COURTNEY & ASSOCIATES	MONTHLY RETAINER - FEBRUARY		250.00
5083011	CREATIVE BUS SALES	DOOR MODULE, 2133 HEADERS ELEC DOOR 36"		990.81
5083976	CREATIVE BUS SALES	LOCKING HANDLE, LATCH CENTER CONTROL		135.18
90254	CRT, INC	MISC CABLES		430.90
133321	D & D MAINTENANCE SUP	JANITORIAL SUPPLIES		142.70
133256	D & D MAINTENANCE SUP	REPAIR VACUUM CLEANER		65.56
133316	D & D MAINTENANCE SUP	JANITORIAL SUPPLIES		232.15
133312	D & D MAINTENANCE SUP	JANITORIAL SERVICES JAN 2016	2016.123	4,454.67
133202	D & D MAINTENANCE SUP	UPRIGHT VAC, FILTER BAGS		416.98
132697	D & D MAINTENANCE SUP	JANITORIAL SUPPLIES		82.10
133448	D & D MAINTENANCE SUP	VACUUM, FILTER BAGS		405.99
132086	D & D MAINTENANCE SUP	JANITORIAL SERVICDS NOV 2015	2016.123	4,454.67
481115	DARLING ACE HARDWARE	VINYL TUBE		15.80
481130	DARLING ACE HARDWARE	HARDWARE		15.80

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INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
480637	DARLING ACE HARDWARE	NUTS, BOLTS, FASTENERS		2.56
480621	DARLING ACE HARDWARE	PLUMBING SUPPLIES		6.60
480152	DARLING ACE HARDWARE	BALLAST ELEC		34.99
480482	DARLING ACE HARDWARE	FAN BALANCE KIT		2.99
480694	DARLING ACE HARDWARE	NUTS, BOLTS, FASTENERS		4.59
481133	DARLING ACE HARDWARE	CONNCTR QUICK SET, NOZZLE GUN		33.96
480102	DARLING ACE HARDWARE	TIP LEG		2.49
480643	DARLING ACE HARDWARE	PLUMBING SUPPLIES		2.94
SI313442	DLT SOLUTIONS LLC	(3) AUTOCAD LT LICENSES WITH SUBSCRIPTI	2016.224	3,503.85
INV25051	DORNBOS SIGN INC	CAUTION SIGNS		63.00
INV25089	DORNBOS SIGN INC	SIGNS		63.00
INV25074	DORNBOS SIGN INC	MI-HW MET SPACE		97.50
INV24991	DORNBOS SIGN INC	NO ON STREET PARKING SIGNS		191.25
INV24961	DORNBOS SIGN INC	RIGHT SHOULDER CLOSED AHEAD SIGNS		149.88
3162562	EDWARDS INDUSTRIAL SA	ADAPTER		1.83
MIMA164123	FASTENAL COMPANY	SUPPLIES		22.26
MIMA164484	FASTENAL COMPANY	LASER		13.40
MIMA164429	FASTENAL COMPANY	HANDWASH		45.96
MIMA164433	FASTENAL COMPANY	VISTA GREEN		238.92
MIMA164510	FASTENAL COMPANY	DRILL BIT		18.51
MIMA164503	FASTENAL COMPANY	UTILITY KNIFE, BLADES		8.85
215261	FIRE EXTINGUISHER SER	FIRE DEPT EXTINGUISHER SERVICES		106.00
215101	FIRE EXTINGUISHER SER	MRLEC SERVICE		793.00
969006	FIRST ADVANTAGE	JANUARY SERVICES		82.50
7240	FUG	TOKENS		497.15
S104481499.001	GALLOUP COMPANY	GASKETS		9.94
GT214-4A	GAWNE TRUCKING INC	BIOSOLIDS HAULING	2016.008	7,956.00
1754	GLGC PLUMBING COMPANY	SERVICE CALL		80.00
109091656	GLOBAL EQUIPMENT COMP	LITTER BAG DISPENSER		135.90
85644	GREAT LAKES ENERGY	BRANDON WHEATON - APPRENTICE PROGRAM		500.00
20160063	GRP ENGINEERING INC	ENGINEERING SERVICES FOR BREWER STREET	2016.161	4,697.29
5681	GUTTERS R US LLC	2016 WINTER SNOW PLOWING AND SALTING AT	2016.217	915.00
022116	HELEN DEVOS CHILDREN'	CHILD PASSENGER SAFETY COURSE		50.00
100243-0216	HERITAGE CLEANERS	CLEANING		205.75
76571	HERMANS MARSHALL HARD	TANK GASKET, FLAT WASHERS, SWITCHES, BI		101.62
76936	HERMANS MARSHALL HARD	BLOWER, PICTURE HANGERS		111.92
76942	HERMANS MARSHALL HARD	MAILBOX, NUMBER SET		48.98
76939	HERMANS MARSHALL HARD	BRUSHES		25.98
76912	HERMANS MARSHALL HARD	SCREWS		6.00
76745	HERMANS MARSHALL HARD	FLOOR PAINT AND SUPPLIES		127.53
76740	HERMANS MARSHALL HARD	PAINTERS TAPE, SHEET METAL SCREWS		14.28
76857	HERMANS MARSHALL HARD	BOX, COVER, RECEPTACLES		7.46
76713	HERMANS MARSHALL HARD	LED SPOTLIGHTS		66.98
76706	HERMANS MARSHALL HARD	PAINT SUPPLIES		26.05
76709	HERMANS MARSHALL HARD	SPRAY PAINT, BARREL BOLT, PAINT SUPPLIE		72.86
76728	HERMANS MARSHALL HARD	PAINT BRUSHES		7.96
76879	HERMANS MARSHALL HARD	SILICONE, CAULK GUN		12.78
37959-IN	HYDROCORP	CROSS CONNECTION CONTROL PROGRAM		395.00
012816	ISAAC & SONS	APT # 216		70.00
100340	J & K PLUMBING SUPPLY	WAX RING		3.07
100681	J & K PLUMBING SUPPLY	UNIVERSAL BALL ROD ASSY		3.14
108483	J. RANCK ELECTRIC INC	AIRPORT MAINTENANCE 2016		880.00
305334	JUSTICE FENCE	REPLACE AND UPGRADE REFLECTIVE FENCE OP	2016.233	673.20
022616	K-MART	FEBRUARY CHARGES		147.87
601280	KAR LABORATORIES INC	BIO SOLIDS ANALYSIS		305.00
601279	KAR LABORATORIES INC	MERCURY ANALYSIS		260.00
601278	KAR LABORATORIES INC	CYANIDE ANALYSIS		100.00
250718	KCI	PROCESS & MAIL ASSESSMENT NOTICES		475.84
370	KENNEDY INDUSTRIES SY	ANNUAL KISM SCADA MONITORING FOR WW DEP	2016.242	15,912.00
390562	KITCH, DRUTCHAS, WAGN	RE MUNICIPAL BROADBAND NETWORK CONSTRU		990.00
109033	LARRY'S FLOOR COVERIN	PAINT FOR BREAKROOM		123.98
201574.00-2160163	LAWSON-FISHER ASSOCIA	GENERAL DAM SAFETY CONSULTING		1,497.52
1038072	LEGG LUMBER	2X4X8 PREMIUM, LAG & WASHER		7.26
1038082	LEGG LUMBER	SCREEN STOCK, 8D BRT FINISH		31.79
11267	LEWEY'S SHOE REPAIR	DOUG LEACH BOOT ALLOWANCE		180.00
11222, 11314	LEWEY'S SHOE REPAIR	DEKRYGER & MACK BOOT'S ALLOWANCE		469.46
11322	LEWEY'S SHOE REPAIR	BRIAN PHILLIPS' BOOT ALLOWANCE		199.99
5-ELEVATOR	M.C. SMITH ASSOCIATES	ELEVATOR MODERNIZATION	2016.200	300.00
26021	MARSHALL CUTTING EDGE	JANUARY SERVICES		2,044.00
17585	MARSHALL TIRE CITY	TIRE		309.33
2016	MICHIGAN ASSOCIATION	2016 MEMBERSHIP DUES - JACK REED		85.00
59025	MICHIGAN OFFICE ENVIR	OFFICE FURNITURE	2016.167	17,945.43
1090	MICHIGAN RURAL WATER	WATER REVIEW COURSE LTD TREATMENT - DAV		255.00
1089	MICHIGAN RURAL WATER	BASIC MATH FOR WATER PERSONNEL - DAVID		150.00
R105003037:01	MIDWEST TRANSIT EQUIP	2009 FORD E-450		136.48
R105003137	MIDWEST TRANSIT EQUIP	DART #13 2010 CHEVY		1,030.38
R105003215	MIDWEST TRANSIT EQUIP	2008 CHEVY XPRESS CUTAWAY REPAIR		317.98
INV70148	MUNICIPAL SUPPLY CO.	SUPPLIES		781.62
1603014	MUNIMETRIX SYSTEMS CO	IMAGE FLOW LITE SOFTWARE SUPPORT		499.00

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INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
434924	NAPA OF MARSHALL	10W30		40.32
434182	NAPA OF MARSHALL	BATTERY		224.60
540980	NYE UNIFORM COMPANY	BADGE		20.60
540977	NYE UNIFORM COMPANY	BELT, CUFF CASE, BLACKHAWK HOLSTER		130.00
537217	NYE UNIFORM COMPANY	COLLAR BRASS, SHIRT		116.00
537213	NYE UNIFORM COMPANY	SHIRT, EMBLEM, CAP		91.96
36505CM	OFFICE 360	FOLDERS		(104.85)
593752	OFFICE 360	CABINETS		324.98
603221	OFFICE 360	TONER		186.99
612620	OFFICE 360	BATTERY, TONER		101.48
609921	OFFICE 360	TONER, SHARPENER		113.98
613841	OFFICE 360	KEYBOARD		41.99
609931	OFFICE 360	PAPER, LTR POUCH, TAPE, PENS		424.05
581814	OFFICE 360	MARKERS, NOTEBOOKS		69.72
573570	OFFICE 360	WASTE RECEPTACLE, LID, CABINETS, ERASER		1,598.59
535055	OFFICE 360	HANGING FOLDERS		57.80
33981CM	OFFICE 360	HANGING FOLDERS RETURNED		(28.90)
610302	OFFICE 360	STENO BOOK, SCISSORS, STAPLER, STAPLES,		63.88
613845	OFFICE 360	TONER		509.98
611243	OFFICE 360	TONER, CORRECTION TAPE, REINFORCEMENT		122.55
614815	OFFICE 360	STAPLES		3.54
620260	OFFICE 360	TONER		364.98
34639 CM	OFFICE 360	CREDIT PREVIOUSLY TAKEN		323.99
1605	PALM TEES	T-SHIRTS		1,080.00
1609	PALM TEES	T-SHIRTS FOR FLOOR HOCKEY		78.00
13153	POLICE TECHNICAL	JOSH LANKERD, KRIS AMBROSE - SOCIAL MED		750.00
56008020	POWER LINE SUPPLY	BRACE CROSS ARM		205.97
56008014	POWER LINE SUPPLY	BRACE CROSS ARM - FIBERGLASS		618.00
56008019	POWER LINE SUPPLY	3 WIRE RACK		295.32
56008022	POWER LINE SUPPLY	2 HOLE PLATE		111.55
56008029	POWER LINE SUPPLY	STRAIN INSULATOR		342.40
56008024	POWER LINE SUPPLY	CLAMP DE BLTD - BRONZE DEADEND		539.21
56007932	POWER LINE SUPPLY	HARD HATS & VESTS		135.00
56008013	POWER LINE SUPPLY	ANCHOR HELIX		40.53
56008018	POWER LINE SUPPLY	EPOXILATOR		274.37
56008017	POWER LINE SUPPLY	CROSS ARM - WOODEN		1,317.11
56008027	POWER LINE SUPPLY	STEEL LINE PIN		192.62
56008016	POWER LINE SUPPLY	ROD ANCHOR		266.38
56008025	POWER LINE SUPPLY	GUY STRAIN		255.30
56006806	POWER LINE SUPPLY	GREEN MISS DIG FLAGS		206.16
56003793	POWER LINE SUPPLY	ELECTRIC DEPT INVENTORY- WIRE, FUSES	2016.196	1,536.60
56006187	POWER LINE SUPPLY	1000 WATT LED EQUIVILENT FLOOD LIGHT- A	2016.221	2,415.00
56006186	POWER LINE SUPPLY	ACUITY LED STREETLIGHTING 150W EQUIVIL	2016.241	2,316.00
56004535	POWER LINE SUPPLY	GUY WIRE		100.00
56006185	POWER LINE SUPPLY	GUY WIRE		100.00
56006184	POWER LINE SUPPLY	GUY WIRE		100.00
56004346	POWER LINE SUPPLY	WIRE 6 SOL BARE AL		105.00
56004344	POWER LINE SUPPLY	HELIX ANCHOR		281.66
56004343	POWER LINE SUPPLY	INSULATOR SPOOL		59.87
56004348	POWER LINE SUPPLY	1/0 AL TRIPLEX		978.84
56004341	POWER LINE SUPPLY	GUY GRIP		241.50
56004342	POWER LINE SUPPLY	ARRESTER 3KV		282.44
56004347	POWER LINE SUPPLY	ARRESTER ELBOW		514.46
7015	QUALITY ENGRAVING SER	RETIREMENT PLAQUE FOR PEMBERTON		50.00
16721	RC SYSTEMS INC.	5-YEAR REGISTRATION OF DOMAIN NAME WWW.		100.00
INV-10694	REDZONE ROBOTICS	SEWER CAMERA SERVICES PER BID. 4 PAYME	2016.246	70,000.00
70586249	ROSE PEST SOLUTIONS	BEDBUGS - HEAT TREATMENT		1,200.00
70582351	ROSE PEST SOLUTIONS	PEST CONTROL AT MH		56.00
19230	RS TECHNICAL SERVICE	3' DIAPHRAGM KIT, CLAMP		362.25
7152290426	SCHINDLER ELEVATOR CO	SERVICE CALL ON MH ELEVATOR		1,914.88
8104220725	SCHINDLER ELEVATOR CO	SERVICE CONTRACT 03/01/16--02/28/17 - C		9,970.59
2297	SHOULDICE INDUSTRIAL	REPAIR OUTSIDE POLE LIGHTS		524.40
18121	STANDARD PRINTING & O	DELIVERY CHARGE		7.00
18120-2016	STANDARD PRINTING & O	DELIVERY CHARGE		7.00
17918	STANDARD PRINTING & O	BROTHER THERMAL PAPER		176.45
17933	STANDARD PRINTING & O	BUSINESS CARDS TOM SCOTT		59.96
8037850783	STAPLES ADVANTAGE	SCISSORS		2.99
8037850783-A	STAPLES ADVANTAGE	MONTOR RISER, TAPE FLAGS, TAPE		55.76
8037646025-2	STAPLES ADVANTAGE	WOODEN HANGERS		82.76
8037850783-2	STAPLES ADVANTAGE	WALL PKT 7 GRANDE CENTRAL		147.98
FACILITY 00015576	STATE OF MICHIGAN	UNDERGROUND STORAGE TANK ANNUAL REGISTR		100.00
SE 385278	STATE OF MICHIGAN - M	SIGNAL ENERGY 07/01/15 - 09/30/15		100.23
316553	STEENSM A	UNIVERSAL DRIVE		551.41
1002943-IN	TONKA WATER	GASKETS		81.52
3116002	TOSHIBA AMERICA BUSIN	COPIES USAGE CHARGES		33.72
95654	TRI AIR TESTING INC	AIR ANALYSIS		164.00
265532	VANGUARD FIRE AND SEC	OCTOBER PRE-ENG INSPECTION		185.50
173859	WESCO	NEW BREAKROOM LIGHTS		540.30
22011	WEST SHORE SERVICES	EMERGENCY SIREN TESTING AND CONTRACT	2016.250	2,025.00

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APPROVAL LIST FOR CITY OF MARSHALL
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INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
				222,662.62



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: 18-Feb-16
 Due Date: 29-Feb-16
 Service From: 01-Jan-16
 To: 31-Jan-16

