



**CITY COUNCIL
WORK SESSION AGENDA
Monday, April 4, 2016
6:00 PM
City Hall Training Room**

- A. Work session items**
City Staff will present recommended adjustments to City fee structures. Proposed action would be at the April 18th Council meeting.
- B. Other items**
- C. Future Work Sessions**
Budget (TBD)
- D. Future topics**

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

f 269.781.3835

cityofmarshall.com



MARSHALL CITY COUNCIL AGENDA

MONDAY – 7:00 P.M.

April 4, 2016

- 1) **CALL TO ORDER**
- 2) **ROLL CALL**
- 3) **INVOCATION** – Zack Langford, Marshall Wesleyan 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 – Obsolete Property Exemption Application for 101 West Michigan Avenue** **P. 5**

City Council will consider the recommendation to schedule a public hearing for Monday, April 18, 2016 to hear public comment on issuing an Obsolete Property Rehabilitation Exemption to 101 W. Michigan Avenue.

- B. **Schedule Public Hearing – P.A. 425 Land Transfer with Marshall Township for 726 North Old US 27** **P. 8**

City Council will consider the recommendation to schedule a public hearing for Monday, April 18, 2016 to hear public comment regarding a P.A. 425 Land Transfer for 726 North Old Us 27.

- C. **City Council Minutes** **P. 14**

Regular Session..... Monday, March 21, 2016

- D. **City Bills** **P. 25**

Regular Purchases\$ 156,447.30

Weekly Purchases – 3/18/16.....\$ 1,686,730.20

Weekly Purchases – 3/24/16.....\$ 246,481.19

Total.....\$ 2,089,658.69

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. **Land Bank Presentation**

9) INFORMATIONAL ITEMS

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



10) PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. Industrial Facilities Tax Exemption Certificate Application for Mor-Dall Enterprises, LLC P. 29

City Council will hear public comment on the proposed application for an Industrial Facilities Tax Exemption Certificate for Mor-Dall Enterprises, LLC at 511 S. Kalamazoo Avenue.

B. Stormwater Ordinance P. 39

City Council will hear public comment on the addition of Chapter 54: Stormwater Management to the City of Marshall Code of Ordinances.

11) OLD BUSINESS

A. Zoning/Sign Ordinance Update P. 57

City Council will consider the Planning Commission's recommendation to approve the Zoning and Sign Ordinance Update.

12) REPORTS AND RECOMMENDATIONS

A. Property Purchase for New Brewer Street Substation P. 61

City Council will consider the recommendation to approve the property and easement purchase for \$80,000 and have the Clerk sign the necessary purchase documents and agreement with the Ella E.M. Brown Charitable Circle.

B. Fiber To The Premise Resolution P. 68

City Council will consider the recommendation to approve the resolution approving the initiation of the Fiber To The Premise project.

C. 2016 Strategic Plan P. 73

City Council will consider the recommendation to adopt the 2016 Marshall Economic Development Strategic Plan.

D. Sewer Lining – Monroe Street P. 99

City Council will consider the recommendation to approve the bid from Insituform Technologies of Howell, MI in the Lump Sum amount of \$563,591 and an additional contingency amount of \$6,409, for any possible additional piping that may be unaccounted for.

E. Schedule Budget Work Session P. 101

City Council will discuss possible dates to schedule a Council work session for review of the FY 2017 Proposed Budget.

13) APPOINTMENTS / ELECTIONS

14) PUBLIC COMMENT ON NON-AGENDA ITEMS

Persons addressing Council are required to give their name and address for the record when called upon by the Mayor. Members of the public shall be limited to speaking for a maximum of five (5) minutes on any item not on the agenda.

15) COUNCIL AND MANAGER COMMUNICATIONS

April 4, 2016

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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(a) to discuss the periodic personnel evaluation of the City Manager

17) ADJOURNMENT

Respectfully submitted,

A handwritten signature in cursive script that reads "Tom Tarkiewicz".

Tom Tarkiewicz
City Manager



ADMINISTRATIVE REPORT
April 4, 2016- CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council Members
FROM: Julie Cain-Derouin, Assessor/Abatement Committee Chair
Tom Tarkiewicz, City Manager
SUBJECT: Set a public hearing for April 18, 2016 to consider an
Obsolete Property Exemption application for 101 W.
Michigan Ave., parcel # 53-001-005-00,

BACKGROUND: The City has designated all real property and improvements at 101 W Michigan Ave as an Obsolete Property Rehabilitation District (OPRD) under the Obsolete Property Rehabilitation Act (OPRA). Under the OPRA, the next step in this process is for the owner to file an application with clerk and the matter will come before Council to set another public hearing on the application. The application and the resolution are filed with the state.

RECOMMENDATION: Staff recommends that City Council set a public hearing for April 18, 2016 to hear public comment on issuing an Obsolete Property Rehabilitation Exemption to 101 W Michigan Ave.

FISCAL EFFECTS: The City will receive taxes Ad Valorem only for land. The City will also receive taxes based on the taxable value of the building that is "frozen" at the value as of December 31, 2015 (\$39,949), for the duration of the exemption period. The rehab portion of the building minus the frozen amount is only taxed on School Operating and SET. The applicant has requested that this be reduced to 1/2 of the 24 mills.

ALTERNATIVES: As suggested by Council.

CITY GOAL CLASSIFICATIONS:

GOAL AREA I. ECONOMIC DEVELOPMENT

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

GOAL AREA 3. HOUSING DEVELOPMENT

Goal Statement: Provide for progressive, diverse and unique housing opportunities.

Respectfully submitted,

Julie Cain-Derouin
Assessor/Abatement Committee Chair

Tom Tarkiewicz
City Manager

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p 269.781.5183
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cityofmarshall.com

Application for Obsolete Property Rehabilitation Exemption Certificate

This form is issued as provided by Public Act 146 of 2000, as amended. This application should be filed after the district is established. This project will not receive tax benefits until approved by the State Tax Commission. Applications received after October 31 may not be acted upon in the current year. This application is subject to audit by the State Tax Commission.

INSTRUCTIONS: File the original and two copies of this form and the required attachments with the clerk of the local government unit. (The State Tax Commission requires two copies of the Application and attachments. The original is retained by the clerk.) Please see State Tax Commission Bulletin 9 of 2000 for more information about the Obsolete Property Rehabilitation Exemption. The following must be provided to the local government unit as attachments to this application: (a) General description of the obsolete facility (year built, original use, most recent use, number of stories, square footage); (b) General description of the proposed use of the rehabilitated facility, (c) Description of the general nature and extent of the rehabilitation to be undertaken, (d) A descriptive list of the fixed building equipment that will be a part of the rehabilitated facility, (e) A time schedule for undertaking and completing the rehabilitation of the facility, (f) A statement of the economic advantages expected from the exemption. A statement from the assessor of the local unit of government, describing the required obsolescence has been met for this building, is required with each application. Rehabilitation may commence after establishment of district.

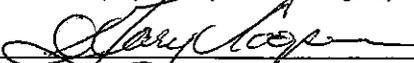
Applicant (Company) Name (applicant must be the OWNER of the facility) Cronin Building development LCC		
Company Mailing address (No. and street, P.O. Box, City, State, ZIP Code) 100 Evening Star Ln., Okemos Mi.		
Location of obsolete facility (No. and street, City, State, ZIP Code) 101 W. Michigan Ave. ,		
City, Township, Village (indicate which) Marshall (City)		County Calhoun
Date of Commencement of Rehabilitation (mm/dd/yyyy) 07/10/15	Planned date of Completion of Rehabilitation (mm/dd/yyyy) 10/01/16	School District where facility is located (include school code) Marshall 13110
Estimated Cost of Rehabilitation \$1.6 million	Number of years exemption requested 12	Attach Legal description of Obsolete Property on separate sheet
Expected project likelihood (check all that apply):		
<input checked="" type="checkbox"/> Increase Commercial activity	<input type="checkbox"/> Retain employment	<input checked="" type="checkbox"/> Revitalize urban areas
<input checked="" type="checkbox"/> Create employment	<input type="checkbox"/> Prevent a loss of employment	<input checked="" type="checkbox"/> Increase number of residents in the community in which the facility is situated
Indicate the number of jobs to be retained or created as a result of rehabilitating the facility, including expected construction employment _____		
Each year, the State Treasurer may approve 25 additional reductions of half the school operating and state education taxes for a period not to exceed six years. Check the following box if you wish to be considered for this exclusion.		
<input checked="" type="checkbox"/>		

APPLICANT'S CERTIFICATION

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 of the information is truly descriptive of the property for which this application is being submitted. Further, the undersigned is aware that, if any statement or information provided is untrue, the exemption provided by Public Act 146 of 2000 may be in jeopardy.

The applicant certifies that this application relates to a rehabilitation program that, when completed, constitutes a rehabilitated facility, as defined by Public Act 146 of 2000, as amended, and that the rehabilitation of the facility would not be undertaken without the applicant's receipt of the exemption certificate.

It is further certified that the undersigned is familiar with the provisions of Public Act 146 of 2000, as amended, 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 Obsolete Property Rehabilitation Exemption Certificate by the State Tax Commission.

Name of Company Officer (no authorized agents) Gary Cooper	Telephone Number (517) 202-2226	Fax Number
Mailing Address 100 Evening Star Ln., Okemos Mi.		Email Address gary@urbanconcepts.org
Signature of Company Officer (no authorized agents) 		Title owner

LOCAL GOVERNMENT UNIT CLERK CERTIFICATION

The Clerk must also complete Parts 1, 2 and 4 on Page 2. Part 3 is to be completed by the Assessor.

Signature 	Date application received 3/29/16
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FOR STATE TAX COMMISSION USE

Application Number	Date Received 6	LUCI Code
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LOCAL GOVERNMENT ACTION

This section is to be completed by the clerk of the local governing unit before submitting the application to the State Tax Commission. Include a copy of the resolution which approves the application and instruction items (a) through (f) on page 1, and a separate statement of obsolescence from the assessor of record with the State Assessor's Board. All sections must be completed in order to process.