Peak Demand	16,906 kw			
Total Energy Received	9,556,095 kWh			
Hydro Generation	81,576 kWh			
Net Billing kWh's	9,474,519 kWh			
			Debt Service Costs and Capacity Credits	
<u>Area</u>	<u>Entitlement %</u>	<u>Operating and Maintenance Costs</u>	<u>Debt Service Costs and Capacity Credits</u>	<u>Total</u>
SUBSTATION LOAD COST		268,198.57		268,198.57
MARKET RESOURCE VALUE		(268,741.37)		(268,741.37)
PROJECT 1-ENDICOTT	24.0%	308,593.32	-	308,593.32
PROJECT IV	0.0%	-	-	-
PRAIRIE STATE	16.7%	37,418.28	33,589.94	71,008.22
MENOMINEE HYDRO	24.0%	34,566.80	-	34,566.80
OCONTO FALLS HYDRO	24.0%	16,580.42	-	16,580.42
AFEC	16.5%	142,986.47	(42,287.49)	100,698.98
AMP HYDRO 1	20.9%	3,367.76	18,861.32	22,229.08
AMP HYDRO 2 GREENUP	18.4%	-	-	-
AMP HYDRO 2 MELDAHL	18.4%	1,226.60	2,015.59	3,242.19
AMP CONTRACTS	0.0%	-	-	-
AMPGS	0.0%	-	-	-
TRANSMISSION	17.4%	61,128.53	-	61,128.53
MISO	8.7%	16,796.21	-	16,796.21
SUBSTATION	34.4%	-	-	-
ADMINISTRATION	14.1%	28,321.81	-	28,321.81
MEMBER	100.0%	1,404.22	-	1,404.22
MEMBER HYDRO	30.4%	-	-	-
CAPACITY		-	-	-
RATE STABILIZATION		-	-	-
TOTAL COST	\$	651,847.61	12,179.36	664,026.98
	\$/kWh	0.06880	0.00129	0.07009
CREDITS	\$	(1,404.22)	-	(1,404.22)
	\$/kWh	(0.00015)	0.00000	(0.00015)
NET COST	\$	650,443.39	12,179.36	662,622.76
	\$/kWh	0.06865	0.00129	0.06994
Pay this amount				\$ 662,622.76

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



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: 17-Mar-16
 Due Date: 31-Mar-16
 Service From: 01-Feb-16
 To: 29-Feb-16

Peak Demand 16,833 kw
 Total Energy Received 8,933,836 kWh
 Hydro Generation 37,294 kWh
 Net Billing kWh's 8,896,542 kWh

Debt Service
 Costs
 and Capacity
 Credits

Area	Entitlement %	Operating and Maintenance Costs	Debt Service Costs and Capacity Credits	Total
SUBSTATION LOAD COST		217,755.43		217,755.43
MARKET RESOURCE VALUE		(241,482.89)		(241,482.89)
PROJECT 1-ENDICOTT	24.0%	284,047.07	-	284,047.07
PROJECT IV	0.0%	-	-	-
PRAIRIE STATE	16.7%	40,037.41	33,989.84	74,027.25
MENOMINEE HYDRO	24.0%	31,122.14	-	31,122.14
OCONTO FALLS HYDRO	24.0%	12,741.44	-	12,741.44
AFEC	16.5%	135,613.61	(37,252.23)	98,361.38
AMP HYDRO 1	20.9%	(18,428.60)	57,579.92	39,151.32
AMP HYDRO 2 GREENUP	18.4%	-	-	-
AMP HYDRO 2 MELDAHL	18.4%	(3,611.03)	8,346.32	4,735.29
AMP CONTRACTS	0.0%	-	-	-
AMPGS	0.0%	-	-	-
TRANSMISSION	16.7%	62,538.51	-	62,538.51
MISO	9.4%	20,861.06	-	20,861.06
SUBSTATION	34.4%	-	-	-
ADMINISTRATION	14.4%	18,475.24	-	18,475.24
MEMBER	81.7%	2,698.00	-	2,698.00
MEMBER HYDRO	20.3%	-	-	-
CAPACITY		-	-	-
RATE STABILIZATION		-	-	-
TOTAL COST	\$	562,367.39	62,663.85	625,031.24
	\$/kWh	0.06321	0.00704	0.07026
CREDITS	\$	(2,698.00)	-	(2,698.00)
	\$/kWh	(0.00030)	0.00000	(0.00030)
NET COST	\$	559,669.39	62,663.85	622,333.24
	\$/kWh	0.06291	0.00704	0.06995

Pay this amount \$ 622,333.24

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

APPROVAL LIST FOR CITY OF MARSHALL
 EXP CHECK RUN DATES 02/05/2016 - 02/12/2016
 UNJOURNALIZED OPEN
 BANK CODE: MAIN

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
60661	AD-VISOR & CHRONICLE	JANUARY ADS		1,414.60
315131515084452	CAPITAL ONE COMMERCIA	ACCT# 6004-3004-9900-5848		51.92
2550996785-0216	CHEMICAL BANK SOUTH	HSA ACCT #2550996785 JOHNSON, DAVE		1,170.00
2551331206-0216	CHEMICAL BANK SOUTH	HSA ACCT# 2551331206 WHEATON, BRANDON		390.00
02/11/2016	CROEL, TRESSA	UB refund for account: 2701800009		42.30
020316	DELAPAS, JOE	EXPO PARKING		6.00
1318510	GRIFFIN PEST SOLUTION	2015 PEST CONTROL FOR PUBLIC SERVICES B 2015.237		46.00
020916	MCKENZIE, CYNTHIA	JURY DUTY - MILEAGE		6.80
SPRING SEMINAR	MGFOA	JON BARTLETT - SPRING SEMINAR 2016		103.00
32994	ROGERS GLASS WINDOW &	FACADE IMPROVEMENT - HERITAGE @ 155 W M		5,914.61
020516	SCOTT, THOMAS	TRAVEL EXPENSE REIMBURSEMENT		128.30
021116	TOM TARKIEWICZ	MLGMA DUES		110.00
25390	WESCO	SPOOL INSULATOR		95.16
153049	WESCO	CREDIT FOR SPOOL INSULATOR		(75.80)
44043103	WEX BANK	ACCT #0470-00-462076-1		5,615.86
02/11/2016	WHISPERING MEADOWS AF	UB refund for account: 2402220003		1.10
02/11/2016	WHISPERING MEADOWS AF	UB refund for account: 2402210003		69.69
13934621-0116	WOW! BUSINESS	ACCT #013934621N DEC & JAN INVCS		76.59
10058364-0116	WOW! BUSINESS	ACCT #010058364		32.97
				15,199.10

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
269789901102-16	A T & T	269 789-9011 599 1		57.50
269781444702-16	A T & T	269 781-4447 749 4		223.01
269 781-9070 573 1	A T & T	269 781-9070 573 1		62.70
269781981502-16	A T & T	269 781-9815 267 0		3,180.19
012916	ADAM OTTJEPKA	TRAVEL EXPENSE REIMBURSEMENT		52.66
Z1406436QB	AMERICAN MESSAGING	ACCT #Z1-406436		9.58
287238047810X02111	AT&T MOBILITY	ACCT #287238047810		46.54
021816	CALHOUN COUNTY SENIOR	CALHOUN COUNTY SENIOR FAIR		50.00
2016 SR FAIR	CALHOUN COUNTY SENIOR	CALHOUN COUNTY SENIOR FAIR - POLICE DEP		50.00
021816	CALHOUN COUNTY TREASU	REFUND OVERPAYMENT ON MRLEC CONSTRUCTIO		555,987.00
315104116607897	CAPITAL ONE COMMERCIA	ACCT #6004-3004-9900-5848		52.80
2551021104-0216	CHEMICAL BANK SOUTH	HSA ACCT #2551021104 MOORE, GARRETT		585.00
2550994624	CHEMICAL BANK SOUTH	HSA ACCT #2550994624 DAMON, PHIL		1,755.00
021816	CITY OF MARSHALL	PETTY CASH REIMBURSEMENT		31.25
601009018680	CONSUMERS ENERGY	1030 1580 0248		985.35
021716	DE ST. AUBIN, JOSH	KEYS FOR DART OFFICE		6.33
021716A	DE ST. AUBIN, JOSH	FACEBOOK ADVERTISING		250.43
021816	DEAN, NATALIE	TUITION REIMBURSEMENT		1,000.00
7018274-0216	EARTHLINK BUSINESS	ACCT #0007018274		851.63
021116	FITTRO, JO ANNE	REFUND SECURITY DEPOSIT & RENT CREDIT		387.00
13-53-005-707-00	GUTTERS R US NEW HORI	REFUND - DUPLICATE TAX PAYMENT		911.93
021616	HACKWORTH, RONALD	PET DEPOSIT REFUND		214.00
7617-0216	MARSHALL COMMUNITY CU	7617 - RAMEY		804.79
3217-0216	MARSHALL COMMUNITY CU	3217 SWISHER		100.00
3431-0216	MARSHALL COMMUNITY CU	3431 CITY OF MARSHALL		695.00
7681-0216	MARSHALL COMMUNITY CU	7681 TARKIEWICZ		1,242.14
6996-0216	MARSHALL COMMUNITY CU	6996 - BAUER		955.24
S3891515.001	MEDLER ELECTRIC COMPA	STERNBERG DOWNTOWN GLOBES AND BALLASTS	2016.243	5,423.00
2016	MICHIGAN LOCAL GOVERN	2016 MEMBERSHIP - NATALIE DEAN		55.00
M 01-16	MICHIGAN SOUTH CENTRA	NATURAL GAS PURCHASES - JANUARY 2016		3,800.89
790004405582930702	NEOFUNDS BY NEOPOST	7900 0440 5582 9307		3,000.00
90016431	SPX TRANSFORMER SOLUT	30% OF TRANSFORMER	2016.162	211,573.80
021816	THOMAS, JESSY	50% OF DRYWALL/PAINT WORK IN BREAKROOM		562.50
9759800208	VERIZON WIRELESS	ACCT #987146080-00001		951.93
10040764-0216	WOW! INTERNET-CABLE-P	ACCT #010040764		1,359.83
				797,274.02

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
02/24/2016	131 W MICHIGAN AVE LL	UB refund for account: 100760001		23.17
012916	ANDREW GROENEVELD	TRAVEL EXPENSE REIMBURSEMENT		52.55
022316	APWA-SOUTHWEST BRANCH	KRISTIN BAUER & MICHAEL HACKWORTH - 20		40.00
021816	BAIER, JESSICA	TRAVEL EXPENSE REIMBURSEMENT		38.32
021916	BEARDSLEE LAW OFFICES	021916		2,305.50
022316	BERRY, AARON & LESLIE	ENERGY OPTIMIZATION - FURNACE & A/C		365.00
022316	BOCHENEK, ROBERT	ENERGY OPTIMIZATION - LED LIGHTING		40.00
16-135	CALHOUN COUNTY TREASU	MICH TAX TRIBUNAL 53-020-048-00 2014 TA		868.71
16-176	CALHOUN COUNTY TREASU	DEC BRD OF REVIEW 53-001-088-00 2014 TA		31.60
021916	CHAPMAN, CALEB	TRAVEL EXPENSE REIMBURSEMENT		21.83
2551020619-0216	CHEMICAL BANK SOUTH	HSA ACCT #2551020619 AMBROSE, KRIS		1,170.00
022316	CROWLE, DAVID & BARBA	ENERGY OPTIMIZATION - FURNACE & A/C		365.00
022416	CRT, INC	T-BRICKS	2016.252	11,000.00
022016	FREDS, MATT	3 MEALS		30.00
021616	FREDS, MATT	SCHOOL LUNCH		14.23
022116	LEACH, DOUG	MEAL		10.00
022016	LEACH, DOUG	3 MEALS		30.00
022116	MACK, JEFF	MEAL		10.00
022016	MACK, JEFF	3 MEALS		30.00
5165-0216	MARSHALL COMMUNITY CU	5165 - TRUDEAU		217.49
9421-0216	MARSHALL COMMUNITY CU	9421 - SEARS		70.90
022616	MARTIN, JESSY	BALANCE DUE ON BREAKROOM PAINTING/REPAI		562.50
022116	MEYER, STEVE	MEAL		10.00
22316	MORGENSAI, KEITH	ENERGY OPTIMIZATION - FURNACE		165.00
02/24/2016	MTH MANAGEMENT	UB refund for account: 2104120021		8.06
021616	SUNDBERG, KIP	SCHOOL LUNCH		14.23
8948000000160208	TELNET WORLDWIDE	ACCT # CORP-008948		1,597.51
02/23/16	WEAVER, KARL & MELISS	ENERGY OPTIMIZATION - FURNACE		165.00
02/22/2016	WIEL, JACOB	UB refund for account: 2301920001		50.70
021616	ZEBOLSKY, JOEL	SCHOOL LUNCH		14.97
				19,322.27

User: ctanner
DB: Marshall

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
145970911-0216	A T & T	ACCT #145970911		75.20
022616	CAIN-DEROUIN, JULIE	TRAVEL EXPENSE REIMBURSEMENT		247.75
2551293919-0216	CHEMICAL BANK SOUTH	HSA ACCT #2551293919 BAUER, KRISTIN		877.50
2551001163-0216	CHEMICAL BANK SOUTH	HSA ACCT #2551001163 HEITFELD, CASSANDR		1,755.00
2551021104-0316	CHEMICAL BANK SOUTH	HSA ACCT #2551021104 MOORE, GARRETT		585.00
19845R	CLARK CONSTRUCTION CO	CONSTRUCTION MANAGER SERVICES-POLICE DE	2014.152	98,364.74
202872849839	CONSUMERS ENERGY	1000 0916 3435		677.12
205542679255	CONSUMERS ENERGY	1000 7224 3312		328.36
201448966511	CONSUMERS ENERGY	1000 0759 4680		328.94
206076653887	CONSUMERS ENERGY	1000 6710 1772		66.20
203940793767	CONSUMERS ENERGY	1030 0915 7670		44.68
202872849838	CONSUMERS ENERGY	1000 0916 3203		234.94
202872849840	CONSUMERS ENERGY	1000 0916 3708		300.34
202872849841	CONSUMERS ENERGY	1000 0916 3971		2,016.84
206343507927	CONSUMERS ENERGY	1030 1852 0884		541.45
202961844626	CONSUMERS ENERGY	1030 1580 0248		1,645.21
206165619935	CONSUMERS ENERGY	1030 1352 1119		14.26
201715949412	CONSUMERS ENERGY	1000 0033 5602		2,849.41
022516	DEVENEY, JAMES R	INSPECTION COMMISSION		200.00
03/03/2016	FANNIE MAE	UB refund for account: 901140001		11.85
5596-16	FBI-LEEDA	DUES - JAMES SCHWARTZ		50.00
030116	FISHER, CHARLIE	SCHOOL LUNCH		17.97
030116	FREDS, MATT	SCHOOL LUNCH		14.23
022516	GROSS, JOHN	INSPECTION COMMISSION		338.75
022416	JOSH LANKERD	SNACKS FOR TRAINING HOSTED BY MARSHALL		58.74
03/03/2016	KOLB, STEVEN	UB refund for account: 700960110		65.99
030316	LAKE MICHIGAN MAILERS	POSTAGE - ACCT #M323		500.00
03/03/2016	LATIF, JAVED	UB refund for account: 2900220027		74.40
030216	LYNN COOK	UNIFORM ALLOWANCE REIMBURSEMENT		49.81
4562-0216	MARSHALL COMMUNITY CU	4562 - DEAN		80.15
S3899774.002	MEDLER ELECTRIC COMPA	PLUG-IN FUSES		41.96
030416	MGFOA	WILLIAM DOPP--MGFOA & MMTA SPRING SEMIN		129.00
022916	MICHIGAN MUNICIPAL LE	TOM TARKIEWICZ - CAPITAL CONFERENCE		120.00
021916	MICHIGAN MUNICIPAL LE	NATATLIE DEAN - CAPITAL CONFERENCE		120.00
21916	MICHIGAN MUNICIPAL LE	JON BARTLETT - CAPITAL CONFERENCE		120.00
022616	MILLER, JUSTIN	COOKIES FOR DADDY/DAUGHTER & MOTHER/SON		234.76
022516	NICHOLS, JEFFREY S	INSPECTION COMMISSION		492.50
03/03/2016	OWENS, CASEY TAYLOR &	UB refund for account: 3100580021		60.68
03/03/2016	STORAGE VAULT LLC	UB refund for account: 2402350007		139.74
030116	SUNDBERG, KIP	SCHOOL LUNCH		11.25
021716	TOM TARKIEWICZ	LUNCH FOR TOM, ED RICE & ABE MONFAKH RE		65.04
03/03/2016	TURNER, SHANNON J	UB refund for account: 1600260024		86.16
14226414-0116	WOW! BUSINESS	ACCT #014226414		84.95
030116	ZEBOLSKY, JOEL	SCHOOL LUNCH		14.23
				114,135.10