PART 1: ACTION TAKEN

Action Date: _____		
<input type="checkbox"/> Exemption Approved for _____ Years, ending December 30, _____ (not to exceed 12 years)		
<input type="checkbox"/> Denied		
Date District Established	LUCI Code	School Code

PART 2: RESOLUTIONS (the following statements must be included in resolutions approving)

<p>A statement that the local unit is a Qualified Local Governmental Unit.</p> <p>A statement that the Obsolete Property Rehabilitation District was legally established including the date established and the date of hearing as provided by section 3 of Public Act 146 of 2000.</p> <p>A statement indicating whether the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) exceeds 5% of the total taxable value of the unit.</p> <p>A statement of the factors, criteria and objectives, if any, necessary for extending the exemption, when the certificate is for less than 12 years.</p> <p>A statement that a public hearing was held on the application as provided by section 4(2) of Public Act 146 of 2000 including the date of the hearing.</p> <p>A statement that the applicant is not delinquent in any taxes related to the facility.</p> <p>If it exceeds 5% (see above), a statement that exceeding 5% will not have the effect of substantially impeding the operation of the Qualified Local Governmental Unit or of impairing the financial soundness of an affected taxing unit.</p> <p>A statement that all of the items described under "Instructions" (a) through (f) of the Application for Obsolete Property Rehabilitation Exemption Certificate have been provided to the Qualified Local Governmental Unit by the applicant.</p>	<p>A statement that the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000.</p> <p>A statement that the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District.</p> <p>A statement that the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in a Qualified Local Governmental Unit eligible under Public Act 146 of 2000 to establish such a district.</p> <p>A statement that completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, retain employment, prevent a loss of employment, revitalize urban areas, or increase the number of residents in the community in which the facility is situated. The statement should indicate which of these the rehabilitation is likely to result in.</p> <p>A statement that the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(l) of Public Act 146 of 2000.</p> <p>A statement of the period of time authorized by the Qualified Local Governmental Unit for completion of the rehabilitation.</p>
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PART 3: ASSESSOR RECOMMENDATIONS

Provide the Taxable Value and State Equalized Value of the Obsolete Property, as provided in Public Act 146 of 2000, as amended, for the tax year immediately preceding the effective date of the certificate (December 31st of the year approved by the STC).

	Taxable Value	State Equalized Value (SEV)	
Building(s)	39,949	41,300	
Name of Governmental Unit		Date of Action on application	Date of Statement of Obsolescence
CITY OF MARSHALL			MAY 1, 2015

PART 4: CLERK CERTIFICATION

The undersigned clerk certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way. Further, the undersigned is aware that if any information provided is untrue, the exemption provided by Public Act 146 of 2000 may be in jeopardy.

Name of Clerk	Clerk Signature	Date	
Clerk's Mailing Address	City	State	ZIP Code
	Telephone Number	Fax Number	Email Address

Mail completed application and attachments to: Michigan Department of Treasury
State Tax Commission
P.O. Box 30471
Lansing, Michigan 48909-7971

If you have any questions, call (517) 373-2408.

For guaranteed receipt by the State Tax Commission, it is recommended that applications and attachments are sent by certified mail.



ADMINISTRATIVE REPORT
APRIL 4, 2016 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council
FROM: Tom Tarkiewicz, City Manager
SUBJECT: Schedule a Public Hearing for April 18, 2016 on a P.A. 425 Conditional Land Transfer with Marshall Township – 726 North Old US 27

BACKGROUND: The City Council has approved the purchase of a two acre parcel for the new electric substation. The next step is to bring the parcel into the City through a Public Act 425 Conditional Land Transfer with Marshall Township. A PA 425 agreement brings a property into the City to receive City services but gives a portion of the new taxes collected to the Township.

In 2006, the City and Marshall Township entered into a Master PA 425 Conditional Land Transfer Agreement. Last year, the Master Agreement was extended to 2026.

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

RECOMMENDATION: It is recommended that Council approve the request to schedule a public hearing for April 18, 2016 regarding a P.A. 425 Land Transfer for 726 North Old US 27.

FISCAL EFFECTS: None.

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

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CITY OF MARSHALL, MICHIGAN
RESOLUTION #2016-

RESOLUTION AUTHORIZING EXECUTION OF CONTRACT
FOR CONDITIONAL TRANSFER OF PROPERTY

WHEREAS, The City of Marshall, owner of property commonly known as 726 Old US 27 North, have petitioned Marshall Township for a Conditional Transfer of the property from Marshall Township into the City of Marshall; and

WHEREAS, on February 25, 2006 the City of Marshall entered into a Master 425 Agreement with the Township of Marshall; and

WHEREAS, on September 15, 2014 the City of Marshall extended this Master 425 Agreement with the Township of Marshall until 2026; and

WHEREAS, the Master 425 Agreement facilitates the provision of City services, including municipal sewer, water, police and fire protection to properties currently within Marshall Township according to terms acceptable to both the Township of Marshall and the City of Marshall,

NOW THEREFORE, BE IT RESOLVED, that the City Manager and the City Clerk are authorized to execute a Contract for Conditional Transfer of Property commonly known at 726 Old US 27 North from the Township of Marshall to the City of Marshall.

IT IS FURTHER RESOLVED, that the Contract for Conditional Transfer shall be in the form of the attached document, subject to changes in form approved by the City Attorney.

As City Clerk I place my seal and sign my name that this is a true and accurate copy of the action taken by the Marshall City Council on _____.

Trisha Nelson, City Clerk
CITY OF MARSHALL

Dated: _____

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

This Agreement made on the ____ day of May, 2016, between the CITY OF MARSHALL, a Michigan municipal corporation, having offices at 323 West Michigan Avenue, Marshall, Michigan 49068 (the “City”) and the TOWNSHIP OF MARSHALL, a Township duly organized under the laws of the State of Michigan, and existing in Calhoun County, Michigan, having offices at 13551 Myron Avery Drive, Marshall, Michigan 49068 (the “Township”).

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

WHEREAS, The City of Marshall, the owner of the property described on Schedule 1 attached hereto (“Property”) have requested that the City provide services to the Property, and

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

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

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

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

1. The Township consents to the transfer to the City of the Property.
2. The City agrees to accept the transfer of the Property for all purposes allowed under Public Act 425 of 1984, as amended, to make available municipal services to the Property provided that the Property owner and other users of the utilities extended from the City to the Property shall pay for the cost of the extension.
3. The transfer of the Property contemplated by this agreement shall occur at midnight on June 1, 2016.
4. Following transfer, and during the term of this Agreement, the City shall have full jurisdiction over the Property subject to the following limitations:

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

5. The City and Township agree that the City shall have the authority to assess and collect ad valorem taxes, real and personal, on the Property and any improvements thereon during 2017 and for the remainder of the term of this Agreement. The Township shall have the authority to assess and collect ad valorem taxes, real and personal, on the Property and any improvements thereon through calendar year 2016.

The City and Township further agree that commencing in the year 2017 and continuing through the fiftieth (50th) full calendar year thereafter, all such taxes which the City collects for its own general operating fund purposes only, and which are attributable to the Property for the term of this Agreement shall be shared between the City and the Township as follows:

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

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

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

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

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

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

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

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

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

WITNESSES:

CITY OF MARSHALL

By:

Tom Tarkiewicz, City Manager

By:

Trisha Nelson, City Clerk

WITNESSES:

MARSHALL TOWNSHIP

By:

David Bosserd, Supervisor

By:

Cynthia Sink, Clerk

Prepared by:
Paul K. Beardslee
Marshall City Attorney
Marshall, Michigan 49068

Schedule 1

Legal Description of Property

Parcel A: A parcel of land in the West 1/2 of the Northwest 1/4 of Section 24, T.2 S., R.6 W., Marshall Township, Calhoun County, Michigan, described as follows: To fix the point of beginning commence at the Northwest corner of said Section; thence S.00°-05'-49"W., on the West line of said Section, 126.00 feet; thence S.88°-41'-35"E., parallel with the North line of said Section, 1058.30 feet to the point of beginning; thence continuing S.88°-41'-35"E., parallel with said North Section line, 264.00 feet to the East line of the West 1/2 of the Northwest 1/4 of said Section; thence S.00°-09'-43"E., on said East line, 332.04 feet; thence N.88°-41'-35" W., parallel with said North Section line, 264.00 feet; thence N.00°-09'43"E., parallel with said East line, 332.04 feet to the point of beginning, containing 2.01 acres of land and subject to any easements of record.

CALL TO ORDER

IN REGULAR SESSION Monday, March 21, 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, Miller, Mayor Reed, Schurig, and Williams.

Also Present: City Manager Tarkiewicz and Clerk Nelson.

Absent: None.

INVOCATION/PLEDGE OF ALLEGIANCE

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

APPROVAL OF THE AGENDA

Moved Miller, supported Williams, to approve the agenda with the following changes: Move item 13A. Appointment of City Treasurer to the beginning and remove items 8C. Land Bank Presentation, item 16C. City Manager evaluation, and item 8A. Introduction of New Patrol Officer. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON AGENDA ITEMS

Matt Rogers of 623 N. Linden feels the North Country Trail Town designation would be great for our town and it is a great marketing opportunity.

Jim Dyer of 1118 O'Keefe spoke in support of the Trail Town designation.

Ian Stuart of 128 W. Mansion feels the Trail Town designation is a great opportunity for Marshall and would help tie things together.

APPOINTMENTS/ELECTIONS

A. Appointment of City Treasurer:

Moved Metzger, supported Miller, to approve the appointment of William Dopp as City Treasurer. On a voice vote – **MOTION CARRIED.**

CONSENT AGENDA

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

- A. 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 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. Authorized 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. 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. Approve the Resolution of Intent to authorize the City of Marshall to seek financial assistance from the State of Michigan for public transportation;
- F. 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. Authorize the agreement and resolution for the Marshall Fire Department to participate within the Michigan Mutual Aid Box Alarm System;
- H. Minutes of the City Council Regular Session held on Tuesday, February 16, 2016; and Work Session held on Monday, March 14, 2016;
- I. Approve city bills in the amount of \$ 2,676,100.59.

On a voice vote – **MOTION CARRIED.**

PRESENTATIONS AND RECOGNITION

A. Day of Gratitude for Vietnam Veterans Proclamation:

Mayor Reed presented a proclamation to Patty Parker of the Daughters of the American Revolution.

**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

INFORMATIONAL ITEMS

None.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. Dark Horse Brownfield Redevelopment Plan:

City Manager Tarkiewicz introduced Dave Stegink of Envirollogic to present the Brownfield Redevelopment Plan for Dark Horse Brewing Company Expansion and explain how the process works and the technicalities.

Mayor Reed opened the public hearing to hear public comment on the Brownfield Redevelopment Plan.

Hearing no comment, the hearing was closed.

Moved Williams, supported Metzger, to approve the Brownfield Redevelopment Plan Amendment for Inclusion of Dark Horse Brewing Company Expansion and adopt the authorizing resolution. On a roll call vote – ayes: Gerten, McNeil, Metzger, Miller, Mayor Reed, Schurig, and Williams; nays: none. **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION #2016-05**

**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: Gerten, McNeil, Metzger, Miller, Mayor Reed, Schurig, and Williams.