User: ctanner
DB: MarshallEXP CHECK RUN DATES 03/01/2016 - 03/11/2016
UNJOURNALIZED OPEN
BANK CODE: MAIN

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
5-16	2 STEPP CONSTRUCTION	PUMP HOUSE WALLS AND CEILING	7,950.00
65587	AD-VISOR & CHRONICLE	FEBRUARY ADS	997.78
030816	BEGG, CHERYL	ELECTION INSPECTOR PAY	160.00
030916	BURGHODORF, CODY	CERAMIC NOZZLES FOR SAND BLASTING	16.94
022916	CALHOUN COUNTY TREASU	FEBRUARY TRAILER FEES	80.00
2550996785-0316	CHEMICAL BANK SOUTH	HSA ACCT #2550996785 JOHNSON, DAVE	585.00
2551335959-0316	CHEMICAL BANK SOUTH	HSA ACCT #2551335959 DELAPAS, JOE	1,170.00
2551002377-0316	CHEMICAL BANK SOUTH	HSA ACCT #2551002377 SCHWARTZ, JAMES	1,755.00
SEC DEP	CLEAN EARTH ENVIRONME	SECURITY DEPOSIT REFUND - HYDRANT	250.00
03/09/2016	COONTZ, ARIEL	UB refund for account: 2900390018	72.14
030816	DAY, SUSAN	ELECTION INSPECTOR PAY	186.00
030516	FISHER, CHARLIE	MEAL	10.00
030416	GEIGER, MATTHEW	ENERGY OPTIMIZATION - ENERGY STAR TV &	37.47
030416	GIANNUNZIO, LOUIS	ENERGY OPTIMIZATION - FURNACE	150.00
1326366, 1334253	GRIFFIN PEST SOLUTION	CITY HALL SERVICES	66.00
030816	HAGERTY, MELISSA	ELECTION INSPECTOR PAY	160.00
030816	HAGERTY, PHILLIP	ELECTION INSPECTOR PAY	155.00
030816	JOHN EDSALL	ELECTION INSPECTOR PAY	155.00
030716	LOUIE'S BAKERY	DONUTS FOR ELECTION DAY	21.60
821302310590950316	LOWES BUSINESS ACCOUN	821 3023 105909 5	706.29
3507-0216	MARSHALL COMMUNITY CU	3507 - MCDONALD	541.54
3960-0216	MARSHALL COMMUNITY CU	3960 - SCHWARTZ	109.80
1773-0216	MARSHALL COMMUNITY CU	1773 - MCCOMB	446.71
03/09/2016	MASON, KALEIGH	UB refund for account: 1000340001	28.47
997	MICHIGAN RURAL WATER	UTILITY MANAGEMENT WORKSHOP	20.00
031116	MMTA	WILLIAM DOPP III - MMTA BASIC INSTITUTE	550.00
03/04/2016	OLEARY, BEULAH	UB refund for account: 1502370004	51.15
03/04/2016	POST, ZANE NEITZKA &	UB refund for account: 1200580014	58.57
030816	RAUSCH, JANEAN	ELECTION INSPECTOR PAY	160.00
030816	REDDICK, KENNETH E	ELECTION INSPECTOR PAY	155.00
030816	REDDICK, PAULINE	ELECTION INSPECTOR PAY	80.00
249-004980891	REPUBLIC SERVICES #24	ACCT #3-0249-1022021	1,115.36
03/04/2016	REUSS, HEROLD	UB refund for account: 1801860015	10.11
030816	SIZEMORE, DARLYNE	ELECTION INSPECTOR PAY	155.00
298639386	U.S. BANK EQUIPMENT F	LEXMARK COPIER CONTRACT	58.56
03/09/2016	VOORHEIS, MAXWELL	UB refund for account: 2901470031	39.16
030816	WALBECK, DEB	ELECTION INSPECTOR PAY	192.00
030816	WALBECK, RICHARD	ELECTION INSPECTOR PAY	20.00
03/04/2016	WATSON, JACK	UB refund for account: 1401820035	57.44
44405420	WEX BANK	CITGO ACCT #0470-00-462076-1	5,591.20
10058364-0216	WOW! BUSINESS	ACCT #010058364	32.97
13934621-0216	WOW! BUSINESS	ACCT #013934621	33.29
03/04/2016	WRIGHT, CHRISTINA	UB refund for account: 2103360011	0.51
030516	ZEBOLSKY, JOEL	MEAL	10.00
			24,201.06

**CITY OF MARSHALL, MICHIGAN
PROCLAMATION**

**Proclamation for remembrance of the day the last
American Troops left Vietnam in 1973**

WHEREAS, March 29, 2016 is the anniversary of the day when the last American troops left Vietnam in 1973; and

WHEREAS, March 29, 2016 has been designated by the Department of Veteran Affairs as a day to express our tremendous gratitude and support to this generation of Americans through ceremonies across the nation; and

WHEREAS, The Mary Marshall Chapter of the Daughters of the American Revolution is a commemorative partner of the 50th Anniversary of the Vietnam War with involvement 1955-1975,

NOW, THEREFORE I, Jack Reed, by virtue of the authority vested in me as Mayor of the City of Marshall do hereby proclaim the day of March 29, 2016 as

Day of Gratitude for Vietnam Veterans

AND ask our citizens to reaffirm their gratitude and thankfulness for the sacrifices made by all Vietnam Veterans and their families and invite the public to the veterans memorial on the fountain circle for the raising of the of the Vietnam Commemorative flag.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Marshall to be affixed this 21st day of March of the year of our Lord two thousand and sixteen.

Jack Reed
Mayor



ADMINISTRATIVE REPORT
MARCH 21, 2016 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council Members
FROM: Tom Tarkiewicz, City Manager
SUBJECT: Public Hearing for a Brownfield Redevelopment Plan
Amendment for Inclusion of Dark Horse Brewing
Company Expansion

BACKGROUND: In 1997, the City created a Brownfield Redevelopment Authority (BRA). The BRA Board is the same members as the LDFA. The BRA Board met on February 11, 2016 and approved the Brownfield Plan for Dark Horse Brewing Company Expansion. Some of the comments from the BRA included:

- An overview of the future estimated tax structure
- The requirement of a development agreement between Dark Horse and the City of Marshall
- The ability of the Brownfield Plan to be assignable to a future owner

MOTION by Dodge, supported by Pardoe, to recommend approval of the Brownfield Redevelopment Plan Amendment for inclusion of the Dark Horse Brewing Company expansion. On a voice vote; MOTION CARRIED.

The Dark Horse Company plan is attached. Tables 3, 3A & 3B show the estimated annual effect on taxing jurisdictions. Also, attached is the proposed resolution, notice to taxing jurisdictions and the public hearing notice.

State law requires that all taxing jurisdiction be notified and a public hearing be held. All of the taxing jurisdictions have been notified. A representative from Dark Horse Brewing Company and their environmental engineers will present at the public hearing.

RECOMMENDATION: The Brownfield Redevelopment Authority recommends that a public hearing be held to hear comments on the Brownfield Redevelopment Plan Amendment for Inclusion of Dark Horse Brewing Company Expansion and the Plan be approved by adopting the attached resolution.

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

f 269.781.3835

cityofmarshall.com

FISCAL EFFECTS: Increase of tax capture from development expansion, with minimum fiscal implication for the City.

CITY GOAL CLASSIFICATION: GOAL AREA I. ECONOMIC DEVELOPMENT

Goal Statement: Sustain and intensify the economic vitality of the Marshall area.

ALTERNATIVES: As suggested by Council.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Tom Tarkiewicz".

Tom Tarkiewicz
City Manager

**CITY OF MARSHALL, MICHIGAN
RESOLUTION #2016-**

**RESOLUTION APPROVING A BROWNFIELD PLAN
BY THE CITY OF MARSHALL
PURSUANT TO AND IN ACCORDANCE WITH
THE PROVISIONS OF ACT 381 OF THE PUBLIC ACTS
OF THE STATE OF MICHIGAN OF 1996, AS AMENDED**

At a regular meeting of the City Council of the City of Marshall, Michigan, held in the Council Chambers, Town Hall located at 323 W. Michigan Avenue, Marshall, Michigan, on the 21st day of March, 2016 at 7 p.m.

PRESENT:

ABSENT:

MOTION BY:

SUPPORTED BY:

WHEREAS, the City of Marshall City Council, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act"), have formally resolved to participate in the Brownfield Redevelopment Authority (BRA) of the City of Marshall (the "Authority") and have designated that all related activities shall proceed through the BRA; and

WHEREAS, the Authority, pursuant to and in accordance with Section 13 of the Act, has reviewed, adopted and recommended for approval by the City Council, the Brownfield plan (the "Plan") attached hereto, to be carried out within the City of Marshall relating to the redevelopment project on seven parcels of land located in the City of Marshall, Michigan, (the "Site"), as more particularly described and shown in Figure 1 and Attachment "A" contained within the attached Plan; and

WHEREAS, the City Council of the City of Marshall has reviewed the Plan, and has been provided a reasonable opportunity to express their views and recommendations regarding the Plan and in accordance with Sections 13(13) of the Act; and

WHEREAS, the City Council of the City of Marshall has noticed and held a public hearing in accordance with Section 13(10,11,12 and 13) of the Act, and

WHEREAS, the City Council of the City of Marshall has made the following determinations and findings:

- A. The Plan constitutes a public purpose under the Act;

- B. The Plan meets all of the requirements for a Brownfield plan set forth in Section 13 of the Act;
- C. The proposed method of financing the costs of the eligible activities, as described in the Plan, was feasible and the Authority has the ability to arrange the financing;
- D. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and

WHEREAS, as a result of its review of the Plan, the City Council of the City of Marshall concurs with approval of the Plan.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1. **Plan Approved.** Pursuant to the authority vested in the City Council of the City of Marshall, by the Act, the Plan is hereby approved in the form attached to this Resolution.
- 2. **Severability.** Should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.
- 3. **Repeals.** All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

AYES:

NAYES:

ABSTAINED:

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
COUNTY OF CALHOUN) ss:

I, the undersigned, the fully qualified Clerk of the City of Marshall, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Marshall at a regular meeting held on the 21st day of March, 2016, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto set my official signature this 21st day of March, 2016.

Trisha Nelson, City of Marshall City Clerk

NOTICE TO ALL TAXING JURISDICTIONS

The City Council of the City of Marshall proposes to approve a Brownfield Plan for seven parcels of property located in the City of Marshall. The following legal parcels are “eligible property” and will be included in the Brownfield Plan:

Parcel ID#

53-002-560-00 (100 Page Avenue)

53-002-552-01 (No address)

53-008-301-00 (No address)

53-001-340-00 (515 S. Kalamazoo)

53-001-345-00 (No address)

53-001-346-00 (519 S. Kalamazoo)

53-001-347-00 (320 Pearl)

The property consists of seven parcels of land being developed by Dark Horse Brewing Company. Three of the parcels have historically has been used for industrial purposes and environmental contamination remains on site from those previous uses. One parcel has been demonstrated to be functionally obsolete. The redevelopment of these parcels and the contiguous and adjacent parcels will allow for business expansion of Dark Horse Brewing Company, control environmental contamination, restore productive use to a functionally obsolete building, and enhance public infrastructure.

The City of Marshall has established a Brownfield Redevelopment Authority (the “Authority”) in accordance with the Brownfield Redevelopment Act, Act No. 381 of the Michigan Public Acts of 1996, as amended (the “Act”).

The Act was enacted to provide a means for local units of government to facilitate the revitalization of environmentally distressed, functionally obsolete and/or blighted properties. The Authority Board has prepared and adopted a Brownfield Plan related to the redevelopment of the above referenced parcels. This document serves to notify local taxing units of the intent to approve a Brownfield Plan for the noted property.

The Act permits the use of the tax increment financing in order to provide the Authority with the means of financing the redevelopment project included in the Brownfield Plan. Tax increment financing allows the Authority to capture tax revenues attributable to increases in the taxable value of real and personal property located on the “eligible property”, which may include certain adjacent or contiguous parcels. Increases in taxable value may be attributable to various factors, including new construction, rehabilitation, remodeling, alterations, additions, and the installation of personal property on the eligible site.

The plan will be considered for adoption at the March 21st, 2016 meeting of the City Council of the City of Marshall held at 7 pm in the Town Hall– 323 West Michigan Avenue, Marshall, Michigan. If you have any questions or comments concerning the

Brownfield Redevelopment Authority or adoption of the Plan you may attend the meeting and express those concerns during the public comment period. You may also direct inquiries to Mr. Tom Tarkiewicz, City Manager, at (269) 781-5183.

Dated: _____, 2016

Ms. Trisha Nelson
Marshall City Clerk



**CITY OF MARSHALL BROWNFIELD REDEVELOPMENT AUTHORITY
BROWNFIELD PLAN
FOR
DARK HORSE BREWING COMPANY EXPANSION**

**Prepared with the assistance of:
ENVIROLOGIC TECHNOLOGIES, INC.
2960 Interstate Parkway
Kalamazoo, Michigan 49048
(269) 342-1100**

Approved by the Brownfield Redevelopment Authority on:

Adopted by the Marshall City Council on: _____

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TABLE 2: *Estimated Captured Taxable Values*

TABLE 3: *Estimate of Annual Captured Incremental Taxes for Each Affected Taxing Jurisdiction (Parking Lot Parcels)*

TABLE 3A: *Estimate of Annual Captured Incremental Taxes for Each Affected Taxing Jurisdiction (Dark Horse Commons Parcel)*

TABLE 3B: *Estimate of Annual Captured Incremental Taxes for Each Affected Taxing Jurisdiction (Three Dark Horse Brewery Co. parcels)*

TABLE 4: *Captured Taxable Value and Tax Increment Revenue by Year and Aggregate for each Taxing Jurisdiction*

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ATTACHMENTS

Notice of Public Hearing

Notice to Taxing Jurisdictions

Resolutions Approving a Brownfield Plan

Affidavit of Functional Obsolescence



BROWNFIELD PLAN

DARK HORSE BREWING COMPANY EXPANSION CITY OF MARSHALL, MICHIGAN

GENERAL DEFINITIONS AS USED IN THIS PLAN

The General Definitions referenced in this Brownfield Plan have been obtained directly from the statute, 1996 PA 381 Sec. 2, as amended.

1. INTRODUCTION AND PURPOSE

Envirologic has prepared this Brownfield Plan on behalf of the City of Marshall Brownfield Redevelopment Authority for seven parcels of land being developed by Dark Horse Brewery (Exhibits, Figure 1). This Brownfield Plan has been prepared to support redevelopment efforts on the subject property. The redevelopment is being driven by the expansion of Dark Horse Brewing Co. at their existing compound which consists of several parcels of land and segregated buildings. Dark Horse Brewing intends to construct a new building (the “L”) to connect two existing buildings (a production building and a warehouse). The new building will house new production line(s) and increase capacity for additional production in the future. The new construction provides room for a new and larger refrigeration system that will support future growth and production. In addition to the building expansion, significant upgrades to the “Dark Horse Commons” building will enhance offerings to customers, improve the streetscape and the façade of the building.

Dark Horse Brewing Co. has also acquired three parcels of property to the west of their main compound and intends to create a larger customer parking lot. This will provide for safer parking, alleviate congestion on streets, and provide safer pedestrian walkways. In addition, the construction of the parking lot removes a blighted building adjacent to a residential neighborhood and improves environmentally contaminated land.

The titleholder of six of the seven parcels of land is Mor-Dall Enterprises, Inc. Mor-Dall Enterprises and/or Dark Horse Brewing Co. have conducted Baseline Environmental Assessment (BEA) Activities (Phase I and II Environmental Site Assessments [ESAs], BEA) and Due Care activities (preparation of Documentation of Due Care Compliance). To support construction on the environmentally impacted parcels, Additional Response Activities are



necessary, specifically related to the management of contaminated soil during construction. These “environmental” costs are eligible for reimbursement through the Brownfield Plan.

The project includes “non-environmental costs” for construction of public infrastructure such as sidewalks, bike paths, landscaping, and seating that benefit the public and enhance the project. These public infrastructure costs are also eligible for reimbursement through the Brownfield Plan. Eligible costs also include an asbestos survey, asbestos abatement costs, site and building demolition, and preparation of the site for new construction. Professional “soft costs” related to the management of these activities (e.g., environmental, engineering, architect, finance, etc.) are also eligible costs.

This Brownfield Plan identifies eligible environmental and non-environmental activities that are intended to be funded by the developer and reimbursed through the capture of local and school tax increment revenues. To capture the school tax increment for Additional Response Activities and non-environmental costs approval from either the MDEQ and/or the Michigan Economic Development Corporation/Michigan Strategic Fund (MEDC/MSF) is needed. To secure approval from either Department to capture the school tax increment, submission and approval of an Act 381 Work Plan detailing the eligible activities and overall project is necessary. The development of the Act 381 Work Plan and this Brownfield Plan are also eligible activities.

The purpose of this plan, to be implemented by the Authority, is to satisfy the requirements for a Brownfield Plan as specified in Act 381 of the Public Acts of the State of Michigan of 1996, as amended, MCL 125.2651 et. seq., which is known as the "Brownfield Redevelopment Financing Act." Terms used in this document are as defined in Act 381.

2. ELIGIBLE PROPERTY INFORMATION

The property subject to this plan currently consists of seven legal parcels of land. Three parcels to the west across Kalamazoo Avenue on which a parking lot will be constructed are eligible properties based on the presence of environmental contaminants remaining on site above residential cleanup criteria. These three parcels (53-002-560-00; 53-002-552-01; 53-008-301-00) meet the definition of a “facility” as defined by Part 201 of NREPA based upon the presence of contaminants in soil and groundwater at concentrations in excess of MDEQ Residential cleanup criteria.



The “Dark Horse Commons” parcel within the existing Dark Horse Brewing compound has been designated “functionally obsolete” by the local assessor and is thus eligible property. An Affidavit of the Assessor identifying the property as functionally obsolete is attached in Appendix D. Three adjacent parcels of land within the Dark Horse Brewing compound are eligible properties as they are contiguous and adjacent to this eligible property.

3. PROPOSED REDEVELOPMENT

This Brownfield Plan has been prepared to support redevelopment efforts on the subject property. Dark Horse Brewing Co. is expanding operations. A new 15,000-square-foot building will be constructed to house a new production line and an expanded refrigeration system. The expansion connects a production building with a large 26,000-square-foot warehouse building. This expansion also provides capacity for future growth, improves productivity and process flow. The additional production line is expected to create 25 new jobs.

The “Dark Horse Commons” at 515 S. Kalamazoo Ave. is a functionally obsolete building that will be extensively remodeled to provide additional retail and food services. The interior will be extensively remodeled and the façade and streetscape improved.

A new parking lot will be constructed on the three parcels to the west of the compound. A blighted building will be demolished and the parking lot constructed. Landscaping berms, sidewalks, bike paths, and seating will be constructed to create safe parking and pedestrian spaces. These developments are intended to take place in 2016.

4. BROWNFIELD CONDITIONS

The three western parcels are a former industrial property known as the “Rowan and Kunzl property.” The three parcels were part of a larger industrial property that had been used for a variety of manufacturing uses since the late 1800s. Page Brothers Buggy Company operated on site from circa 1893 to at least 1918. Lambert Machine Company, manufacturer of coffee grinders, operated on the site in the early part of century (~1920s—1950s). Rowan and Kunzl, a manufacturer of electric water heaters then occupied the site until their operation ceased and the property fell under control of the City of Marshall in the early 1990s. These industrial operations had many industrial processes and hazardous material storage areas that



contributed to environmental contamination on the site. Lead, trichloroethylene, and tetrachloroethylene are present in groundwater above Residential cleanup criteria. Arsenic, selenium, and trichloroethylene are present in soil above Residential cleanup criteria.

The Emporium building located at 515 S. Kalamazoo Ave. was inspected by the local assessor (a certified Michigan Advanced Assessing Officer) and determined to be functionally obsolete. Specifically, the property has no heating and cooling system, no bathrooms, no fire suppression system, no emergency lights or signs, and does not comply with the Americans with Disabilities Act. Based on these observations the site has been deemed functionally obsolete as it cannot adequately perform the function for which it was intended. Parcels contiguous and adjacent to this parcel are also eligible.

5. BROWNFIELD PLAN ELEMENTS (as specified in Section 13(1) of Act 381)

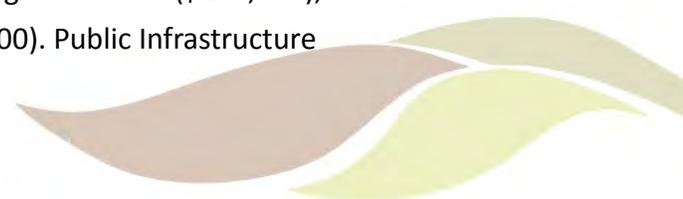
A. Description of Costs to Be Paid for With Tax Increment Revenues

This Brownfield Plan was developed to reimburse existing and anticipated costs to be incurred by Dark Horse Brewing Co., Mor-Dall Enterprises, and the City of Marshall Brownfield Redevelopment Authority. Specific costs to be paid for with tax increment revenues are detailed in Table 1 and described below.

Eligible costs for reimbursement include BEA Activities (i.e., Phase I ESA, Phase II ESA, BEA). These costs are estimated at \$40,250.

Due Care includes preparation of a Documentation of Due Care Compliance, and Additional Response Activities include management of excess contaminated soil generated from the parking lot construction. These costs could include disposal and or covering berms of impacted soil with clean soil. Documentation of Due Care Compliance is estimated to be \$5,000. Soil management costs are based on an estimated volume of 2,700 cubic yards of soil that would be managed either through disposal or creation of berms which are covered with clean fill. At an estimated unit rate of approximately \$50 per cubic yard, the cost of soil management is estimated at \$135,000.

Eligible non-environmental costs include site and building demolition (\$148,000), and asbestos survey and asbestos and lead abatement (\$6,500). Public Infrastructure



improvements inclusive of, but not limited to, sidewalks (\$3,300), bike paths (\$32,000), seating (\$5,000), and landscaping (\$75,000) are estimated to cost \$115,300.

Total Site preparation costs are estimated to be approximately \$53,000. These include, but are not limited to staking (\$2,000), geotechnical engineering (\$4,500), temporary facilities (\$2,000), traffic control (\$2,500), erosion control (\$2,000), site control (\$3,000), excavation of unstable material and backfill (\$9,000), grading (\$3,000), relocation of existing utilities (\$8,000), compaction and sub-base preparation of soils (\$3,000), temporary sheeting and shoring (\$4,000) and other eligible site preparation activities as described in MEDC guidance. Professional “soft costs” related to the management of environmental and non-environmental activities (e.g., environmental, engineering, architect, finance, etc.) are also eligible costs. These are estimated at \$10,000 and for the purposes of this Brownfield Plan are included in the line item for Site Preparation as the majority of professional soft costs are related to that activity.

This Plan includes a 15% contingency in association with eligible activities. Total contingencies are estimated at about \$78,000.

The eligibility activities include administrative costs of the City of Marshall Brownfield Redevelopment Authority estimated at \$2,500 annually for the first two years of the Plan.

This Plan includes the capture of both school and non-school tax increment. BEA and Brownfield Plan preparation activities completed prior to approval of this Plan or the Act 381 Work Plan will be reimbursed with both school and non-school tax increment. Remaining costs will require approval of an Act 381 Work Plan in order to be eligible for reimbursement with school tax increment revenues. The estimated cost for developing the Brownfield Plan and Work Plan is \$18,000.

B. Summary of Eligible Activities

Eligible activities include BEA activities, including Phase I and II ESAs and BEAs for acquisition of western parcels of land needed for construction of the parking lot.

Because the western parking lots have been identified as environmentally impacted property, the due care obligations of Section 20107a of NREPA are applicable to actions on these



parcels. Specifically, the management of contaminated soil will require that the soil is either disposed off site or encapsulated on site in berms. Over 2,700 cubic yards of soil are estimated to be disturbed by construction and will require appropriate management. Development of written Documentation of Due Care Compliance will be needed to document the management of contaminated soil and other applicable due care obligations.

Construction of certain Public Infrastructure features may be included in the project. It is envisioned that a sidewalk connecting the parking lot to the Tap Room and Dark Horse Commons property will be constructed to provide a safe path for pedestrian traffic. A bike path may be constructed connecting the parking lot to the main Brewery properties. Improvements within the streetscape such as seating, landscaping, and other amenities may also be included.

To construct the parking lot, a blighted building must first be demolished. An asbestos survey was completed of the building and a small amount of asbestos needs to be managed during demolition. The asbestos survey and management of asbestos-containing materials are eligible costs. The demolition of the building including removal of foundations, backfill, compaction, and rough grading of the resulting demolition area are also eligible costs. To construct the new addition, an existing parking lot needs to be removed. The removal of this parking lot is an eligible Site Demolition cost.

As part of the construction of the new building and the parking lot, eligible site preparation activities will be conducted. These include staking, geotechnical engineering, temporary facilities and site/traffic control, erosion control, excavation of unstable soils or sub-surface material, fill related to the removal of unstable materials, compaction and subbase preparation in those areas where unstable materials were removed, grading, relocation of existing utilities, sheeting, shoring, and other eligible site preparation activities.

The development of this Brownfield Plan and an Act 381 Work Plan are also eligible activities.

Professional “soft costs” related to the management of environmental and non-environmental activities (e.g., environmental, engineering, architect, finance, etc.) are also eligible activities.



C. Estimate of Captured Taxable Value and Tax Increment Revenues

The project is expected to take place during 2016. This Plan anticipates that the increment will first be available for capture in 2017. For the purposes of this plan, the initial taxable value is the value of each eligible property in 2016. This plan has been developed and adopted before the 2016 taxable values are published. After consultation with the City of Marshall, the 2016 taxable values (Initial Taxable Value) for each parcel was computed by increasing the 2015 taxable value by 0.3%. In the case of parcel 53-002-560-00 (100 Page Ave.), a building was demolished in 2015 and the building value was subtracted from the taxable value. That is, the 2016 taxable value for this parcel is the 2015 taxable value of the land only with a 0.3% increase.

Refer to Table 2 for estimates of the future taxable value, captured taxable value (the incremental value) and estimated of the captured tax increment revenues.

The development of the parking lot will increase the taxable value of the three parcels of land. This plan conservatively estimates that the investment will result in a captured taxable value of \$53,000 (aggregate) associated with these three parcels. Annual tax increment revenues for these three parcels are estimated in Table 3.

Improvement to the Dark Horse Commons building is expected to result in an increase in taxable value resulting in a captured taxable value of \$125,000. Annual tax increment revenues for this parcel are estimated in Table 3A.

New construction of the addition will result in increases in taxable value on at least two parcels of land (53-001-346-00 and 53-001-347-00) and possibly a third parcel (53-001-345-00) which are included in this plan. In aggregate, the captured taxable value estimated from the new construction affecting these parcels is \$150,000. Annual tax increment revenues for these three parcels are estimated in Table 3B.

In addition to the tax increment created by the new investment, over the lifetime of this Brownfield Plan there may also be incremental increases in the taxable values of the real property related to market conditions and inflationary measures that affect the capturable taxable value and tax increment revenues. The plan does not attempt to estimate the



potential revenues from general economic conditions and instead shows a flat value during the term of this plan.

A summary of the estimated annual tax increment revenues for each taxing jurisdiction by year and in aggregate is presented as Table 4.

A summary of the estimated reimbursement schedule and amount of capture into the Local Site Remediation Revolving Fund (LSRRF) by year and in aggregate is presented as Table 5. The Plan is anticipated to require 30 years (the maximum term allowed by statute) to fully pay back eligible expenses. Once eligible expenses are reimbursed, the Authority may capture up to five full years of the tax increment and deposit them into a Local Site Remediation Revolving Fund.

D. Method of Financing and Description of Advances by the Municipality

Costs for eligible activities are financed by Dark Horse Brewing Co. and/or Mor-Dall Enterprises LLC.

No advances by the municipality have been made or are anticipated.

This Plan does not include interest payment.

A Development and Reimbursement agreement will be executed between the Authority and Developer as part of the requirement for approval of school tax capture.

E. Maximum Amount of Note or Bonded Indebtedness

There are no plans by the Authority to incur indebtedness to support development of this site.

F. Duration of Brownfield Plan

The Authority intends to begin capture of tax increment in 2017. This Plan will then remain in place until the eligible activities have been fully reimbursed and up to five full years of capture into the Local Site Remediation Revolving Fund (LSRRF) is complete or 30 years, whichever occurs sooner.



G. Estimated Impact of Tax Increment Financing on Revenues of Taxing Jurisdictions

The estimated amount of tax increment revenues to be captured for this redevelopment from each taxing jurisdiction by year and in aggregate is presented as Table 4.

H. Legal Description, Property Map, Statement of Qualifying Characteristics and Personal Property

The property subject to this Brownfield Plan is located within the City of Marshall, Calhoun County, Michigan. A map showing the eligible property is provided in the attached Exhibits (Appendix A). The following seven individual parcels are included in this Brownfield Plan:

53-002-560-00 (100 Page Avenue)

MARSHALL CITY SEC 26 T2S-R6W BEG AT NE COR OF LOT 8 MARTIN & HATCH- S 230FT- ELY 256.75 FT PARL W/ INDUSTRIAL ROAD THENCE N 38 DEG 56' E 155.72 FT- NWLY ALG PAGE ST ROW 376.87 FT TO POB.

53-002-552-01 (No address)

MARSHALL CITY SEC 26 T2S-R6 A PARCEL OF LAND LOCATED IN THE SE 1/4 OF SEC 26, T2S, R6W, BEING A PROPERTY DESC AS: COM ON W LI KALAMAZOO AVE 132 FT N OF N LI INDUSTRIAL ROAD- WLY PAR INDUSTRIAL RD 297 FT TO PLACE OF BEG TH S 132 FT TO INDUSTRIAL RD TH WLY ALG INDUSTRIAL RD TO E LI LOT 1 MARTIN & HATCH N TO PT 17.8 FT N OF SE COR LOT 5 MARTIN & HATCH- ELY PAR TO INDUSTRIAL RD 256.75 FT TO A PT BEING A PT S38 DEG 49' 08"W, 154.16 FT OF THE S LINE OF CONRAIL RR TH S 84 DEG 46' 50" E, 60.10 FT TH S00 12' 31"W, 129.78 FT TO PL OF BEG. ALSO LOT 2 OF MARTIN & HATCH ADDITION 2007LD-008 COMBINATION OF 002-552-00 AND 002-538-00 2007LD-009 SEE PARCEL 002-538-01 & 002-552-01

53-008-301-00 (No address)

MARSHALL CITY HATCH'S ADD THAT PART OF LOT 1 LYING NLY OF INDUSTRIAL RD ALSO BEG NE COR LOT 1- S 46 FT-SELY ALG INDUSTRIAL RD 30 FT-. NELY ALG OLD RR SIDING 185 FT- SWLY 184.88 FT TO POB

53-001-340-00 (515 S. Kalamazoo Ave.)

MARSHALL CITY UPPER VILLIAGE BEG NW COR LOT 346, E 188 FT, N 97.5 FT, W 188 FT, S 94.7 FT .41 AC

53-001-345-00 (No address)

MARSHALL CITY, UPPER VILLAGE BEG 188 FT E OF NW COR LOT 346 E ALG N LI SD LOT EXTED 7'- N 45.5 - E 66 - N 52 - W 73 - SLY 97.5.