ABSENT: None.

MOTION BY: Council Member Williams.

SUPPORTED BY: Council Member Metzger.

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

NAYES: None.

ABSTAINED: None.

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

B. Zoning/Sign Ordinance Update:

Natalie Dean, Director of Community Services/Assistant City Manager, provided background regarding the process of updating the Zoning/Sign Ordinance. The Planning Commission has been working with consultants, Clearzoning, on updating the Zoning and Sign ordinance for a period of approximately one year. Staff presented the draft document to Council at a work session on January 16, 2016. The Planning Commission recommends that after hearing comments on the ordinance update, Council consider approval.

Mayor Reed opened the public hearing to hear public comment regarding the Zoning/Sign Ordinance Update.

Susan Collins of 222 N. Marshall Avenue feels the update is easier to read and manage and highly recommends the approval of the document with the recommended changes.

Tim Banfield, Chair of the Planning Commission, stated the Planning Commission is asking for the adoption of the recommendation of the Planning Commission and all the members worked very hard on the update. He feels the document is very easy to navigate and easy to read.

Jim Dyer of 1118 O'Keefe encouraged the Council to adopt the ordinance as recommended by the Planning Commission.

Lisa McNiff of 314 Mulberry urged the Council to accept the updated ordinance with the amendments.

Hearing no further comment, the hearing was closed.

Moved Miller, supported Gerten, to approve the Zoning and Sign Ordinance with the amendments as presented. . On a roll call vote – ayes: Gerten and Miller; nays: McNeil, Metzger, Mayor Reed, Schurig, and Williams. **MOTION DEFEATED.**

No action taken. City Council will consider the Zoning/Sign Ordinance at the April 4, 2016 Council Meeting.

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. Establish Marshall as a North Country Trail Town:

Moved Williams, supported Metzger, 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. On a voice vote – **MOTION CARRIED.**

City of Marshall, Michigan RESOLUTION #2016-06

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

B. Special Land Use for 1240 S. Kalamazoo: :

Moved Gerten, supported McNeil, to approve the Special Land Use Permit for 1240 S. Kalamazoo Avenue for the use of a used auto dealership. On a voice – **MOTION CARRIED.**

C. Michigan DNR Recreation Passport Grant Program:

Moved Schurig, supported Williams, 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. On a voice vote – **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION #2016-07**

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

Upon motion made by Council Member Schurig; seconded by Council Member Williams, 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: Gerten, McNeil, Metzger, Miller, Mayor Reed, Schurig, and Williams.

The following nay votes were recorded: None.

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

D. Michigan Department of Natural Resources – Trust Fund Grant Application for Ketchum Park Improvements:

Moved Miller, supported Schurig, to adopt the resolution authorizing the application to the Michigan Department of Natural Resources for a \$267,500 grant for Ketchum Park Improvements. On a voice vote – **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN RESOLUTION #2016-08

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

Upon motion made by Council Member Miller; seconded by Council Member

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

The following nay votes were recorded: None. _

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

PUBLIC COMMENT ON NON-AGENDA ITEMS

Finance Director Ken Swisher presented the 2nd Certificate of Achievement for Excellence in Financial Reporting received by the City of Marshall from the Government Finance Officers Association.

Paul Beardslee thanked City Council for the years of support he has received from the City.

COUNCIL AND MANAGER COMMUNICATIONS

CLOSED SESSION

Moved Williams, supported Schurig, to enter into Closed Session under section 8 (c) and (e) of the Open Meetings Act to discuss strategy for collective bargaining agreements and specific pending litigation. . On a roll call vote – ayes: Gerten, McNeil, Metzger, Miller, Mayor Reed, Schurig, and Williams; nays: none. **MOTION CARRIED.**

Enter into closed session at 9:28 p.m.

Return to open session at 10:25 p.m.

City Manager Tarkiewicz handed out questions regarding the dam.

Council was asked to consider possible dates and times for a future budget work session.

Discussion took place regarding the City's non-discrimination policies.

ADJOURNMENT

The meeting was adjourned at 10:50 p.m.

Jack Reed, Mayor

Trisha Nelson, City Clerk

User: ctanner
DB: MarshallEXP CHECK RUN DATES 04/02/2016 - 04/21/2016
UNJOURNALIZED
OPEN

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
6-003-16	2 STEPP CONSTRUCTION	PUMP HOUSE FLOORS	2016.220	2,935.00
1206	ALL RELIABLE SERVICES	2016 LINE CLEARANCE- TREE TRIMMING CONT	2016.226	521.36
1216	ALL RELIABLE SERVICES	2016 LINE CLEARANCE- TREE TRIMMING CONT	2016.226	2,718.52
1224	ALL RELIABLE SERVICES	2016 LINE CLEARANCE- TREE TRIMMING CONT	2016.226	3,970.94
86268	ALL-TRONICS INC	SEMI-ANNUAL MONITORING SERVICE APR--SEP		120.00
109412	AMERICAN LEGAL PUBLIS	INTERNET RENEWAL 04/09/16--04/09/17		495.00
46719	AMERICAN VIDEO TRANSF	COVERT INTERVIEW ROOM RECORDING SYSTEM-	2016.210	19,786.00
14-592605	ARROW UNIFORM	CUST #010198-04		51.42
14-592600	ARROW UNIFORM	CUST # 010198-01		27.47
14-592609	ARROW UNIFORM	CUST #010198-05		20.00
14-592608	ARROW UNIFORM	CUST #010198-06		31.23
14-592604	ARROW UNIFORM	CUST #010198-02		54.25
14-592606	ARROW UNIFORM	CUST #010198-03		138.94
14-585011	ARROW UNIFORM	CUST #010198-01		27.47
14-585021	ARROW UNIFORM	CUST #010198-05		20.00
14-585020	ARROW UNIFORM	CUST #010198-06		31.23
14-585017	ARROW UNIFORM	CUST #010198-04		51.42
14-585016	ARROW UNIFORM	CUST #010198-02		54.25
14-585018	ARROW UNIFORM	CUST #010198-03		138.94
388-106290-01	AUSTIN-BATTERIES PLUS	MH BULBS		501.74
388-106285-01	AUSTIN-BATTERIES PLUS	F15T8/CW		49.75
225-390087	AUTO VALUE MARSHALL	TRASH CANS		15.99
225-390221	AUTO VALUE MARSHALL	PNEUMATIC HOSE		26.79
225-390026	AUTO VALUE MARSHALL	WAX & GREASE		8.89
225-389911	AUTO VALUE MARSHALL	REPL PRE FLT, PAINT SUIT, MIX CUP		38.70
225-389799	AUTO VALUE MARSHALL	NAPTHA, ECONO FAST, GOLD 80, SPRAY GUNK		170.61
225-389787	AUTO VALUE MARSHALL	CERAMIC PAD2, DIS BRAKE ROTOR, SEMI MET		244.76
225-389416	AUTO VALUE MARSHALL	ULTRA-BLACK		21.49
225-389213	AUTO VALUE MARSHALL	CARB CLEAN		50.28
225-389116	AUTO VALUE MARSHALL	PLUG		29.90
225-389147	AUTO VALUE MARSHALL	FUEL TREAT		10.59
225-388881	AUTO VALUE MARSHALL	SHOE ASSY		29.09
225-389249	AUTO VALUE MARSHALL	BATTERY, BAT TIE DOWN SET		152.98
225-389441	AUTO VALUE MARSHALL	PAINT SUIT		10.75
225-389514	AUTO VALUE MARSHALL	REPL/LENSE		36.90
EBS-16-0201	BIOCLEAN TEAM INC	DISINFECTANT		129.00
35043287	BLUETARP FINANCIAL IN	1/2 X 10'ID PRESSURE H		66.01
35043214	BLUETARP FINANCIAL IN	SANDBLASTER GUN & NOZZLE		69.55
40796	CANNON TRUCK EQUIPMEN	VERSALIFT HYDRAULIC MOTOR		889.87
3186	CB HALL ELECTRIC COMP	MOUNT ANTENNA BASE		130.00
3189	CB HALL ELECTRIC COMP	FIRE QUARTERS/BREAK ROOM AT CITY HALL		940.00
151102-3	CIVIL ENGINEERS INC	DESIGN SERVICES - NORTH DR & MONROE ST.	2016.218	1,000.00
56739	COGITATE INC	MMS STATE TRUNKLINE SUPPORT		155.00
90531	CRT, INC	ROUTER RV130 VPN 5PORT, CABLE CAT5 GREE		121.00
51452	CULVER COMPANY	BUCKET TRUCK W/LOGO		473.32
3-93960	CUMMINS BRIDGEWAY	EMERGENCY SERVICE CALL		2,411.85
957	D HILL ENVIRONMENTAL	D&C EXAM PREP CLASS		300.00
482460	DARLING ACE HARDWARE	ADAPTR BARB		3.98
482293	DARLING ACE HARDWARE	EYE SCREWS FOR RIVERWALK		1.99
482432	DARLING ACE HARDWARE	LOCK WASH SS, CRS HCS		15.38
480983	DARLING ACE HARDWARE	VELCRO		11.99
482147	DARLING ACE HARDWARE	ICEMAKER KIT		11.99
481460	DARLING ACE HARDWARE	MASKING TAPE		6.49
481782	DARLING ACE HARDWARE	PIPE THREAD CMPD TFE		2.99
482369	DARLING ACE HARDWARE	KEYS		(3.98)
482338	DARLING ACE HARDWARE	KEYS, BROKEN SCREW REMOVER, HEX KEY SET		23.45
IN25205	DL GALLIVAN INC	COPIER CONTRACT KYOCERA @ PSB		278.71
INV25471	DORNBOS SIGN INC	SIGNS		846.85
INV25478	DORNBOS SIGN INC	METAL SPACERS, BREAK NUTS, TRUSSBOLTS		188.00
89834	ERIC DALE HEATING & A	RECLAIM REFRIGERANT FOR DISPOSAL		100.00
MIMA164973	FASTENAL COMPANY	BATTERIES		27.39
215282	FIRE EXTINGUISHER SER	FIRE DEPT SERVICES		64.00
9361517	FISHER SCIENTIFIC	COIL WELDMENT, WATER FILTER HOUSING ASS		994.33
7299	FUG	BLACK FULL LENGTH APRONS		176.00
7559	FUG	LANYARDS		356.00
3105	GOODWIN'S PLUMBING, L	HANDICAP COOLER		1,100.00
9056269112	GRAINGER	DIGITAL PRESSURE GAUGE		98.60
20160124	GRP ENGINEERING INC	ENGINEERING SERVICES FOR BREWER STREET	2016.161	25,302.71
17631479	GUARDIAN ALARM	MH ALARM MONITORING		36.31
76332	HERMANS MARSHALL HARD	4 FT CHAIN		13.96
76361	HERMANS MARSHALL HARD	CONCRETE PATCH, SCRAPER		14.98
76369	HERMANS MARSHALL HARD	MOPHEAD		8.99
76300	HERMANS MARSHALL HARD	FLOOR SQUEEGEE, TRAY LINER, MASKS		59.43
76339	HERMANS MARSHALL HARD	BLADE		16.99
76325	HERMANS MARSHALL HARD	MERCURY VAPOR		71.96
76356	HERMANS MARSHALL HARD	PLUG IN CFL BULBS		35.96
76348	HERMANS MARSHALL HARD	ROSETTES, SS SCREWS, STRAPS		14.91
76350	HERMANS MARSHALL HARD	DRYWALL MUD, TROWEL, SILICONE, GREAT ST		57.93
76329	HERMANS MARSHALL HARD	PLASTIC FITTING, GALV CAP		4.58

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
76331	HERMANS MARSHALL HARD	PAINT BRUSHES, ROLLERS, PAINTERS TAPE,		33.42
76324	HERMANS MARSHALL HARD	50' CORD		26.99
76320	HERMANS MARSHALL HARD	QUARTZ BULB		4.29
76330	HERMANS MARSHALL HARD	DURACELL 16 PK		17.99
7874	HOEKSTRA ROOFING COMP	SERVICE CALL - CITY HALL GARAGE		320.88
MN0000004815	INTERACT PUBLIC SAFET	APRIL 2016		1,200.00
101217	J & K PLUMBING SUPPLY	WATER SAVER KIT		24.74
6163	JS BUXTON	BULK LIME	2016.005	1,307.03
57240	KEBS INC	LAYOUT BURIAL PLOTS		800.00
29295	LAKELAND ASPHALT CORP	COLD PATCH		411.99
29286	LAKELAND ASPHALT CORP	COLD PATCH		398.04
29313	LAKELAND ASPHALT CORP	COLD PATCH		358.05
29322	LAKELAND ASPHALT CORP	BITUMINOUS AGGREGATES		322.40
1038389	LEGG LUMBER	MV SLATE, LAG SCREWS		174.36
1038488	LEGG LUMBER	2X4X8 PREMIUM, 1X4 PINE CONST BOARD		13.06
11293	LEWEY'S SHOE REPAIR	MARK STRAND - BOOT ALLOWANCE		197.99
11288	LEWEY'S SHOE REPAIR	WILL NASH - BOOT ALLOWANCE		170.00
11382	LEWEY'S SHOE REPAIR	MATT FREDS - BOOT ALLOWANCE		136.50
12584	LOU'S GLOVES INC	GLOVES		86.00
1492C11831	MARSHALL MEDICAL ASSO	GREEN, KEIPER, PHILLIPS, RAPP		273.00
52614005	MCMASTER-CARR	DRUM LIFTER, WATER FILLER, S/O NOZZLE,		344.44
957366	MICHIGAN DEPT OF ENV.	ANNUAL BIOSOLIDS FEE	2016.264	2,114.95
54274	MIDWEST COMMUNICATION	MRLEC AND FIRE FIBER OPTIC	2015.191	62,764.99
369730	NORTH CENTRAL LABORAT	LABORATORY SUPPLIES	2016.006	751.46
369596	NORTH CENTRAL LABORAT	BOD INCUBATOR	2016.253	4,581.06
545105	NYE UNIFORM COMPANY	NAME BAR		16.54
540966	NYE UNIFORM COMPANY	BADGE, POCKET ID CLIP-NAMEBAR		119.38
628791	OFFICE 360	INKCART, FLAGS, TABS, TONER		416.95
626999	OFFICE 360	PAPER, BATTERIES, LABELS		319.17
625246	OFFICE 360	TONER		336.96
630764	OFFICE 360	BNDRS, LABELS, INDX		264.86
633466	OFFICE 360	CARTRIDGE		11.49
630152	OFFICE 360	PAPER, TAPE, PENS, HIGHLIGHTERS, TONER, B		290.38
630125	OFFICE 360	INKCART, TONER, LGL PADS		250.45
1637638-00	POTTER DISTRIBUTING	30" ADA ELECT, MANUAL CLN		409.00
56015577	POWER LINE SUPPLY	WR399 CONNECTOR		36.05
56015578	POWER LINE SUPPLY	YSS4R CONNECTOR		57.50
56015579	POWER LINE SUPPLY	WR189 CONNECTORS		19.87
56015580	POWER LINE SUPPLY	ATB2 ROADWAY LED LIGHT FIXTURES OUR IT	2016.270	2,316.00
7038	QUALITY ENGRAVING SER	UPS SHIPPING		218.28
635470-00	RESCO	DOWNTOWN PARKING LOT- HAPCO POLES AND	2016.240	555.00
70589419	ROSE PEST SOLUTIONS	SERVICE INSPECTION		350.00
70588087	ROSE PEST SOLUTIONS	PEST CONTROL AT MH		56.00
69650911	SAFETY-KLEEN	PARTS WASHER SOLVENT		194.92
3111619595	SHREVE, DOUG	TOOLS		552.85
8571	SIGNWORLD CONCEPTS	DIGITAL IMAGES APPLIED TO PVC		360.00
18333	STANDARD PRINTING & O	DELIVERY CHARGE		7.00
18332	STANDARD PRINTING & O	DELIVERY CHARGE FOR UTILITY BILLS		7.00
18383	STANDARD PRINTING & O	DELIVERY CHARGE FOR UTILITY BILLS		7.00
8038349545	STAPLES ADVANTAGE	HW540 ENCORE PRO HEADSETS, STAPLERS		156.98
8038440389	STAPLES ADVANTAGE	HP PRINTER		129.99
323708	STEENSMA	RETURN OF UNIVERSAL DRIVESHA 124		(551.41)
50045737	SUBURBAN MECHANICAL C	SERVICE CALL		252.50
90337143	TEREX UTILITIES, INC	AUGER SLING		58.24
21605	THOMPSON TECH SUPPLY	CH CMT		10.04
1212	TOM'S BODY SHOP	BATHROOM PARTITION		379.88
3138614	TOSHIBA AMERICA BUSIN	02/01/16 - 02/29/16		109.82
5004983	UNDERGROUND PIPE & VA	UNDERGROUND AND HYDRANT PARTS PER QUOTE	2016.272	2,093.50
51813	VILLA ENVIRONMENTAL C	QUARTERLY A/B OPERATOR INSPECTION		175.00
EO-02-2016	WARREN ENERGY SOLUTIO	DEVELOPMENT OF 2015 ENERGY OPTIMIZATION		225.00
193843	WESCO	18V BATTERY		180.36
				156,447.30

APPROVAL LIST FOR CITY OF MARSHALL
 EXP CHECK RUN DATES 02/05/2016 - 03/18/2016
 UNJOURNALIZED OPEN
 BANK CODE: MAIN

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
269781444703-16	A T & T	269 781-4447 749 4		225.59
269781907003-16	A T & T	269 781-9070 573 1		62.70
269781981503-16	A T & T	269 781-9815 267 0		3,144.72
269789901103-16	A T & T	269 789-9011 599 1		57.50
LANE	AASC	CRYSTAL LANE - MEMBERSHIP		95.00
287238047810X03111	AT&T MOBILITY	ACCT #287238047810		42.34
030716	C & S CARTON INC	ENERGY OPTIMIZATION - LIGHTING UPGRADES		645.90
911GOVAGENCY2016000	CALHOUN COUNTY CONS D	2ND QUARTER 2016		26,842.92
2015 SUMMER	CALHOUN COUNTY TREASU	2015 SUMMER DIST FINAL 12/01/15--02/29/		33,509.07
2015 WTR FINAL	CALHOUN COUNTY TREASU	2015 WINTER DIST FINAL 01/16/16--02/29/		111,451.70
2015 WTR FINAL	CALHOUN INTERMEDIATE	2015 WINTER DIST FINAL 01/16/16--02/29/		313,557.35
2015 SUMMER	CALHOUN INTERMEDIATE	2015 SUMMER DIST FINAL 12/01/15--02/29/		9,217.95
2551498112-0316	CHEMICAL BANK SOUTH	HSA ACCT #2551498112 MUSSER, TIM		1,755.00
030716	CITY OF MARSHALL	PETTY CASH REIMBURSEMENT - DONUTS FOR E		21.60
031616	CROCE, MICHELLE	ENERGY OPTIMIZATION - WASHER		25.00
031516	DEAN, NATALIE	ADVANCE FOR MEALS AT APA CONFERENCE		295.00
031116	DEPPE ENTERPRISES, LL	INSTALL GLASS @ 130 W MICHIGAN		136.00
7018274-0316	EARTHLINK BUSINESS	ACCT #0007018274		851.30
031516	FREDS, MATT	SCHOOL LUNCH		14.23
031616	GEIGER, MATTHEW	ENERGY OPTIMIZATION - LED BULBS		54.98
FACE	GILG, CAROLYN	SECURITY DEPOSIT REFUND		528.00
1326367	GRIFFIN PEST SOLUTION	900 S MARSHALL		46.00
031616	HIATT, VIRGINIA	PET DEPOSIT REFUND		70.00
202960...	HUB INTERNATIONAL MID	202960, 202981, 197827, 197808		75,388.00
031416	JOHNSON, LISA	REFUND SECURITY DEPOSIT		143.00
2015 SUMMER	KELLOGG COMMUNITY COL	2015 SUMMER DIST FINAL 12/01/15--02/29/		5,320.92
2015 WTR FINAL	KELLOGG COMMUNITY COL	2015 WINTER DIST FINAL 01/16/16--02/29/		184,194.31
99007320387-0216	LOWE'S	ACCT #9900 732038 7		1,056.80
99007320387-0316	LOWE'S	ACCT #9900 732038 7		258.49
2015 WTR FINAL	MARSHALL AREA FIRE FI	2015 WINTER DIST FINAL 01/16/16--02/29/		50,969.53
03/18/2016	MARSHALL COMMUNITY CU	UB refund for account: 1901340005		11.65
6996-0316	MARSHALL COMMUNITY CU	6996 - BAUER		437.80
3217-0316	MARSHALL COMMUNITY CU	3217 - SWISHER		45.95
7681-0316	MARSHALL COMMUNITY CU	7681 - TARKIEWICZ		204.45
7617-0316	MARSHALL COMMUNITY CU	7617 - RAMEY		656.59
2015 SUMMER	MARSHALL DISTRICT LIB	2015 SUMMER DIST FINAL 12/01/15--02/29/		4,921.25
2015 WTR FINAL	MARSHALL DISTRICT LIB	2015 WINTER DIST FINAL 01/16/16--02/29/		32,616.97
2015 SUMMER	MARSHALL PUBLIC SCHOO	2015 SUMMER DIST FINAL 12/01/15--02/29/		20,422.59
2015 WTR FINAL	MARSHALL PUBLIC SCHOO	2015 WINTER DIST FINAL 01/16/16--02/29/		793,502.95
S3922619.001	MEDLER ELECTRIC COMPA	BLACK FRICTION TAPE		400.95
030116	MESERVEY, LYNNE	EXPENSE REIMBURSEMENT		584.26
APRIL LUNCHEON	MMAAO	JULIE CAIN-DEROUIN - 04/13/16 LUNCHEON/		15.00
790004405582930703	NEOFUNDS BY NEOPOST	7900 0440 5582 9307		3,000.00
030916	PELFREY JR, EDWARD	ENERGY OPTIMIZATION - FURNACE AND A/C		615.00
031416	REVITALIZE LLC	MEDC ADMINISTRATION FEES FOR RENOVATION 2016.138		6,440.00
03/16/16	ROBERSON, MICHAEL	CDL TEST & LICENSE		115.00
031416	SANDERS, TIMOTHY	REFUND SECURITY DEPOSIT		413.00
031816	SCOTT, THOMAS	TRAVEL EXPENSE REIMBURSEMENT		100.98
9761430899	VERIZON WIRELESS	ACCT #987146080-00001		868.85
10040764-0316	WOW! INTERNET-CABLE-P	ACCT #010040764		1,359.83
031618	ZEBOLSKY, JOEL	SCHOOL LUNCH		16.23
				1,686,730.20