53-001-346-00 (519 S. Kalamazoo Ave.)

MARSHALL CITY, UPPER VILLAGE LOTS 346 & 348.



53-001-347-00 (320 Pearl)

MARSHALL CITY, UPPER VILLAGE LOTS 347 & 349 & LOTS 354 THRU 359 INCL & THAT PART OF LOTS 343,345,352,353 & 391 & ABANDONED GRAND & EAGLE STS DESC AS: BEG SELY COR LOT 391-NELY 210 FT TO NELY LOT COR- NWLY 233 FT TO PT 190 FT N OF S LI LOT 359- NW 223 FT PAR & 10 FT SLY OF TRACK-SW 22 FT-NW 32 FT-NE 17.9 FT TO PT 8.5 FT S OF SD TRACK-SWLY 198 FT PAR TRK-S 63.9 FT-W 66 FT-S 45 FT TO N LI LOT 347-W 45.5 FT TO NW COR SD LOT-S 132 FT TO SW COR LOT 349-E 620 FT TO BEG.EXC RR EASEMENTS.

Three parcels (53-002-560-00; 53-002-552-01; 53-008-301-00) meet the definition of a “facility” as defined by Part 201 of NREPA based upon the presence of contaminants in soil and groundwater at concentrations in excess of MDEQ Residential cleanup criteria.

The “Dark Horse Commons” parcel (53-001-340-00) within the existing Dark Horse Brewing compound has been designated “functionally obsolete” by the local assessor and is thus eligible property. An Affidavit of the Assessor identifying the property as functionally obsolete is attached in Appendix D. Three adjacent parcels of land within the Dark Horse Brewing compound (53-001-345-00; 519 S. Kalamazoo Ave. and 320 Pearl St.) are eligible property as they are contiguous and adjacent to this eligible property.

This Brownfield Plan does not intend to capture tax increment revenues associated with personal property as the personal property tax is being phased out and is not relevant to this project.

I. Estimates of Residents and Displacement of Families

No residences exist on the property.

J. Plan for Relocation of Displaced Persons

Not Applicable.

K. Provisions for Relocation Costs

Not Applicable.

L. Strategy for Compliance with Michigan's Relocation Assistance Law

Not Applicable.



M. Description of Proposed Use of Local Site Remediation Revolving Fund

No use of the Local Site Remediation Revolving Fund (LSRRF) is anticipated at this time though such plans could be made in the future if it were to benefit the project. The City of Marshall Brownfield Redevelopment Authority intends to capture tax increment revenues for up to five full years after reimbursement of eligible activities. The Authority intends to use the LSRRF funds for the completion of eligible activities to support redevelopment at other brownfield sites in the future. Capture for the LSRRF is critical to the maintenance of a sustainable brownfield program for the Authority.

N. Other Material That the Authority or Governing Body Considers Pertinent

EXHIBITS/FIGURES

Figure 1: Location Map

Figure 2: Site Plan



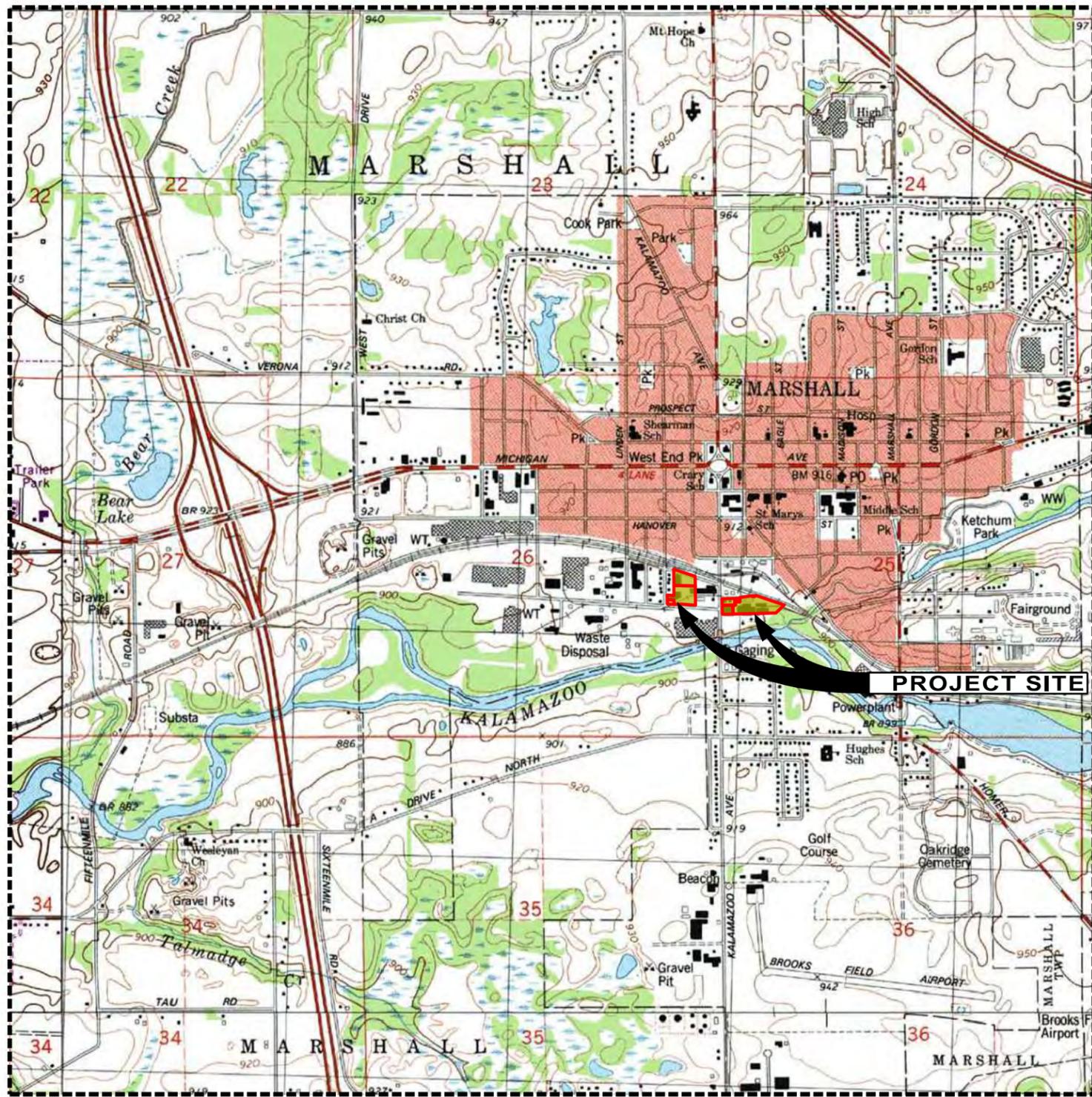
SCHEDULES/TABLES

- Table 1: Summary of Eligible Activities Costs**
- Table 2: Estimated Captured Taxable Values**
- Table 3: Estimate of Annual Captured Incremental Taxes for Each Affected Taxing Jurisdiction (Parking Lot Parcels)**
- Table 3A: Estimate of Annual Captured Incremental Taxes for Each Affected Taxing Jurisdiction (Dark Horse Commons Parcel)**
- Table 3B: Estimate of Annual Captured Incremental Taxes for Each Affected Taxing Jurisdiction (Three Dark Horse Brewery Co. parcels)**
- Table 4: Captured Taxable Value and Tax Increment Revenue by Year and Aggregate for each Taxing Jurisdiction**
- Table 5: Reimbursement Schedule**

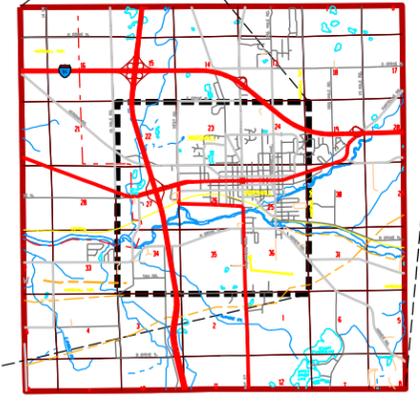


FIGURE 1: LOCATION MAP



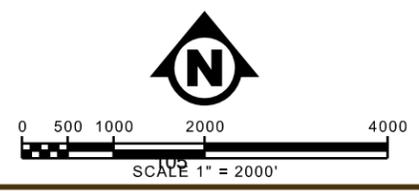


SOURCE: MARSHALL, MICHIGAN USGS 7.5 MINUTE TOPOGRAPHIC QUADRANGLE MAPS
 MAPTECH® U.S. TERRAIN SERIES™ ©MAPTECH®, INC. 606-433-8500



T 2 S. R. 6 W.
 CALHOUN COUNTY
 MARSHALL, MICHIGAN

000000 AAAAAA File: AA.dgn Model: Location Map



envirollogic
 environmental consulting + services
 2960 INTERSTATE PARKWAY
 KALAMAZOO, MICHIGAN 49048
 PH: (269) 342-1100 FAX: (269) 342-4945

DARK HORSE BREWING CO.
 MARSHALL, MI
LOCATION MAP

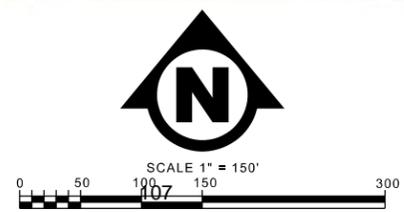
PROJECT NO.	150086
FIGURE NO.	1

FIGURE 2: SITE PLAN





NOTE:
THIS IS NOT A PROPERTY BOUNDARY SURVEY, PROPERTY BOUNDARIES SHOWN ON THIS MAP ARE BASED ON AVAILABLE FURNISHED INFORMATION AND ARE APPROXIMATE ONLY AND SHOULD NOT BE USED TO ESTABLISH PROPERTY BOUNDARY LOCATION IN THE FIELD.



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environmental consulting + services

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DARK HORSE BREWING CO.
MARSHALL, MI
SITE PLAN

PROJECT NO.
150086

FIGURE No.
2

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TABLE 1: SUMMARY OF ELIGIBLE ACTIVITIES COSTS



Table 1

Summary of Eligible Costs

Dark Horse Brewery Expansion
Industrial Street
Marshall, MI

Eligible Activities		Estimated Cost
<u>BEA Activities</u>		\$ -
BEA Activities	school and local	\$ 40,250.00
<u>Due Care Activities</u>		\$ -
DDCC	school and local	\$ 5,000.00
<u>Additional Response Activities</u>		
Soil Management	school w/ Work Plan Approval from MDEQ	\$ 135,000.00
<u>MSF Non Environmental Activities</u>		
Public Infrastructure	Sidewalk, bike path, landscaping, seating	\$ 115,300.00
Lead and Asbestos Abatement		\$ 6,500.00
Building and Site Demolition		\$ 148,000.00
Site Preparation		\$ 53,000.00
TOTAL COSTS OF ELIGIBLE ACTIVITIES		\$ 503,050.00
Financing Costs		\$ -
Contingencies (15%)		\$ 75,457.50
Brownfield Plan and Act 381 Work Plan		\$ 18,000.00
Administrative Costs of the Authority (estimated)		\$ 5,000.00
TOTAL REIMBURSEMENTS		\$ 583,507.50
Captured and Disbursed to State Brownfield Redevelopment Fund		\$ 25,117.35
Additional Capture for LSRRF		\$ 18,785.45
Total		\$ 627,410.30

**TABLE 2: ESTIMATE OF ANNUAL CAPTURED INCREMENTAL TAXES
FOR PERSONAL AND REAL PROPERTY**



Table 2

Estimate of Total Captured Incremental Taxes

Dark Horse Brewery Expansion
Industrial Street
Marshall, MI

All parcels combined

Year	Annual Total Millage†	Initial Taxable Value	Tax Revenues from Initial Taxable Value	Estimated Future Taxable Value	Estimated Future Tax Revenues	Incremental Tax Revenues	Available for Capture
2017	62.4479	\$ 299,392.00	\$ 18,696.40	\$ 634,290.00	\$ 39,610.08	\$ 20,913.68	\$ 20,913.68
2018	62.4479	\$ 299,392.00	\$ 18,696.40	\$ 634,290.00	\$ 39,610.08	\$ 20,913.68	\$ 20,913.68
2019	62.4479	\$ 299,392.00	\$ 18,696.40	\$ 634,290.00	\$ 39,610.08	\$ 20,913.68	\$ 20,913.68
2020	62.4479	\$ 299,392.00	\$ 18,696.40	\$ 634,290.00	\$ 39,610.08	\$ 20,913.68	\$ 20,913.68
2021	62.4479	\$ 299,392.00	\$ 18,696.40	\$ 634,290.00	\$ 39,610.08	\$ 20,913.68	\$ 20,913.68
2022	62.4479	\$ 299,392.00	\$ 18,696.40	\$ 634,290.00	\$ 39,610.08	\$ 20,913.68	\$ 20,913.68
2023	62.4479	\$ 299,392.00	\$ 18,696.40	\$ 634,290.00	\$ 39,610.08	\$ 20,913.68	\$ 20,913.68
2024	62.4479	\$ 299,392.00	\$ 18,696.40	\$ 634,290.00	\$ 39,610.08	\$ 20,913.68	\$ 20,913.68
2025	62.4479	\$ 299,392.00	\$ 18,696.40	\$ 634,290.00	\$ 39,610.08	\$ 20,913.68	\$ 20,913.68
2026	62.4479	\$ 299,392.00	\$ 18,696.40	\$ 634,290.00	\$ 39,610.08	\$ 20,913.68	\$ 20,913.68
2027	62.4479	\$ 299,392.00	\$ 18,696.40	\$ 634,290.00	\$ 39,610.08	\$ 20,913.68	\$ 20,913.68
2028	62.4479	\$ 299,392.00	\$ 18,696.40	\$ 634,290.00	\$ 39,610.08	\$ 20,913.68	\$ 20,913.68
2029	62.4479	\$ 299,392.00	\$ 18,696.40	\$ 634,290.00	\$ 39,610.08	\$ 20,913.68	\$ 20,913.68
2030	62.4479	\$ 299,392.00	\$ 18,696.40	\$ 634,290.00	\$ 39,610.08	\$ 20,913.68	\$ 20,913.68
2031	62.4479	\$ 299,392.00	\$ 18,696.40	\$ 634,290.00	\$ 39,610.08	\$ 20,913.68	\$ 20,913.68
2032	62.4479	\$ 299,392.00	\$ 18,696.40	\$ 634,290.00	\$ 39,610.08	\$ 20,913.68	\$ 20,913.68
2033	62.4479	\$ 299,392.00	\$ 18,696.40	\$ 634,290.00	\$ 39,610.08	\$ 20,913.68	\$ 20,913.68
2034	62.4479	\$ 299,392.00	\$ 18,696.40	\$ 634,290.00	\$ 39,610.08	\$ 20,913.68	\$ 20,913.68
2035	62.4479	\$ 299,392.00	\$ 18,696.40	\$ 634,290.00	\$ 39,610.08	\$ 20,913.68	\$ 20,913.68
2036	62.4479	\$ 299,392.00	\$ 18,696.40	\$ 634,290.00	\$ 39,610.08	\$ 20,913.68	\$ 20,913.68
2037	62.4479	\$ 299,392.00	\$ 18,696.40	\$ 634,290.00	\$ 39,610.08	\$ 20,913.68	\$ 20,913.68
2038	62.4479	\$ 299,392.00	\$ 18,696.40	\$ 634,290.00	\$ 39,610.08	\$ 20,913.68	\$ 20,913.68
2039	62.4479	\$ 299,392.00	\$ 18,696.40	\$ 634,290.00	\$ 39,610.08	\$ 20,913.68	\$ 20,913.68
2040	62.4479	\$ 299,392.00	\$ 18,696.40	\$ 634,290.00	\$ 39,610.08	\$ 20,913.68	\$ 20,913.68
2041	62.4479	\$ 299,392.00	\$ 18,696.40	\$ 634,290.00	\$ 39,610.08	\$ 20,913.68	\$ 20,913.68
2042	62.4479	\$ 299,392.00	\$ 18,696.40	\$ 634,290.00	\$ 39,610.08	\$ 20,913.68	\$ 20,913.68
2043	62.4479	\$ 299,392.00	\$ 18,696.40	\$ 634,290.00	\$ 39,610.08	\$ 20,913.68	\$ 20,913.68
2044	62.4479	\$ 299,392.00	\$ 18,696.40	\$ 634,290.00	\$ 39,610.08	\$ 20,913.68	\$ 20,913.68
2045	62.4479	\$ 299,392.00	\$ 18,696.40	\$ 634,290.00	\$ 39,610.08	\$ 20,913.68	\$ 20,913.68
2046	62.4479	\$ 299,392.00	\$ 18,696.40	\$ 634,290.00	\$ 39,610.08	\$ 20,913.68	\$ 20,913.68
TOTAL							\$ 627,410.30