APPROVAL LIST FOR CITY OF MARSHALL
 EXP CHECK RUN DATES 02/05/2016 - 03/25/2016
 UNJOURNALIZED OPEN
 BANK CODE: MAIN

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
03/23/2016	ALBOUGH, DENNIS & CAR	UB refund for account: 3107380007		21.69
21406436QC	AMERICAN MESSAGING	ACCT #Z1-406436 PAGERS		9.58
2015 WTR IFT FINAL	CALHOUN INTERMEDIATE	2015 WINTER IFT FINAL DIST 12/01/15--02		726.86
2015 SMR IFT FINAL	CALHOUN INTERMEDIATE	2015 SUMMER IFT FINAL DIST 08/01/15--02		738.98
2551178151-0316	CHEMICAL BANK SOUTH	HSA ACCT#2551178151 HACKER, JOHN		1,755.00
19845, APP#21	CLARK CONSTRUCTION CO	MRLEC BUILDING CONSTRUCTION	2016.273	97,419.46
2015 SMR IFT FINAL	KELLOGG COMMUNITY COL	2015 SUMMER IFT FINAL DIST 08/01/15--02		12,458.47
2015 WTR IFT FINAL	KELLOGG COMMUNITY COL	2015 WINTER IFT FINAL DIST 12/01/15--02		12,455.33
63	MAGIC MAIDS	MARCH MONTHLY CLEANING		1,400.00
2015 WTR IFT FINAL	MARSHALL AREA FIRE FI	2015 WINTER IFT FINAL DIST 12/01/15--02		3,446.77
9421-0316	MARSHALL COMMUNITY CU	9421 - SEARS		468.84
4562-0316	MARSHALL COMMUNITY CU	4562 - DEAN		63.02
9156-0316	MARSHALL COMMUNITY CU	9156 - MILLER		466.13
3431-0316	MARSHALL COMMUNITY CU	3431 - CITY CARD		636.66
3960-0316	MARSHALL COMMUNITY CU	3960 - SCHWARTZ		577.87
2015 SMR IFT FINAL	MARSHALL DISTRICT LIB	2015 SUMMER IFT FINAL DIST 08/01/15--02		11,522.10
2015 WTR IFT FINAL	MARSHALL DISTRICT LIB	2015 WINTER IFT FINAL DIST 12/01/15--02		1,912.21
2015 WTR IFT FINAL	MARSHALL PUBLIC SCHOO	2015 WINTER IFT FINAL DIST 12/01/15--02		23,435.18
2015 SMR IFT FINAL	MARSHALL PUBLIC SCHOO	2015 SUMMER IFT FINAL DIST 08/01/15--02		23,442.17
2015 SMR IFT FINAL	STATE OF MICHIGAN	2015 SUMMER IFT FINAL DIST 08/01/15--02		29,357.01
2015 WTR IFT FINAL	STATE OF MICHIGAN	2015 WINTER IFT FINAL DIST 12/01/15--02		22,322.39
8948000000160308	TELNET WORLDWIDE	ACCT #CORP-008948		1,600.52
032115	THOMAS, CINDY	ENERGY OPTIMIZATION - FURNACE		150.00
14226414-0216	WOW! BUSINESS	ACCT #014226414		94.95
				246,481.19



ADMINISTRATIVE REPORT
April 4, 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: After hearing comments at the public hearing, it is recommended that the Council approve the Industrial Facilities Tax Exemption Certificate for Mor-Dall Enterprises, LLC. at 511 S Kalamazoo Ave.

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,

323 W. Michigan Ave.
Marshall, MI 49068

p 269.781.5183

f 269.781.3835

cityofmarshall.com

Tom Tarkiewicz
City Manager

K. Scott Fleming
President & CEO of MAEDA

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

	Begin Date (M/D/Y)	End Date (M/D/Y)	
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:

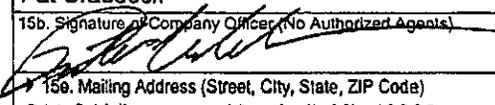
Industrial Development District Plant Rehabilitation District

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))? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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

NAME: Trisha Nelson

TITLE: Mayor

TITLE: City Clerk

SIGNATURE: _____

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
April 4, 2016 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council Members

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

SUBJECT: Public hearing to hear comments on establishment of 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. Attached with the Ordinance is an information sheet regarding the TMDL.

RECOMMENDATION: After hearing comments at the public hearing, it is recommended that the Council adopt 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.

Respectfully submitted,

Kristin Bauer
Director of Public Services

Tom Tarkiewicz
City Manager

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

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:

Section1:

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) Meeting 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

Reaching our Goal: Cutting Phosphorus in Half

A guide for local governments, consultants, and engineers working to enacting mechanisms to control post-construction stormwater runoff, in fulfillment of the TMDL Cooperative Agreement

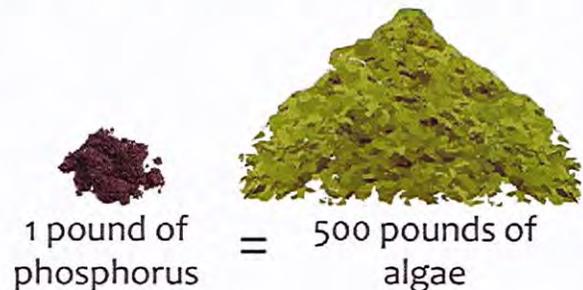
BACKGROUND

In the 1980s and 90s the Kalamazoo River had lingering water quality problems that were not solved through the implementation of secondary treatment and NPDES permits issued under the Clean Water Act of 1972. Impounded areas of the river suffered from excessive algal blooms, low dissolved oxygen, and undesirable fish populations due to poor water quality from high phosphorus levels. In the early 2000s, municipalities and industrial dischargers within the Kalamazoo River watershed started collaborating on ways to improve water quality in the Kalamazoo River by reducing a variety of sources of phosphorus that discharge to the river and connecting waterways.

Thus far this collaboration has been successful in halting the increase in phosphorus loading to the river, in part due to attrition of large industries within the region that no longer discharge to the river.

But early studies showed that a 50% reduction in nonpoint source phosphorus loading to the river is necessary to solve the water quality problems.

One of the major sources of phosphorus to the river system is stormwater runoff from urban areas, and this source of phosphorus is predicted to increase as much as 25% by 2030 if no action is taken.



GETTING AHEAD OF THE PROBLEM

Regulations at the national and state level are trending toward more stormwater control and treatment to solve water quality problems. When these policies are developed and passed at the local level, they can be advantageous to local governments by reducing infrastructure costs for



taxpayers, reducing flooding that can cause substantial property damage, and improving water quality which increases property values and other intrinsic values. Modeling results from the Kalamazoo River Watershed Management Plan estimated the cost to retrofit urban areas to meet our 50% nonpoint source phosphorus reduction goal would cost over \$55 million watershed-wide, and the cost would likely increase to over \$380 million by 2030 if no action is taken.

In 2011, the municipalities with NPDES permits agreed to work on passing land development policies to help get ahead of the future problem of increasing phosphorus loads from new development and the associated costs. **To fulfill this requirement, signatories to the TMDL Cooperative Agreement must enact “mechanisms” to control post-construction stormwater from new and redevelopment properties** (e.g., ordinances or resolutions). Larger municipalities in Kalamazoo and Calhoun counties already have ordinances in place that require new development to manage stormwater on-site instead of adding it to the existing municipal storm sewer systems. Since 2011, ten TMDL signatories have passed new regulations to help curb future phosphorus loading.



ADMINISTRATIVE REPORT
APRIL 4, 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 Draft Zoning/Sign Ordinance Update

Clearzoning has made minor corrections to the document which do not alter the effect of regulations; therefore, the City Attorney has agreed that Council may move forward with adoption. Changes consist of:

- Footnotes were reincorporated on pages 5-7, 5-8, and 5-17
- A duplicate statement was removed from section 4.54
- Section 6.2, #11 and #13 have been corrected to include City Council authority
- Section 4.23: "EV" changed to "electric vehicle" and "Illinois" changed to Michigan
- Section 4.0 Use Standards changed "Message" to "Massage"

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

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- Wind energy conversion systems
- Recycling collection and processing centers

Council has received a power point presentation via email (sent on 3/28/16) to outline each of these chapters.

Sections substantially updated and/or amended:

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.

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 #2016-**

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 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
April 4, 2016 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and Council Members
FROM: Tom Tarkiewicz, City Manager
SUBJECT: Property Purchase for New Brewer Street Substation

BACKGROUND: The City Council approved the expediting of design and construction of the new Brewer Street 138/12.47kv Substation Project at its regular meeting on August 17, 2015. The Project must be completed by October 1, 2016 to maintain two 138kv transmission sources into the city.

A two (2) acre parcel of land and associated easements in the I-94 and Old US 27 North area needs to be purchased for the new electric substation site. Four (4) acceptable sites were identified but the owners of two (2) of the sites were not interested in selling their property.

The final site which is owned by the Oaklawn Medical Group was selected based on its lower purchase price of \$80,000. This price also includes the necessary easements for ingress/egress and for the new electric utility lines that need to be constructed to connect to the existing Marshall electric system. The two acre parcel is located to the far easterly end of the property that the Oaklawn Internal and Family Medicine facility presently occupies. The Oaklawn Medical Group's Board of Directors approved the sale of the property on March 25, 2016. There are several conditions required by Oaklawn associated with the sale, including: Reconstruction of their existing driveway after the heavy use of the substation construction activity, seal coating and stripping their existing parking lot, waiving some future connection fees, and the planting of 12 low growing trees to shield the view of the substation.

The City Attorney's office has drawn up three attached documents:

- Warranty Deed
- Agreement for Conveyance of Real Estate and Associated Easements
- Grant of Easements

RECOMMENDATION: It is recommended by staff that the City Council approve the property and easement purchase for \$80,000.00 and have the City Clerk sign the necessary purchase documents and agreements with the Ella E.M. Brown Charitable Circle.

FISCAL EFFECTS: The total estimated cost of the Brewer Street Substation Project is \$3.6 million. Funding to cover the expenditures for the project will be obtained through the issuance of General Obligation Revenue Bonds. It is expected that the annual cost for repayment of the bonds will be covered from the Electric fund operating budget.

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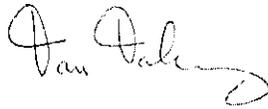
- ALTERNATIVES:** 1) Project cancellation
2) Suggestions by City Council

CITY GOAL CLASSIFICATION:

GOAL AREA 4. INFRASTRUCTURE

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

Respectfully Submitted,

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

Tom Tarkiewicz
City Manager

WARRANTY DEED

THE GRANTOR, MARSHALL ELLA E.M. BROWN CHARITABLE CIRCLE, a Michigan non-profit corporation of 200 N. Madison Street, Marshall, Michigan 49068, conveys and warrants to CITY OF MARSHALL, a Michigan home-rule city, whose address is 323 W. Michigan Avenue, Marshall, MI 49068, the following described premises situated in the Township of Marshall, County of Calhoun, and State of Michigan to-wit:

Parcel A: A parcel of land in the West 1/2 of the Northwest 1/4 of Section 24, T.2 S., R.6 W., Marshall Township, Calhoun County, Michigan, described as follows: To fix the point of beginning commence at the Northwest corner of said Section; thence S.00°-05'-49"W., on the West line of said Section, 126.00 feet; thence S.88°-41'-35"E., parallel with the North line of said Section, 1058.30 feet to the point of beginning; thence continuing S.88°-41'-35"E., parallel with said North Section line, 264.00 feet to the East line of the West 1/2 of the Northwest 1/4 of said Section; thence S.00°-09'-43"E., on said East line, 332.04 feet; thence N.88°-41'-35" W., parallel with said North Section line, 264.00 feet; thence N.00°-09'43"E., parallel with said East line, 332.04 feet to the point of beginning, containing 2.01 acres of land and subject to any easements of record.

Tax ID No.: (Out of) 16-241-003-06

Subject to restrictions and easements of record.

for the sum of Eighty Thousand Dollars (\$80,000.00).

This property may be located within the vicinity of farmland or a farm operation. Generally accepted agriculture and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act.

The Grantor grants to the Grantee the right to make one (1) division under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967 and zero "bonus" divisions or splits allowed pursuant to Section 108(3) of the Land Division Act, Act No. 288 of the Public Acts of 1967.

Dated this ____ day of March, 2016.

Ella E.M. Brown Charitable Circle

by: (name)
its: (title)

STATE OF MICHIGAN)
)ss
COUNTY OF CALHOUN)

The foregoing instrument was acknowledged before me this ____ day of March, 2016, by _____
_____ on behalf of Ella E.M. Brown Charitable Circle.

Notary Public, _____ County,
State of _____.
My commission expires: _____

Drafted by:
Paul K. Beardslee (P42177)
Marshall City Attorney
208 W. Michigan Ave.
Marshall, MI 49068
(269) 781-9090

Tax Parcel # _____ Recording Fee _____ Transfer Tax _____

AGREEMENT FOR CONVEYANCE OF REAL ESTATE AND ASSOCIATED EASEMENTS

This agreement is executed this ____ day of March, 2016 between Ella E.M. Brown Charitable Circle, a Michigan non-profit corporation of 200 N. Madison Street, Marshall, Michigan 49068, doing business as "Oaklawn Hospital", (Grantor) and City of Marshall, a Michigan Home-Rule city with offices at 323 W. Michigan Avenue, Marshall, Michigan 49068, (Grantee).

In consideration of the promises and obligations set forth below, the parties agree as follows:

1. Grantor shall within 14 days of the execution of this agreement convey to Grantee the property described in the proposed Warranty Deed attached hereto as "Exhibit A".
2. Grantor shall, concurrent with the conveyance referenced in paragraph 1 above, grant to Grantee the easements described in the proposed Grant of Easements attached hereto as "Exhibit B".
3. In consideration for the above conveyances Grantee shall pay Grantor the sum of Eighty Thousand (\$80,000.00) Dollars by negotiable instrument. Grantor shall be solely responsible for the payment of property transfer taxes required by MCL 207.505 or MCL 207.526, or both, if applicable.
4. As additional consideration Grantee shall re-pave the existing east-west asphalt driveway along the south side of Parcel B on Exhibit A and shall re-seal and re-stripe the existing parking areas on the described "Parcel B" on Exhibit A.
5. As additional consideration Grantee shall plant 12 white-spruce trees on the property described as "Parcel B" on Exhibit A, the precise locations of the trees to be determined by the Grantor.
6. Grantee further agrees to waive water and sewer connection fees for a period of 5 years from the date of this agreement for any property owned or acquired by Grantor which is located in sections 13, 14, 23 or 24 of Marshall Township south of Interstate 94.
7. The obligations created by this Agreement shall survive the closing.
8. This Agreement contains the entire agreement of the parties with regard to its subject matter and may only be modified in a written document signed by both parties.

Dated: March _____, 2016

Dated: March _____, 2016

Ella E.M. Brown Charitable Circle

City of Marshall

by: _____

by: _____

Trisha Nelson, Clerk

Prepared by: Paul K. Beardslee, Marshall City Attorney

Grant of Easements

Ella E.M. Brown Charitable Circle, a Michigan not for profit corporation doing business as Oaklawn Hospital, 200 N. Madison Street, Marshall, Michigan 49068 (Grantor) in consideration of One Dollar (\$1.00) the receipt and adequacy of which are acknowledged, grants to the City of Marshall, Michigan, a Michigan Home Rule City of 323 W. Michigan Avenue, Marshall, Michigan (Grantee) a perpetual easement for ingress and egress and the construction and maintenance of underground utilities on, under, and across the following-described property:

Easement 'A': An easement for a Permanent Drive and Underground Utilities over and across a strip of land 40.00 feet in width in the West 1/2 of the Northwest 1/4 of Section 24, T.2 S., R.6 W., Marshall Township, Calhoun County, Michigan, described as follows: To fix the point of beginning commence at the Northwest corner of said Section; thence S.00°-05'-49"W., on the West line of said Section, 458.00 feet; thence S.88°-41'-35"E., 36.33 feet to the East Right-of-Way line of Old US-27 and the point of beginning; thence N.00°-06'-17"W., on said East Right-of-Way line, 40.01 feet; thence S.88°-41'-35"E., 1023.44 feet; thence S.00°-09'-43"E., 40.01 feet; thence N.88°-41'-35"W., 1023.48 feet to the point of beginning.

Grantor also grants to Grantee an easement for the construction of utility lines over and under the following described parcel, and also for the permanent maintenance of the utility lines to be constructed:

Easement 'B': An easement for Utilities over and across a strip of land 30.00 feet in width in the West 1/2 of the Northwest 1/4 of Section 24, T.2 S., R.6 W., Marshall Township, Calhoun County, Michigan, described as follows: To fix the point of beginning commence at the Northwest corner of said Section; thence S.00°-05'-49"W., on the West line of said Section, 126.00 feet; thence S.88°-41'-35"E., 35.16 feet to the East Right-of-Way line of Old US-27 and the point of beginning; thence continuing S.88°-41'-35"E., 1023.15 feet; thence S.00°-09'-43"E., 30.01 feet; thence N.88°-41'-35"W., 1023.18 feet to said East Right-of-Way line; thence N.00°-06'-17"W., on said East Right-of-Way line, 30.01 feet to the point of beginning.

Both Easement 'A' and Easement 'B' are being granted to provide access to the parcel of land being conveyed to the City of Marshall concurrently with the granting of this easement described as "Parcel A" below, which is the "Dominant Estate".

Parcel A: A parcel of land in the West 1/2 of the Northwest 1/4 of Section 24, T.2 S., R.6 W., Marshall Township, Calhoun County, Michigan, described as follows: To fix the point of beginning commence at the Northwest corner of said Section; thence S.00°-05'-49"W., on the West line of said Section, 126.00 feet; thence S.88°-41'-35"E., parallel with the North line of said Section, 1058.30 feet to the point of beginning; thence continuing S.88°-41'-35"E., parallel with said North Section line, 264.00 feet to the East line of the West 1/2 of the Northwest 1/4 of said Section; thence S.00°-09'-43"E., on said East line, 332.04 feet; thence N.88°-41'-35"W., parallel with said North Section line, 264.00 feet; thence N.00°-09'-43"E., parallel with said East line, 332.04 feet to the point of beginning, containing 2.01 acres of land and subject to any easements of record.

The property subject to these easements and owned by the Grantor is described below as "Parcel B":

Parcel B: A parcel of land in the West 1/2 of the Northwest 1/4 of Section 24, T.2 S., R.6 W., Marshall Township, Calhoun County, Michigan, described as follows: Beginning at a point on the West line of said Section which is 126.00 feet, S.00°-05'-49"W. of the Northwest corner of said Section; thence S.88°-41'-35"E., parallel with the North line of said Section, 1058.30 feet; thence S.00°-09'-43"E., parallel with the East line of the West 1/2 of the Northwest 1/4 of said Section, 332.04 feet; thence N.88°-41'-35"W., parallel with said North Section line, 1059.81 feet to said West Section line; thence N.00°-05'-49"E., on said West Section line, 332.00 feet to the point of beginning, containing 8.07 acres of land and subject to any easements of record.

The easements granted are each an easement appurtenant to the Dominant Estate.

Grantor retains, reserves, and shall continue to enjoy the use of the surface of the land described in this easement for any and all purposes that do not interfere with or prevent Grantee's use of the easement, provided however that no buildings shall be constructed on the easements.