† - Does not include debt millages

* - Total includes five year future capture to Local Site Remediation Revolving Fund and up to 25 years to State Brownfield Fund

TABLE 3: ESTIMATE OF ANNUAL CAPTURED INCREMENTAL TAXES FOR EACH AFFECTED TAXING JURISDICTION (PARKING LOT PARCELS)



Table 3

Estimate of Annual Effect on Taxing Jurisdictions

Dark Horse Brewery Expansion
Industrial Street
Marshall, MI

Parking Lot Parcels Combined 53-002-560-00 53-002-552-01 53-008-301-00

SUMMER TAXES¹														
Taxing Jurisdiction		City General	City Leaf/Brush	City Rec	Dial-a-ride	Library Oper	SET	Calhoun ISD	KCC	School Oper	School Debt	School Sinking Fund	County General	Total
Millage		17.1629	0.4	0.9393	0.484	1.6711	6	3.13	1.8068	9	3.525	0.5	5.3779	49.997
Initial Taxable Value	\$ 44,002.00	\$ 755.20	\$ 17.60	\$ 41.33	\$ 21.30	\$ 73.53	\$ 264.01	\$ 137.73	\$ 79.50	\$ 396.02	\$ 155.11	\$ 22.00	\$ 236.64	\$ 2,199.97
Future Taxable Value	\$ 103,900.00	\$ 1,783.23	\$ 41.56	\$ 97.59	\$ 50.29	\$ 173.63	\$ 623.40	\$ 325.21	\$ 187.73	\$ 935.10	\$ 366.25	\$ 51.95	\$ 558.76	\$ 5,194.69
Captured Taxable Value	\$ 59,898.00	\$ 1,028.02	\$ 23.96	\$ 56.26	\$ 28.99	\$ 100.10	\$ 359.39	\$ 187.48	\$ 108.22	\$ 539.08		\$ 29.95	\$ 322.13	\$ 2,783.58

WINTER TAXES²												
Taxing Jurisdiction		County Veterans	Medical Care	Senior Millage	Library Debt	Calhoun ISD	KCC	School Oper	School Debt	School Sinking Fund	MSL Ambulance	Total
Millage		0.1	0.2482	0.7452	0.32	3.0757	1.8068	9	3.525	0.5	0.5	19.8209
Initial Taxable Value	\$ 44,002.00	\$ 4.40	\$ 10.92	\$ 32.79	\$ 14.08	\$ 135.34	\$ 79.50	\$ 396.02	\$ 155.11	\$ 22.00	\$ 22.00	\$ 872.16
Future Taxable Value	\$ 103,900.00	\$ 10.39	\$ 25.79	\$ 77.43	\$ 33.25	\$ 319.57	\$ 187.73	\$ 935.10	\$ 366.25	\$ 51.95	\$ 51.95	\$ 2,059.39
Captured Taxable Value	\$ 59,898.00	\$ 5.99	\$ 14.87	\$ 44.64		\$ 184.23	\$ 108.22	\$ 539.08		\$ 29.95	\$ 29.95	\$ 956.92

1. Based on millages from 2015 taxes
2. Based on millages from 2015 taxes
3. Half of captured SET conveyed to State Brownfield Redevelopment Fund

Total Millage	69.8179
Total Annual Future Tax Liability	\$ 7,254.08
Total Capturable Local Millages	38.4479
Total Annual Capturable Local Tax Increment	\$ 2,302.95
Total Capturable School Millages	24.00000
Total Annual Capturable School Tax Increment	\$ 1,437.55
Total School and Local Tax Increment Revenue/Yr	\$ 3,740.50

TABLE 3A: ESTIMATE OF ANNUAL CAPTURED INCREMENTAL TAXES FOR EACH AFFECTED TAXING JURISDICTION (DARK HORSE COMMONS PARCEL)



Table 3A

Estimate of Annual Effect on Taxing Jurisdictions

Dark Horse Brewery Expansion
Industrial Street
Marshall, MI

Dark Horse Commons

53-001-340-00

SUMMER TAXES ¹														
Taxing Jurisdiction		City General	City Leaf/Brush	City Rec	Dial-a-ride	Library Oper	SET	Calhoun ISD	KCC	School Oper	School Debt	School Sinking Fund	County General	Total
Millage		17.1629	0.4	0.9393	0.484	1.6711	6	3.13	1.8068	9	3.525	0.5	5.3779	49.997
Initial Taxable Value	\$ 92,834.00	\$ 1,593.30	\$ 37.13	\$ 87.20	\$ 44.93	\$ 155.13	\$ 557.00	\$ 290.57	\$ 167.73	\$ 835.51	\$ 327.24	\$ 46.42	\$ 499.25	\$ 4,641.42
Future Taxable Value	\$ 217,834.00	\$ 3,738.66	\$ 87.13	\$ 204.61	\$ 105.43	\$ 364.02	\$ 1,307.00	\$ 681.82	\$ 393.58	\$ 1,960.51	\$ 767.86	\$ 108.92	\$ 1,171.49	\$ 10,891.05
Captured Taxable Value	\$ 125,000.00	\$ 2,145.36	\$ 50.00	\$ 117.41	\$ 60.50	\$ 208.89	\$ 750.00	\$ 391.25	\$ 225.85	\$ 1,125.00		\$ 62.50	\$ 672.24	\$ 5,809.00

WINTER TAXES ²												
Taxing Jurisdiction		County Veterans	Medical Care	Senior Millage	Library Debt	Calhoun ISD	KCC	School Oper	School Debt	School Sinking Fund	MSL Ambulance	Total
Millage		0.1	0.2482	0.7452	0.32	3.0757	1.8068	9	3.525	0.5	0.5	19.8209
Initial Taxable Value	\$ 92,834.00	\$ 9.28	\$ 23.04	\$ 69.18	\$ 29.71	\$ 285.53	\$ 167.73	\$ 835.51	\$ 327.24	\$ 46.42	\$ 46.42	\$ 1,840.05
Future Taxable Value	\$ 217,834.00	\$ 21.78	\$ 54.07	\$ 162.33	\$ 69.71	\$ 669.99	\$ 393.58	\$ 1,960.51	\$ 767.86	\$ 108.92	\$ 108.92	\$ 4,317.67
Captured Taxable Value	\$ 125,000.00	\$ 12.50	\$ 31.03	\$ 93.15		\$ 384.46	\$ 225.85	\$ 1,125.00		\$ 62.50	\$ 62.50	\$ 1,996.99

1. Based on millages from 2015 taxes
2. Based on millages from 2015 taxes
3. Half of captured SET conveyed to State Brownfield Redevelopment Fund

Total Millage	69.8179
Total Annual Future Tax Liability	\$ 15,208.71
Total Capturable Local Millages	38.4479
Total Annual Capturable Local Tax Increment	\$ 4,805.99
Total Capturable School Millages	24.00000
Total Annual Capturable School Tax Increment	\$ 3,000.00
Total School and Local Tax Increment Revenue/Yr	\$ 7,805.99

TABLE 3B: ESTIMATE OF ANNUAL CAPTURED INCREMENTAL TAXES FOR EACH AFFECTED TAXING JURISDICTION (THREE DARK HORSE BREWERY CO. PARCELS)



Table 3B

Estimate of Annual Effect on Taxing Jurisdictions

Dark Horse Brewery Expansion
Industrial Street
Marshall, MI

Three parcels combined 53-001-347-00 53-001-345-00 53-001-346-00

SUMMER TAXES¹														
Taxing Jurisdiction		City General	City Leaf/Brush	City Rec	Dial-a-ride	Library Oper	SET	Calhoun ISD	KCC	School Oper	School Debt	School Sinking Fund	County General	Total
Millage		17.1629	0.4	0.9393	0.484	1.6711	6	3.13	1.8068	9	3.525	0.5	5.3779	49.997
Initial Taxable Value	\$ 162,556.00	\$ 2,789.93	\$ 65.02	\$ 152.69	\$ 78.68	\$ 271.65	\$ 975.34	\$ 508.80	\$ 293.71	\$ 1,463.00	\$ 573.01	\$ 81.28	\$ 874.21	\$ 8,127.31
Future Taxable Value	\$ 312,556.00	\$ 5,364.37	\$ 125.02	\$ 293.58	\$ 151.28	\$ 522.31	\$ 1,875.34	\$ 978.30	\$ 564.73	\$ 2,813.00	\$ 1,101.76	\$ 156.28	\$ 1,680.89	\$ 15,626.86
Captured Taxable Value	\$ 150,000.00	\$ 2,574.44	\$ 60.00	\$ 140.90	\$ 72.60	\$ 250.67	\$ 900.00	\$ 469.50	\$ 271.02	\$ 1,350.00		\$ 75.00	\$ 806.69	\$ 6,970.80

WINTER TAXES²												
Taxing Jurisdiction		County Veterans	Medical Care	Senior Millage	Library Debt	Calhoun ISD	KCC	School Oper	School Debt	School Sinking Fund	MSL Ambulance	Total
Millage		0.1	0.2482	0.7452	0.32	3.0757	1.8068	9	3.525	0.5	0.5	19.8209
Initial Taxable Value	\$ 162,556.00	\$ 16.26	\$ 40.35	\$ 121.14	\$ 52.02	\$ 499.97	\$ 293.71	\$ 1,463.00	\$ 573.01	\$ 81.28	\$ 81.28	\$ 3,222.01
Future Taxable Value	\$ 312,556.00	\$ 31.26	\$ 77.58	\$ 232.92	\$ 100.02	\$ 961.33	\$ 564.73	\$ 2,813.00	\$ 1,101.76	\$ 156.28	\$ 156.28	\$ 6,195.14
Captured Taxable Value	\$ 150,000.00	\$ 15.00	\$ 37.23	\$ 111.78		\$ 461.36	\$ 271.02	\$ 1,350.00		\$ 75.00	\$ 75.00	\$ 2,396.39

1. Based on millages from 2015 taxes
2. Based on millages from 2015 taxes
3. Half of captured SET conveyed to State Brownfield Redevelopment Fund

Total Millage	69.8179
Total Annual Future Tax Liability	\$ 21,822.00
Total Capturable Local Millages	38.4479
Total Annual Capturable Local Tax Increment	\$ 5,767.19
Total Capturable School Millages	24.00000
Total Annual Capturable School Tax Increment	\$ 3,600.00
Total School and Local Tax Increment Revenue/Yr	\$ 9,367.19

TABLE 4: CAPTURED TAXABLE VALUE AND TAX INCREMENT REVENUE BY YEAR AND AGGREGATE FOR EACH TAXING JURISDICTION



Table 4

Captured Taxable Value and Tax Increment Revenue by Year and Aggregate for Each Taxing Jurisdiction