Grantee shall have the duty to repair and maintain the easement and shall at all times keep its driveway free and open for the benefit of Grantor.

Dated this ____ day of March, 2016.

Ella E.M. Brown Charitable Circle

by: (name)

its: (title)

STATE OF MICHIGAN)
)ss
COUNTY OF CALHOUN)

The foregoing instrument was acknowledged before me this ____ day of March, 2016, by _____
_____ on behalf of Ella E.M. Brown Charitable Circle.

Notary Public, _____ County,
State of _____
My commission expires: _____

Drafted by:
Paul K. Beardslee (P42177)
Marshall City Attorney
208 W. Michigan Ave.
Marshall, MI 49068
(269) 781-9090



ADMINISTRATIVE REPORT
April 4, 2016 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and Council Members

FROM: Ed Rice, Director of Electric Utilities
Tom Tarkiewicz, City Manager

SUBJECT: Fiber To The Premise (FTTP)

BACKGROUND: The City Council has identified Fiber to the Premise (FTTP) ultra-high speed internet availability to residences and businesses as an objective that is contained in all four (4) of the major goals of its strategic plan.

A meeting was held with attorneys on March 17, 2016 to discuss the details and requirements of the State of Michigan's Metropolitan Extensions Telecommunication Right of Way Oversight Act 48 of 2002 (METRO Act). At this meeting it was determined that the City Council should pass a resolution approving the initiation of the Fiber To The Premise project to be compliant with the Act. John Sullivan, City Attorney, has developed the attached FTTP resolution for City Council consideration.

RECOMMENDATION: Staff recommends that the City Council approve the resolution for the City Clerk's signature.

FISCAL EFFECTS: The expenditures for the FTTP project will be funded from the City's Electric Fund which will later be re-allocated to a new enterprise fund for the fiber project. Expenditures for this project may be funded through the most beneficial arrangement of bonds, commercial loans or inter fund loans.

ALTERNATIVES: As suggested by the City Council.

CITY GOAL CLASSIFICATIONS:

GOAL AREA I -- ECONOMIC DEVELOPMENT

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

GOAL AREA II -- QUALITY OF LIFE

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

GOAL AREA III -- HOUSING DEVELOPMENT

Goal Statement: Provide for progressive, diverse and unique housing opportunities.

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GOAL AREA IV – INFRASTRUCTURE

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

Respectfully Submitted,



Edward E. Rice, P.E.
Electric Utilities Director



Tom Tarkiewicz
City Manager

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

**RESOLUTION AUTHORIZING ACTION IN
FURTHERANCE OF THE FIBER TO THE
PREMISE PROJECT**

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 4TH day of April, 2016 at 7 p.m.

PRESENT:

ABSENT:

MOTION BY: Council Member

SUPPORTED BY: Council Member

WHEREAS, on May 18, 2015 and January 19, 2016, the City Council of the City of Marshall approved the expenditure of funds for the purpose for analyzing and determining the feasibility of the proposed Fiber to the Premise (FTTP) project for the City of Marshall; and

WHEREAS, the purpose of the FTTP project is to provide reliable ultra-high speed fiber internet connection availability to all city residents and businesses at a reasonable cost; and

WHEREAS, the City Council of the City of Marshall has identified ultra-high speed fiber internet connection availability to all city residents and businesses as an objective which promotes economic development, quality of life, housing development, city infrastructure, and otherwise furthers the major goals of the city's strategic plan; and

WHEREAS, the City Council of the City of Marshall recognizes that ultra-high speed fiber internet connection service is included within the definition of telecommunication service under Act 48 of the State of Michigan of 2002, as amended (METRO Act);

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marshall supports the pursuit of ultra-high speed fiber internet connection availability for all city residents and businesses; and

BE IT FUTHER RESOLVED that the City Council of the City of Marshall approves the following actions to be undertaken by city staff in furtherance of the goal of obtaining ultra-high speed internet connection availability for all city residents and businesses, pursuant to, and in accordance with, the provisions of Act 48 of the State of Michigan of 2002, as amended (METRO Act). The City Council recognizes that under the METRO Act, these actions are required prior to the passage of any ordinance or resolution authorizing the city to either construct telecommunication facilities or provide telecommunication or cable modem service provided through a broadband internet access transport service.

1. **REQUEST FOR PROPOSAL (RFP).** Develop and issue a Request For Proposal (RFP) for competitive sealed bids which meets the requirements of the METRO Act and allows for the determination of whether a bidder is qualified to complete the work described in the RFP.
2. **COST-BENEFIT ANALYSIS.** If less than 3 qualified bids have been received from private providers, and more than 60 days has elapsed from the date the RFP was issued, the city may undertake a Cost-Benefit Analysis (CBA) for the construction of telecommunication facilities and the providing of telecommunication or cable modem service provided through a broadband internet access transport device. The CBA shall meet the requirements of the METRO Act and shall include reasonable projections for at least a 3 year period and total projected direct costs of and the revenues to be derived from constructing the telecommunication facilities and providing the telecommunication service.
3. **PUBLIC HEARING.** The City of Marshall shall conduct at least one public hearing before the passage of any ordinance or resolution authorizing the city to construct telecommunications facilities or provide telecommunication service. Notice of the hearing shall be provided as required by law and the hearing shall occur no sooner than 30 days from the release of the CBA.

BE IT FURTHER RESOLVED that 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.

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 4th day of April, 2016, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto set my official signature this 4th day 2016. of April,

Trisha Nelson, City of Marshall City Clerk



ADMINISTRATIVE REPORT
April 4, 2016 - CITY COUNCIL MEETING

TO: Honorable Mayor and City Council Members
FROM: Tom Tarkiewicz, City Manager
SUBJECT: 2016 Strategic Plan

BACKGROUND: Over the last four months, the City Council, City Directors, MAEDA Board & CEO, and the DDA/LDFA Board have assembled the attached Economic Development Strategic Plan. The MAEDA Board approved the Plan on March 15, 2016 and the DDA/LDFA Board approved the Plan on March 24, 2016.

The Plan has ten Strategic Goals and Strategies. They are:

- Goal 1 – Infrastructure
- Goal 2 – Housing
- Goal 3 - Spec building
- Goal 4 - Fiber to the Premises
- Goal 5 - Small business support
- Goal 6 - Business incentives
- Goal 7 - DDA expansion
- Goal 8 - Business hours
- Goal 9 - Social and recreational
- Goal 10 - Internship program

City Staff will now use this plan as programs and priorities are established.

RECOMMENDATION: It is recommended that the Council adopt the 2016 Marshall Economic Development Strategic Plan.

FISCAL EFFECTS: No direct, immediate impact on the City's fiscal status.

CITY GOAL CLASSIFICATION:

GOAL AREA I. 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.

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GOAL AREA 3. HOUSING DEVELOPMENT

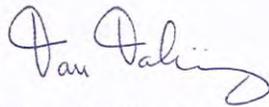
Goal Statement: Provide for progressive, diverse and unique housing opportunities.

GOAL AREA 4. INFRASTRUCTURE

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

ALTERNATIVES: As suggested by Council.

Respectfully Submitted,

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

Tom Tarkiewicz
City Manager

**ECONOMIC DEVELOPMENT STRATEGIC
PLAN**

City of Marshall

Final copy-March 15, 2016

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Executive Summary

“He who fails to plan is planning to fail.”-Winston Churchill

On December 10, 2015 and December 14, 2015, the City held two 4-hour meetings to discuss and develop a Strategic Plan for Economic Development within the City of Marshall. The meetings were facilitated by Nancy Ohle, OD Consultant and Corporate Trainer and paid for by the Redevelopment Ready Communities Program. Participation in these meetings included City Council, the City Director team, the Downtown Development Authority (DDA), the Local Development Finance Authority (LDFA) and Marshall Area Economic Development Alliance (MAEDA).

The City of Marshall has established strong cooperation and support on economic strategies from the city administration, City Council and its appointed authorities, boards and commissions. All City staff, appointed authorities, boards and commissions fully support, cooperate and assist in promoting the economic strategies developed as part of this Economic Development Strategic Plan. As a result, new businesses entering Marshall find a strong, supportive and cooperative cross-section of government staff, authorities, boards and commissions promoting all facets of economic development for the benefit of the entire community.

The strategies outlined in this document will continue to steer the Marshall Community into a proactive future and encourage partnership with neighboring communities. Once met, the strategic goals will ensure stability for Marshall as a very desirable place to live, work and grow. The Strategic Plan is a guiding tool which provides direction for goals like infrastructure expansion, diversified housing options, developing a “pad-ready” site in the new industrial park, providing fiber to the premises, incentivizing small business, expansion of the DDA district, enhancing downtown shopping hours, expanding social and recreational opportunities, and supporting an internship program between the schools and industry.

Introduction

The City of Marshall developed the Marshall Area Economic Development Alliance in 2013 to serve the communities needs with economic development, small business management and development, and tourism. Currently MAEDA is staffed under contract by Southwest Michigan First.

Marshall has not developed a strategic plan for economic development to this point. As the City implements various changes to meet the requirements of becoming a Redevelopment Ready Community, one of the sticking points was the lack of an economic development & marketing strategy. Aside from RRC requirements for certification, this is a worthy endeavor for the City of Marshall. With the loss of major businesses over the last years, the amount of developable land within the City, and a downtown that is truly vibrant, it is certainly worth the time and effort to plan and protect our resources.

Many of the goals in Marshall's Master Plan update 2015 pertain to the strategic goals in this plan. For example, Master Plan Goal #3 is to "Ensure the long term stability of Marshall's neighborhoods" (Page 17) coincides with the strategic goal #2 for "Diversifying Marshall's housing options including single-family homes, housing for the elderly, and downtown loft spaces". Another example is Master Plan Goal #4, which deals with ensuring the viability of Marshall as a commercial center. This directly correlates with strategic goals #5 and #6 that address strengthening of the downtown and Marshall's small business center. Furthermore, Master Plan Goal #5, states that "Marshall has an interest in strengthening the employment base and industry", resulting in strategic goal # 10 the development of an internship program, thus creating a partnership between Marshall Public Schools and Marshall's industries.

Marshall City's Capital Improvement's Program (CIP) 2016-2022, addresses the strategic goals as outlined in this document through the planned funding of improvements to water, waste water, and electric utilities. Strategic goal # 1, addresses funding and expanding current infrastructure into expanded locations. Also, in the CIP, is a market study update for allocating funds in all commercial districts and corridors; to provide information to existing business for marketing, promotions and retention which is vital to the strategic goals of strengthening Marshall's businesses.