Dark Horse Brewery Expansion
Industrial Street
Marshall, MI

Year	Captured Taxable Value	City General	City Leaf/Brush	City Rec	Dial-a-ride	Library Oper	SET ¹	Calhoun ISD	KCC	School Oper	School Debt	School Sinking Fund	County General	County Veterans	Medical Care	Senior Millage	Library Debt	Calhoun ISD	KCC	School Oper	School Debt	School Sinking Fund	MSL Ambulance	Total
		17,162.9	0.4	0.9393	0.484	1.6711	6	3.13	1.8068	9	3.525	0.5	5.3779	0.1	0.2482	0.7452	0.32	3.0757	1.8068	9	3.525	0.5	0.5	69.8179
2017	\$ 334,898.00	5,747.82	133.96	314.57	162.09	559.65	2,009.39	1,048.23	605.09	3,014.08	-	167.45	1,801.05	33.49	83.12	249.57	-	1,030.05	605.09	3,014.08	-	167.45	167.45	20,913.68
2018	\$ 334,898.00	5,747.82	133.96	314.57	162.09	559.65	2,009.39	1,048.23	605.09	3,014.08	-	167.45	1,801.05	33.49	83.12	249.57	-	1,030.05	605.09	3,014.08	-	167.45	167.45	20,913.68
2019	\$ 334,898.00	5,747.82	133.96	314.57	162.09	559.65	2,009.39	1,048.23	605.09	3,014.08	-	167.45	1,801.05	33.49	83.12	249.57	-	1,030.05	605.09	3,014.08	-	167.45	167.45	20,913.68
2020	\$ 334,898.00	5,747.82	133.96	314.57	162.09	559.65	2,009.39	1,048.23	605.09	3,014.08	-	167.45	1,801.05	33.49	83.12	249.57	-	1,030.05	605.09	3,014.08	-	167.45	167.45	20,913.68
2021	\$ 334,898.00	5,747.82	133.96	314.57	162.09	559.65	2,009.39	1,048.23	605.09	3,014.08	-	167.45	1,801.05	33.49	83.12	249.57	-	1,030.05	605.09	3,014.08	-	167.45	167.45	20,913.68
2022	\$ 334,898.00	5,747.82	133.96	314.57	162.09	559.65	2,009.39	1,048.23	605.09	3,014.08	-	167.45	1,801.05	33.49	83.12	249.57	-	1,030.05	605.09	3,014.08	-	167.45	167.45	20,913.68
2023	\$ 334,898.00	5,747.82	133.96	314.57	162.09	559.65	2,009.39	1,048.23	605.09	3,014.08	-	167.45	1,801.05	33.49	83.12	249.57	-	1,030.05	605.09	3,014.08	-	167.45	167.45	20,913.68
2024	\$ 334,898.00	5,747.82	133.96	314.57	162.09	559.65	2,009.39	1,048.23	605.09	3,014.08	-	167.45	1,801.05	33.49	83.12	249.57	-	1,030.05	605.09	3,014.08	-	167.45	167.45	20,913.68
2025	\$ 334,898.00	5,747.82	133.96	314.57	162.09	559.65	2,009.39	1,048.23	605.09	3,014.08	-	167.45	1,801.05	33.49	83.12	249.57	-	1,030.05	605.09	3,014.08	-	167.45	167.45	20,913.68
2026	\$ 334,898.00	5,747.82	133.96	314.57	162.09	559.65	2,009.39	1,048.23	605.09	3,014.08	-	167.45	1,801.05	33.49	83.12	249.57	-	1,030.05	605.09	3,014.08	-	167.45	167.45	20,913.68
2027	\$ 334,898.00	5,747.82	133.96	314.57	162.09	559.65	2,009.39	1,048.23	605.09	3,014.08	-	167.45	1,801.05	33.49	83.12	249.57	-	1,030.05	605.09	3,014.08	-	167.45	167.45	20,913.68
2028	\$ 334,898.00	5,747.82	133.96	314.57	162.09	559.65	2,009.39	1,048.23	605.09	3,014.08	-	167.45	1,801.05	33.49	83.12	249.57	-	1,030.05	605.09	3,014.08	-	167.45	167.45	20,913.68
2029	\$ 334,898.00	5,747.82	133.96	314.57	162.09	559.65	2,009.39	1,048.23	605.09	3,014.08	-	167.45	1,801.05	33.49	83.12	249.57	-	1,030.05	605.09	3,014.08	-	167.45	167.45	20,913.68
2030	\$ 334,898.00	5,747.82	133.96	314.57	162.09	559.65	2,009.39	1,048.23	605.09	3,014.08	-	167.45	1,801.05	33.49	83.12	249.57	-	1,030.05	605.09	3,014.08	-	167.45	167.45	20,913.68
2031	\$ 334,898.00	5,747.82	133.96	314.57	162.09	559.65	2,009.39	1,048.23	605.09	3,014.08	-	167.45	1,801.05	33.49	83.12	249.57	-	1,030.05	605.09	3,014.08	-	167.45	167.45	20,913.68
2032	\$ 334,898.00	5,747.82	133.96	314.57	162.09	559.65	2,009.39	1,048.23	605.09	3,014.08	-	167.45	1,801.05	33.49	83.12	249.57	-	1,030.05	605.09	3,014.08	-	167.45	167.45	20,913.68
2033	\$ 334,898.00	5,747.82	133.96	314.57	162.09	559.65	2,009.39	1,048.23	605.09	3,014.08	-	167.45	1,801.05	33.49	83.12	249.57	-	1,030.05	605.09	3,014.08	-	167.45	167.45	20,913.68
2034	\$ 334,898.00	5,747.82	133.96	314.57	162.09	559.65	2,009.39	1,048.23	605.09	3,014.08	-	167.45	1,801.05	33.49	83.12	249.57	-	1,030.05	605.09	3,014.08	-	167.45	167.45	20,913.68
2035	\$ 334,898.00	5,747.82	133.96	314.57	162.09	559.65	2,009.39	1,048.23	605.09	3,014.08	-	167.45	1,801.05	33.49	83.12	249.57	-	1,030.05	605.09	3,014.08	-	167.45	167.45	20,913.68
2036	\$ 334,898.00	5,747.82	133.96	314.57	162.09	559.65	2,009.39	1,048.23	605.09	3,014.08	-	167.45	1,801.05	33.49	83.12	249.57	-	1,030.05	605.09	3,014.08	-	167.45	167.45	20,913.68
2037	\$ 334,898.00	5,747.82	133.96	314.57	162.09	559.65	2,009.39	1,048.23	605.09	3,014.08	-	167.45	1,801.05	33.49	83.12	249.57	-	1,030.05	605.09	3,014.08	-	167.45	167.45	20,913.68
2038	\$ 334,898.00	5,747.82	133.96	314.57	162.09	559.65	2,009.39	1,048.23	605.09	3,014.08	-	167.45	1,801.05	33.49	83.12	249.57	-	1,030.05	605.09	3,014.08	-	167.45	167.45	20,913.68
2039	\$ 334,898.00	5,747.82	133.96	314.57	162.09	559.65	2,009.39	1,048.23	605.09	3,014.08	-	167.45	1,801.05	33.49	83.12	249.57	-	1,030.05	605.09	3,014.08	-	167.45	167.45	20,913.68
2040	\$ 334,898.00	5,747.82	133.96	314.57	162.09	559.65	2,009.39	1,048.23	605.09	3,014.08	-	167.45	1,801.05	33.49	83.12	249.57	-	1,030.05	605.09	3,014.08	-	167.45	167.45	20,913.68
2041	\$ 334,898.00	5,747.82	133.96	314.57	162.09	559.65	2,009.39	1,048.23	605.09	3,014.08	-	167.45	1,801.05	33.49	83.12	249.57	-	1,030.05	605.09	3,014.08	-	167.45	167.45	20,913.68
2042	\$ 334,898.00	5,747.82	133.96	314.57	162.09	559.65	2,009.39	1,048.23	605.09	3,014.08	-	167.45	1,801.05	33.49	83.12	249.57	-	1,030.05	605.09	3,014.08	-	167.45	167.45	20,913.68
2043	\$ 334,898.00	5,747.82	133.96	314.57	162.09	559.65	2,009.39	1,048.23	605.09	3,014.08	-	167.45	1,801.05	33.49	83.12	249.57	-	1,030.05	605.09	3,014.08	-	167.45	167.45	20,913.68
2044	\$ 334,898.00	5,747.82	133.96	314.57	162.09	559.65	2,009.39	1,048.23	605.09	3,014.08	-	167.45	1,801.05	33.49	83.12	249.57	-	1,030.05	605.09	3,014.08	-	167.45	167.45	20,913.68
2045	\$ 334,898.00	5,747.82	133.96	314.57	162.09	559.65	2,009.39	1,048.23	605.09	3,014.08	-	167.45	1,801.05	33.49	83.12	249.57	-	1,030.05	605.09	3,014.08	-	167.45	167.45	20,913.68
2046	\$ 334,898.00	5,747.82	133.96	314.57	162.09	559.65	2,009.39	1,048.23	605.09	3,014.08	-	167.45	1,801.05	33.49	83.12	249.57	-	1,030.05	605.09	3,014.08	-	167.45	167.45	20,913.68
TOTAL CAPTURED TAXES		\$ 172,434.63	\$ 4,018.78	\$ 9,437.09	\$ 4,862.72	\$ 16,789.44	\$ 60,281.64	\$ 31,446.92	\$ 18,152.81	\$ 90,422.46	\$ -	\$ 5,023.47	\$ 54,031.44	\$ 1,004.69	\$ 2,493.65	\$ 7,486.98	\$ -	\$ 30,901.37	\$ 18,152.81	\$ 90,422.46	\$ -	\$ 5,023.47	\$ 5,023.47	\$ 627,410.30

1. Half of SET conveyed to State Brownfield Redevelopment Fund

TABLE 5: REIMBURSEMENT SCHEDULE



Table 5

Reimbursement Schedule

Dark Horse Brewery Expansion
 Industrial Street
 Marshall, Michigan

Year	Incremental Taxes Captured	Funds Disbursed						
		Developer (School)	Developer (Local)	Developer (Aggregate)	Administrative Costs (Local)	LSRRF (School)	LSRRF (Local)	Brownfield Redevelopment Fund
2017	20,913.68	7,032.86	10,376.12	17,408.98	2,500.00			1,004.69
2018	20,913.68	7,032.86	10,376.12	34,817.97	2,500.00			1,004.69
2019	20,913.68	7,032.86	12,876.12	54,726.95				1,004.69
2020	20,913.68	7,032.86	12,876.12	74,635.93				1,004.69
2021	20,913.68	7,032.86	12,876.12	94,544.91				1,004.69
2022	20,913.68	7,032.86	12,876.12	114,453.90				1,004.69
2023	20,913.68	7,032.86	12,876.12	134,362.88				1,004.69
2024	20,913.68	7,032.86	12,876.12	154,271.86				1,004.69
2025	20,913.68	7,032.86	12,876.12	174,180.85				1,004.69
2026	20,913.68	7,032.86	12,876.12	194,089.83				1,004.69
2027	20,913.68	7,032.86	12,876.12	213,998.81				1,004.69
2028	20,913.68	7,032.86	12,876.12	233,907.79				1,004.69
2029	20,913.68	7,032.86	12,876.12	253,816.78				1,004.69
2030	20,913.68	7,032.86	12,876.12	273,725.76				1,004.69
2031	20,913.68	7,032.86	12,876.12	293,634.74				1,004.69
2032	20,913.68	7,032.86	12,876.12	313,543.73				1,004.69
2033	20,913.68	7,032.86	12,876.12	333,452.71				1,004.69
2034	20,913.68	7,032.86	12,876.12	353,361.69				1,004.69
2035	20,913.68	7,032.86	12,876.12	373,270.67				1,004.69
2036	20,913.68	7,032.86	12,876.12	393,179.66				1,004.69
2037	20,913.68	7,032.86	12,876.12	413,088.64				1,004.69
2038	20,913.68	7,032.86	12,876.12	432,997.62				1,004.69
2039	20,913.68	7,032.86	12,876.12	452,906.60				1,004.69
2040	20,913.68	7,032.86	12,876.12	472,815.59				1,004.69
2041	20,913.68	7,032.86	12,876.12	492,724.57				1,004.69
2042	20,913.68	8,037.55	12,876.12	513,638.25				
2043	20,913.68	8,037.55	12,876.12	534,551.92				
2044	20,913.68	8,037.55	12,876.12	555,465.60				
2045	20,913.68	8,037.55	12,876.12	576,379.28				
2046	20,913.68	1,064.11	1,064.11	578,507.50		6,973.44	11,812.01	
Totals	627,410.30	209,035.77	369,471.73	578,507.50	5,000.00	6,973.44	11,812.01	25,117.35

NOTICE OF PUBLIC HEARING



NOTICE TO TAXING JURISDICTIONS



RESOLUTION APPROVING A BROWNFIELD PLAN



AFFIDAVIT OF FUNCTIONAL OBSOLESCENCE





ADMINISTRATIVE REPORT
MARCH 21, 2016 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council Members

FROM: Natalie Dean, Assistant City Manager/Director
Tom Tarkiewicz, City Manager

SUBJECT: Consider approval of the Zoning/Sign Ordinance Update

After Council set this public hearing at the February 16, 2016 meeting, there were minor changes made to the document which do not alter the effect of regulations; therefore, the City has agreed that Council may move forward with adoption. However, an adopting motion should clarify that footnotes were reincorporated on pages 5-7, 5-8, and 5-17 and that a duplicate statement was removed from section 4.54.

BACKGROUND: The Planning Commission has been working with consultants, Clearzoning, on updating the Zoning and Sign ordinance update for a period of approximately one year. On February 10, 2016, the Planning Commission held a public hearing on the matter. At that public hearing, there was no public present.

After the public hearing, a short discussion was held by Planning Commission and the following comments were made: the format of the draft ordinance is very professional, progressive and easy to use. One of the commissioners referred to the draft ordinance for a sign question and was pleased at how quickly she found an answer in comparison to the current ordinance.

MOTION by McNiff, supported by Meservey, to recommend that City Council approve the Draft Zoning & Sign Ordinance Update. On a voice vote; **MOTION CARRIED.**

Staff presented the draft document to Council at a work session on Saturday, January 16, 2016. The update will be a .pdf document and is hyperlinked throughout as a clearzoning formatted document. One of the biggest changes is that the Sign Ordinance is now incorporated within the Zoning Ordinance. The additional standards in this draft of the Zoning and Sign ordinance include:

- Electric vehicle charging stations
- Group adult day care
- Mobile food vending
- Solar energy systems
- Wind energy conversion systems
- Recycling collection and processing centers

Sections substantially updated and/or amended:

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We have updated many provisions of the ordinance for consistency with state and federal statutes and current best practices for zoning and land use management.

- Wireless communications: We have updated the wireless communications provision to comply with recent changes to state and local law.
- Landscaping: Standards have been amended and illustrated to provide a clearer picture of what is expected, additional requirements for landscape plan submittal, changes to the size of plantings and areas, and consolidation of planting types into tables.
- Lighting: Lighting standards were previously scattered across multiple sections of the ordinance. They have been consolidated into a single section, and standards have been strengthened to ensure that site lighting does not affect neighboring sites.
- Parking, loading and access management: The whole section has been reviewed. The number of required spaces for each use has been updated to make it more consistent with the pattern of development in the City and common current practice. Stacking space standards for drive-through uses have been expanded to further improve safety and site circulation.
- Performance guarantee: The ordinance requires performance guarantees for several uses and site standards. A section (7.10) on performance guarantees has been added to the ordinance that includes reference to the state statute, acceptable form, and method to release the guarantee.
- Sidewalks: The ordinance requires a combination of public right-of-way sidewalk installation and interior sidewalks creating a more accessible and pedestrian friendly environment. A graphic showing pedestrian access and connectivity has been included.
- Signs: The Sign Ordinance has been incorporated into the Zoning Ordinance. It has also been reorganized into a more logical structure. The most important amendments to the standards for signs include a move toward content neutrality in accordance with several Supreme Court rulings; signs are no longer regulated by use but rather by type and district, and many of the numerous sign types have been consolidated into broader categories. Administrative language regarding maintenance has also been strengthened. In general, the section has been re-worded for greater clarity.
- Uses and definitions: We have done extensive work clarifying the permitted and special land uses in all districts, improving consistency in terminology, eliminating redundancy, defining some uses not previously defined, updating or refining use standards, and providing backstop language for the City to manage requests for unprecedented uses. Some examples:
 - New definitions:
 - Mixed use development
 - Retail store definitions
 - Microbrewery (according to state licensing requirements)
 - The ordinance now includes clarified definitions of gross and usable floor area.

- Confusing industry terms such as hypermarket have been removed; in this particular case “big box store” has been used as a replacement
- Industrial uses were full of redundant and over-detailed items; these have been streamlined and clarified.
- Dwelling types have been cleared up.
- A section called “Other uses substantially similar to the identified uses in the district” has been inserted to give the City flexibility in permitting uses not anticipated in the ordinance.
- **Condominiums:** The City's condominium standards included some outdated provisions and did not particularly build on Michigan's statutory requirements. We therefore have removed them and referred users of the ordinance to the state law; this should prevent the need to amend the ordinance whenever the state statute changes.
- **The River District:** The existing River District overlay essentially permitted four additional uses within its boundaries. This has been preserved, but the district has been fleshed out to include some basic design and building massing and placement standards, as well as to prohibit adult uses, which are a special land use in one of the underlying districts.
- **Essential services:** The listing of essential services in the various zoning districts was confusing and largely inconsistent. Many of these uses are also exempt from the ordinance. Consistent with how this is handled in many ordinances, we have removed these uses (such as lift stations, transformers, and the like) from the by-district use lists and created a single section (3.29) that addresses them all, and incorporates existing standards to govern their development in the City.
- **Special land use procedures:** These procedures have been updated; one particular provision that exempted special land uses of less than one acre from site plan review has been removed.

RECOMMENDATION: The Planning Commission recommends that after hearing comments on the draft Zoning & Sign Ordinance Update, Council consider approval of the Zoning Ordinance Update, with footnotes reincorporated and duplicate statement removed (4.54).

FISCAL EFFECTS: None at this time.

ALTERNATIVES: As suggested by Council.

Respectfully submitted,


 Natalie Dean
 Assistant City Manager
 Director of Community Services


 Tom Tarkiewicz
 City Manager

**CITY OF MARSHALL
ORDINANCE 16-##**

AN ORDINANCE TO UPDATE, AMEND AND RE-FORMAT CHAPTER 156:
ZONING AND RELATED ZONING MAP AND CHAPTER 152: SIGN
ORDINANCE AND ADOPT THE PROPOSED ZONING AND SIGN
REGULATIONS UPDATE FOR THE CITY OF MARSHALL FOR THE
PURPOSES OF INCORPORATING CLEARZONING FORMATTING AND
CLARIFYING CERTAIN PROVISIONS.

THE CITY OF MARSHALL ORDAINS:

Section 1. That the Zoning Ordinance, along with the corresponding Zoning Map and Sign Ordinance Updates as presented to the Marshall City Council on March 21, 2016 and recommended for approval by the Marshall City Planning Commission at its regular meeting on February 10, 2016 is hereby adopted as the complete Zoning Ordinance, Zoning Map, and Sign Ordinance to be incorporated into the Marshall City Code.

Section 2. This Ordinance [or a summary thereof as permitted by MCL 125.3401] shall be published in full 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 upon publication.

Adopted and signed this _____ day of _____, 2016.

Jack Reed, MAYOR

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 an ordinance approved by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on March 21, 2016, 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
MARCH 21, 2016 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council Members
FROM: Natalie Dean, Assistant City Manager/Director
Tom Tarkiewicz, City Manager
SUBJECT: Establish Marshall as a North Country Trail Town

BACKGROUND: A few years ago, a representative from the North Country Trail Association presented the idea of Marshall becoming an official Trail Town to Council. The official resolution and memo of understanding were never presented to Council so staff, with the support of the North Country Trail Association, is bringing this idea back to Council for hopeful approval.

A joint presentation was made conjointly to the Small Business and Tourism Committee's on February 8, 2016. Unanimous support was received by both committee's at that time.

Becoming a North Country Trail Town has numerous advantages to the City of Marshall. Perhaps one of the largest benefits is that Marshall will receive promotion through the NCT website and other media, along with signage along the trail. Also, the portion of the trail that runs through Marshall will receive greater use, supporting tourism in the community. Through signing the memo of understanding with the North Country Trail Association, Marshall agrees to work with local businesses on offering incentives to hikers, communicating to the association local amenities for hikers, and assist with special events on the trail.

RECOMMENDATION: It is recommended by staff that Council approve the resolution and sign the memo of understanding with the North Country Trail Association to establish Marshall as an official North Country Trail Town.

FISCAL EFFECTS: None at this time.

CITY GOAL CLASSIFICATION:

GOAL AREA 1. ECONOMIC DEVELOPMENT

Goal Statement: Sustain and intensify the economic vitality of the Marshall area.

GOAL AREA 2. QUALITY OF LIFE

Goal Statement: To achieve and sustain a concentrated effort to promote a vibrant community atmosphere in the Marshall area.

ALTERNATIVES: As suggested by Council.

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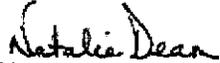
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Respectfully submitted,


Natalie Dean
Assistant City Manager
Director of Community Services



Tom Tarkiewicz
City Manager

Memorandum of Understanding
Memorandum of Understanding
Between
North Country Trail Association and the City of Marshall

This Memorandum of Understanding (MOU) is entered into by and between North Country Trail Association, a 501(c) (3) non-profit organization, located at 229 E. Main Street, Lowell, MI 49331, hereinafter referred to as NCTA, and the City of Marshall located at Marshall, Michigan, hereinafter referred to as Trail Town.

Purpose: The purpose of this MOU is build a relationship between North Country Trail Association and the community that is beneficial to both, supports hikers with services, promotes the Trail to its citizens and embraces the Trail as a resource to be protected and celebrated. It will identify ways the town and the Trail can work together, plan together, and capitalize on the benefits a National Scenic Trail can bring to the area.

Statement of Mutual Interests and Benefits: NCTA is dedicated to building, maintaining, promoting, and protecting a 4,600 mile long distance hiking trail through the northern tier of states from New York to North Dakota, called the North Country National Scenic Trail (NCNST), providing a variety of outdoor experiences throughout the North Country to connect visitors to the wonders of nature. The Trail Town is near the NCNST which offers basic tourism amenities and can be marketed as a nature-based tourism destination, resulting in local economic stimulus and increased public awareness of the natural and cultural heritage of the North Country.

This MOU is established between NCTA and Trail Town to help each other accomplish mutually beneficial objectives:

- A. Educate local businesses of the value of the NCNST as an economic resource.
- B. Enable both parties to apply for targeted grants to assist in the community's efforts towards nature-based tourism development, economic development, and trail-related infrastructure development through the development of promotional products, educational resources or signature events.
- C. Increased usage and awareness of the NCNST attracting more eco-tourists to local communities.
- D. Promote responsible tourism development within the community and support of the NCNST.

In consideration of the above premises, the parties agree as follows:

NCTA shall:

1. Promote the Trail Town as a destination through its website and other media.
2. Offer outreach materials to the community such as brochures, newsletters, posters, displays, etc.
3. Provide detailed information on hiking opportunities near the community which can be reproduced and distributed to visitors to Trail Town.
4. Provide periodic guided hikes that depart from the Trail Town.
5. Provide support at local festivals or other community events to encourage interest in the North Country Trail, when possible.
6. Provide two 18" x 18" metal signs with the North Country Trail Town logo for posting at the entrances to Trail Town.
7. Regularly maintain the section(s) of the North Country National Scenic Trail near the Trail Town so that casual day hikers can easily locate and follow it.

Trail Town shall:

1. Include the NCNST and the NCTA in their promotional materials.
2. Make North Country Trail information available to the public at the local visitor centers and/or Chamber of Commerce and provide space for a NCTA display or wall mounted poster.
3. Work with the local NCTA contact to promote periodic guided hikes or events
4. Assist in promoting special designations such as National Trails Day (first Saturday each June) and Annual North Country National Scenic Trail Day (last Saturday each September).
5. Monitor the number of visitors who are seeking the Trail Town as a destination for hiking.
6. Attract businesses that support nature-based tourism such as outfitters, hostels, and shuttling services and assure that NCTA maps and guides will be available from a business in town for visitors to purchase.
7. Encourage local businesses to provide discounts on accommodations or special weekend packages for visitors who show their NCTA membership card.
8. Install the two North Country Trail Town signs at the entrances of the community as soon as possible after the issuance of the Proclamation.

We, the undersigned, have agreed on the contents of this MOU. Any changes must be agreed to by both parties.

Trail Town—(Town, City, Village, Borough)

Signed _____
Jack Reed, Mayor

Date

Signed _____
Tom Tarkiewicz, City Manager

Date

North Country Trail Association

Signed _____
, Executive Director

Date

Signed _____
, Chapter President

Date

**City of Marshall, Michigan
RESOLUTION #2016-**

**RESOLUTION TO ESTABLISH MARSHALL AS A NORTH COUNTRY NATIONAL SCENIC
TRAIL TOWN**

WHEREAS, The City of Marshall is in close proximity of the North Country National Scenic Trail; and

WHEREAS, The North Country National Scenic Trail (North Country Trail) is one of eleven (11) National Scenic Trails in the country; and

WHEREAS, the North Country Trail Association, founded in 1981, is the primary partner of the National Park Service (NPS) with the mission to develop, maintain, protect and promote the North Country Scenic Trail; and

WHEREAS, such hiking trail provides a year-round source of pleasure and recreation to the North Country's citizens and visitors to the North Country; and

WHEREAS, many of the citizens in and around the community of Marshall and other visitors and citizens of the North Country are becoming more health conscious and are turning to hiking as one of the major forms of maintaining a healthy body; and

WHEREAS, the community of Marshall is an ideal destination for many of today's visitors to the North Country, and

WHEREAS, Calhoun County offers a variety of outdoor and cultural experiences to residents and visitors, and

WHEREAS, available supporting services and facilities such as lodging and restaurants make Marshall an outstanding heritage and nature-based tourism destination; and

WHEREAS, casual walkers, day hikers, and weekend backpackers want to enjoy the North Country Trail and the community of Marshall can provide the gateway to their experience.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Marshall, Michigan, does hereby proclaim to be a NORTH COUNTRY TRAIL TOWN and commends the North Country Trail Association for its work in developing and maintaining the North Country Trail and further encourages all residents of and visitors to take a hike on the North Country Trail.

IN WITNESS WHEREOF, I, Trisha Nelson, City Clerk, have hereunto set my hand and seal this 21st day of March, 2016.

Trisha Nelson, City Clerk



**ADMINISTRATIVE REPORT
MARCH 21, 2016 - CITY COUNCIL MEETING**

REPORT TO: Honorable Mayor and City Council Members

FROM: Natalie Dean, Assistant City Manager/Director
Tom Tarkiewicz, City Manager

SUBJECT: Special Land Use permit for 1240 S. Kalamazoo, Used Car Dealership

BACKGROUND: Terry Smith has purchased the former car wash site at 1240 S. Kalamazoo Ave. with the intention of remodeling the building for his used car dealership. Mr. Smith's site plan was approved by Planning Commission on March 9, 2016.

The zoning code only permits the use of an Auto Dealer in the B-4 Commercial District zone. Since 1240 S. Kalamazoo is an I-1 lot, the applicant applied for a Use Variance on the property. His variance was granted by the ZBA on January 21, 2016. This proposed plan for his dealership indicates outdoor show space for vehicles, pulling the case into a Special Land Use, just as it would be if it were in the B-4 district. On March 9, 2016, Planning Commission determined that Mr. Smith meets all the additional Special Land Use requirements, as listed below:

§ 156.200 OPEN AIR BUSINESSES, OUTDOOR DISPLAY AREAS, AND DEALERSHIP SALES LOTS.

Open air businesses, and outdoor display areas for sale, exhibition, rental or leasing of equipment, machinery, automobiles and other motor vehicles, recreational vehicles and trailers, boats, building supplies, hardware and other items shall be subject to the following:

(A) *Location requirements.* All sales activity and the display of all merchandise shall be limited to the area specified on an approved plan. No sales activity or display of merchandise shall be permitted in a street right-of-way or required setback area.

(B) *Setback requirements.* Open air businesses and outdoor display areas shall be set back a minimum of ten feet from any parking area, driveway or access drive, and 20 feet from any residential district or use.

(C) *Sidewalk standards.* The proposed activity shall be located so as to ensure safe vehicular and pedestrian circulation. A minimum of five feet of sidewalk width to the entrance of the establishment shall be maintained free for pedestrian circulation.

(D) *Maintenance standards.* Open-air businesses and outdoor display areas shall be kept clean, litter-free, with outdoor waste receptacles provided. Written procedures for cleaning and waste containment and removal responsibilities shall be included with all applications and approved as part of site plan review. Vending machines and devices for the outdoor broadcasting of voice, telephone monitoring, music or any other amplified sound shall be prohibited.

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(E) *Surface.* Sales and display areas shall be provided with a permanent, paved surface of bituminous asphalt, concrete or similar paving materials, and shall be graded and drained so as to dispose of all surface water. All areas for display of motor vehicles, recreational vehicles, and similar items shall be paved.

(F) *Screening.* Such uses and associated site improvements shall be separated from any required parking areas by landscaping, a decorative wall or other architectural feature, and shall be screened from street rights-of-way and abutting residential districts or uses in accordance with § 156.304.

(G) *Hours of operation.* Operational hours for open-air businesses, outdoor display area, and exterior lighting may be restricted by the Planning Commission to protect nearby residential districts.

A public hearing was held and no public opinion was heard.

MOTION by Dyer, supported by Meservey, to recommend to City Council that Special Land Use #SLU16.04 be approved for 1240 S. Kalamazoo. On a voice vote; **MOTION CARRIED.**

RECOMMENDATION: The Planning Commission recommends that Council approve Special Land Use #SLU16.01 for 1240 S. Kalamazoo Avenue for the use of a used auto dealership.

FISCAL EFFECTS: None at this time.

CITY GOAL CLASSIFICATION:

GOAL AREA I. ECONOMIC DEVELOPMENT

Goal Statement: Sustain and intensify the economic vitality of the Marshall area.

ALTERNATIVES: As suggested by Council.

Respectfully submitted,


Natalie Dean
Assistant City Manager
Director of Community Services


Tom Tarkiewicz
City Manager



ADMINISTRATIVE REPORT
March 21, 2016 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council

FROM: Justin Miller, Recreation Superintendent
Cheryl Vosburg, Environmental Programs Coordinator
Tom Tarkiewicz, City Manager
Kristin Bauer, Director of Public Services

SUBJECT: Michigan DNR Recreation Passport Grant Program
Ketchum Park Canoe / Kayak Launch

BACKGROUND: A public meeting was announced in the Marshall Advisor/Chronicle to hear comments concerning an application to the Michigan Department of Natural Resources Recreation Passport Grant for Ketchum Park Canoe / Kayak Launch. The project cost is estimated at \$36,800. The grant request is in the amount of \$27,600 from the MDNR and the City's share will be \$9,200 to be included in the 2017-18 budget year.

These improvements were included in the Capital Improvement Plan and will be incorporated into the fiscal year 2017-18 budget. It is anticipated that other grant contributions will be solicited. The anticipated timeline for Canoe/ Kayak Launch installation is the summer of 2017.

RECOMMENDATION: After hearing comments made at the public meeting, it is recommended that the City Council adopt the attached resolution authorizing City staff to apply to the MDNR for a \$27,600 grant for Ketchum Park Canoe / Kayak Launch.

FISCAL EFFECT: None at this time.

CITY GOAL CLASSIFICATION:

GOAL AREA 2. QUALITY OF LIFE

Goal Statement: To achieve and sustain a concentrated effort to promote a vibrant community atmosphere in the Marshall area.

ALTERNATIVES: As suggested by Council.

Kristin Bauer
Director of Public Services

Cheryl Vosburg
Environmental Coordinator

Justin Miller
Recreation Superintendent

Tom Tarkiewicz
City Manager

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**CITY OF MARSHALL, MICHIGAN
RESOLUTION #2016-_____**

**City of Marshall Authorizing Resolution for the
Michigan DNR Passport Grant Application**

Upon motion made by _____; seconded by _____, the following Resolution was adopted:

“RESOLVED, that the City of Marshall, Michigan, does hereby support submittal of an application to the Michigan Department of Natural Resources for a Michigan DNR Passport Grant to be used for the Ketchum Park Canoe/ Kayak Launch in the City of Marshall; and that the City of Marshall does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate all funds necessary to complete the project during the project period and to provide Nine Thousand Two Hundred (\$9,200) dollars as a 25% match of the Thirty-Six Thousand Eight Hundred (\$36,800) dollars if awarded by the Department of Natural Resources.

The following aye votes were recorded: _____

The following nay votes were recorded: _____

CERTIFICATE

The foregoing is a true and a complete copy of the resolution adopted by the City Council and the City of Marshall at a regular meeting on March 21, 2016. Public notice was given and the meeting was conducted in full compliance with the Michigan Open Meetings Act (PA 267, 1976, as amended). Minutes of the meeting will be available as required by the Act.

IN TESTIMONY WHEREOF, I have hereunto set my hand affixed seal of said City of Marshall, this 21st day of March A.D.2016.

Trisha Nelson, CLERK



ADMINISTRATIVE REPORT

March 21, 2016 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council

FROM: Cheryl Vosburg, Environmental Programs Coordinator
Tom Tarkiewicz, City Manager
Kristin Bauer, Director of Public Services

SUBJECT: Michigan Natural Resources Trust Fund Grant Program
Ketchum Park Improvement Project Application

BACKGROUND: Public notice was provided in the Marshall Advisor/Chronicle to hear comments concerning an application to the Michigan Department of Natural Resources Trust Fund for Ketchum Park Improvement Plan. The project cost is estimated at \$537,500. The grant request to the MDNR will be \$267,500. Three local grants totaling \$110,000 have already been secured. The City's share will be \$160,000. Additional grants will be solicited to fund the City's share. This phase (Phase 1) of the overall park improvement plan will include restoration and landscaping of the Rice Creek bank near the Marshall Avenue Bridge, an overlook structure with seating and a retaining wall with interpretative signage in the location of the old dam spillway, and sidewalk from Marshall Avenue to Kids Kingdom along Montgomery Street.

These improvements were included in the Capital Improvement Plan and will be incorporated into the FY 2017 and FY 2018 budgets. It is anticipated that other grant contributions will be solicited. The anticipated timeline for park improvements is the summer of 2017.

RECOMMENDATION: After hearing comments made at the public meeting, it is recommended that the City Council adopt the attached resolution authorizing City staff to apply to the MDNR for a \$267,500 grant for Ketchum Park improvements.

FISCAL EFFECT: All project costs are anticipated to be covered either by MDNR Funds, City, or local grant funds.

CITY GOAL CLASSIFICATION:

GOAL AREA 2. QUALITY OF LIFE

Goal Statement: To achieve and sustain a concentrated effort to promote a vibrant community atmosphere in the Marshall area.

ALTERNATIVES: As suggested by Council.

Respectfully submitted,

Kristin Bauer
Director of Public Services

Tom Tarkiewicz
City Manager

Cheryl Vosburg
Environmental Coordinator

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**CITY OF MARSHALL, MICHIGAN
RESOLUTION #2016-_____**

**City of Marshall Authorizing Resolution for the
Michigan Natural Resources Trust Fund Grant Application**

Upon motion made by _____; seconded by _____, the following Resolution was adopted:

“RESOLVED, that the City of Marshall, Michigan, does hereby support submittal of an application to the Michigan Department of Natural Resources for a Michigan Natural Resources Trust Fund Grant to be used for the improvement of Ketchum Park in the City of Marshall; and that the City of Marshall does hereby specifically agree, but not by way of limitation, as follows:

To appropriate all funds necessary to complete the project during the project period and to provide up to Two Hundred Seventy Thousand (\$270,000) dollars to match the grant if awarded by the Department of Natural Resources.

The following aye votes were recorded:_____

The following nay votes were recorded:_____

CERTIFICATE

The foregoing is a true and a complete copy of the resolution adopted by the City Council and the City of Marshall at a regular meeting on March 21, 2016. Public notice was given and the meeting was conducted in full compliance with the Michigan Open Meetings Act (PA 267, 1976, as amended). Minutes of the meeting will be available as required by the Act.

IN TESTIMONY WHEREOF, I have hereunto set my hand affixed seal of said City of Marshall, this 21st day of March A.D.2016.

Trisha Nelson, CLERK