Overall, the strategic goals outlined in this document will carry Marshall into a proactive future, ensuring that the City stays relevant with the changing times and grows consistently, while caring for the assets currently in place. The strategic plan is also meant to serve as a doctrine to encourage partnership between the City of Marshall and its outlying neighbors for the betterment of the entire county.

Strategic Situation/Challenges

Education & Workforce

Noted by the committee was a lack of an available workforce in the area; especially an educated or “technical” workforce. Manufacturers are finding it harder and harder to retain skilled employees. Several reports over the last years have recorded that America has a “skills shortage” in manufacturing, combined with the threat of retiring baby boomers (Collins, 2015). It is reported that even though this trend was foreseen, the problem was not headed off due to money and the avoidance of training investment (Collins, 2015). Also, another notable factor is that manufacturers are struggling to hire workers who can perform highly skilled labor, “particularly with a STEM education” (Collins, 2015).

Dealing with education, the committee expressed that there was a lack of places to learn particular trades in the area and a lack of higher education facilities in close proximity. The closest vocational school to Marshall is the Calhoun Area Career Center (CACC) but this is only a resource available to 11th and 12th grade students and is not adult education. Kellogg Community College also offers the Regional Manufacturing Technology Center (RMTTC) in Battle Creek which is designed to “meet the employee training needs of area business and industry” (Kellogg.edu).

Business Support

The committee felt that there was a lack of available educational and technical resources available for small businesses in Marshall. Blu Fish has been providing this service for downtown owners and will continue to do so. Small business is very important to the economy; they provide roughly half the workforce in the United States and collectively create a new job every 7 minutes (Kiisel, 2015). Without adequate training, it is unreasonable to expect a small business owner to succeed but typically they have the passion and energy to put forth an effort. Forbes recommends that a Small Business Development Center (SBDC) or other like-resources be made available to owners to help the probability of success and longevity (Kiisel, 2015).

The Younger Crowd

As one of the major challenges to Marshall, the committee pointed out that there is a lack of “things to do” in Marshall for younger people and younger families. It is a well-known fact that Millennials move to the places where they want to live and then look for a job, not the other way around (Fulton, 2012). They want “hip and fashionable” places to eat and live (like loft and downtown apartments), they want public transportation and walkable spaces with many options of what to do and see within the immediate area (Fulton, 2012).

Infrastructure and Transportation

Another challenge for Marshall was infrastructure expansion and transportation. Acquiring funds for quick infrastructure upgrades is a struggle-when a new development comes to town and the City needs to get infrastructure to the site quickly. The legal requirements of acquiring the funds quickly can be a real challenge. Also, the lack of regional transportation in Calhoun County and Michigan as a whole is a very real problem. The City of Marshall introduced the “Connector” service to Albion but funding has proven to be a major hurdle and striking agreements to collaborate with other neighboring jurisdictions has been met with resistance.

Reluctance for Change

Marshall is a historic, older community and the committee noted that there are still old alliances in play that may be outdated and breeding a thought process that change is not “good” or acceptable. This community tends to feel threatened when new ideas come to town.

There is a marked expectation difference between generations. Baby Boomers (born between 1946 and 1965) are the era of relentlessly hard workers, while Generation X-ers are best known for being team players. Compare that with Generation Y (Millennials) who are techy, a tad argumentative and much more lackadaisical about working (The Economist, 2013). The expectations for their communities are therefore different as well; a Millennial tends to want to be where the technology is, while a Baby Boomer tends to stay away from these areas. Making all generations happy with change is a contentious feat at best.

Strategic Opportunities

Upgrade Utilities

The committee felt strongly that one of Marshall's greatest opportunities lies in the ability to upgrade infrastructure and utilities to meet potential growth. This includes implementation of fiber high-speed internet to the premises and further infrastructure engineering with the Federal Highway Administration (FHWA) and the Michigan Department of Transportation (MDOT).

Industrial Park

Also noted, was the fact that Marshall has plenty of buildable undeveloped space in the industrial park. Currently there is a section with infrastructure, sidewalks and lighting in place ready to build and develop. The committee agreed that there should be a focus on agriculture and high-tech manufacturing centers.

Vibrant Downtown

Marshall has a vibrant downtown that craves expansion. The downtown area is historic and very active, unlike many historic downtowns in Michigan, with thriving retailers. The committee suggested that more aesthetic work be implemented in the area and along the West Michigan Avenue corridor including banners, benches, sidewalks, and flower pots.

Riverfront

Marshall is lucky enough to be situated on the Kalamazoo River to the south end. The River District Overlay was implemented to bring more business to the area, along with more outdoor events. The committee pointed out that there are many recreation opportunities along the river.

Residential

The committee discussed the opportunity for a unique and somewhat bold senior housing development in Marshall, containing single-level smaller homes with attached garages. Also discussed was the need for upper-class, floor-level rentals for "snow birds".

For residential opportunities for families, it was stated that Marshall could use more single family homes of new construction, priced mid-range or below \$225,000. Also, as mentioned prior, the younger generation is looking for new, somewhat "hip" apartments and lofts, preferably close to the social center (downtown). Marshall is in a unique position to provide upper-level apartments above most of the businesses in the downtown and as downtown residency increases, the businesses will benefit as well.

The idea of an inter-generational Recreation/Senior Center was discussed as well. This community could support both uses in one building since both are currently non-existent. Using one facility to meet both demands, not only creates the highest and best use for one building, but also encourages interaction between generations.

Mission and Vision

Mission Statement

MARSHALL - THE CITY OF HOSPITALITY

The City of Marshall recognizes that our community enjoys a special quality of life. Our mission as a City government is to continually enhance this uniqueness by providing quality municipal services to our citizens. This mission will be accomplished through efficient use of resources.

“SERVICE TO THE COMMUNITY”

“Service to the Community” is the attitude for all personnel to follow as we seek to carry out the Mission Statement for the City of Marshall.

Vision 2020 Statement

A visitor to the City of Marshall in 2020 will be shown the following: (no order of priority):

- *Beautification of West Michigan Avenue corridor*
 - *Pedestrian friendly*
 - *Enhancement of property appearance*
 - *Conversion of overhead line to underground*
- *Vibrant downtown*
 - *Increased residential units*
 - *More retail business*
 - *Fully occupied 2nd and 3rd floors*
 - *Unified shopping hours*
- *Fiber to the premise*
 - *High speed internet*
- *Increased Industrial Park occupancy*
- *More senior living opportunities*
- *Higher education facility*
- *Diverse housing options*
- *Variety of employment opportunities*
- *Balance demographics*
- *City-wide non-motorized amenities*
- *Family oriented parks*
- *Expanded evening and weekend activities*
- *Safe and healthy environment*
- *Well maintained and expanded Riverwalk*
- *Sustainable dog park*
- *Creative redevelopment of vacant commercial and industrial property*
- *Viable community solar field*
- *Quality community hospital*
- *Top-rated public school system*
- *Self-sustaining airport*

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Strategic Goals and Strategies

Goal 1: The City has built and funded infrastructure to strategic, expanded locations.

Champions: Director of Electric Utility, Director of Public Services and Director of Finance

To facilitate economic growth in the Marshall area it is important to have infrastructure in place to support major future development sites, as well as undeveloped areas within and surrounding the City of Marshall. Having this infrastructure in place will enhance the marketability, and be a positive attribute for site selection for economic development purposes. Expansion of this infrastructure could utilize existing PA425 agreements with the Townships, and will increase the tax base and expand employment opportunities in the area.

Strategies:

- 1.1 Three (3) major sites have been clearly identified:
 - 1) I-94 & Old US-27 North (State Farm property)
 - 2) East Michigan Ave at Partello Rd.
 - 3) C Drive North south of Michigan Ave.
- 1.2 Key Partners have determined these three (3) sites as high potential for development.
- 1.3 These Sites are subject to PA425 agreements.

Outcomes:

- 1) Marshall has facilitated regional collaboration.
- 2) Water, sewer and electric has been expanded to strategic locations.
- 3) Marshall continues to preserve, rehabilitate and maintain city infrastructure and assets.

Key Partners:

- 1) Neighboring townships
- 2) MAEDA
- 3) State of Michigan

Performance measures:

How Marshall will assess progress in achieving Goal 1	<i>Baseline 2016</i>	<i>Target Date</i>	<i>Target Amount</i>
1. Provide "shelf ready" project designs for development at 3 sites.	0	Dec-17	3
2. Increase megawatts of available capacity at I-94 & Old US 27	1	Nov-16	20
3. Increase megawatts of available capacity at East Michigan Av.	1	As required	To be determined
4. Increase megawatts of available capacity at C Drive North	1	As required	To be determined
5. A study has been completed that compares Marshall to other cities with regional systems.	0	Dec-16	1

Goal 2: Marshall’s tax base has increased due to diversified housing options.

Champions: Director of Community Services and Director of Public Safety

As a diversifying City, Marshall recognizes that there is a need for more and different types of housing within the City. The goal is that this community has appropriate housing to offer every resident from every walk of life making Marshall an attractive place to settle and stay.

Strategies:

- 2.1 Perform market research to know the needs and desires of current and potential residents.
- 2.2 Identify needs and desires for housing within the City of Marshall.
- 2.3 Assess the availability of land for the development of new housing opportunities.

Outcomes:

- 1) Marshall has newly built single-family, mid-price-range houses.
- 2) Marshall has a single-story housing neighborhood for seniors.
- 3) New loft and upper floor housing is developed downtown.
- 4) Development of new apartment complexes and flats have started.

Key Partners:

- 1) Area Realtors
- 2) Developers
- 3) State of Michigan

Performance measures:

How Marshall will assess progress in achieving Goal 2	<i>Baseline</i>	<i>Target</i>	<i>Target Amount</i>
1. A housing study has been completed.	0	Jun-17	1 study
2. A list of available land has been gathered.	0	Jun-17	1 list
3. Opportunities for new housing developments are actively being marketed.	0	Jan-18	3 sources

Goal 3: A “spec” building has been constructed in the new industrial park.

Champions: MAEDA CEO and LDFA Board

Economic Development research has shown that new builds are too time consuming for many industrial developers. These developers are more likely to locate or relocate where there are existing buildings that meet their needs or a planning process that is significantly shortened. Many communities have been successful with this type of pre-planning in place for potential developers.

Strategies:

- 3.1 Define the type of spec building to be constructed
- 3.2 Determine which lot to build on.
- 3.3 Identify and acquire the proper financing.
- 3.4 Complete infrastructure to the site.
- 3.5 Present to Planning Commission on the concept of “pad ready” and “spec building”.

Outcomes:

- 1) Marshall has found an interested partner.
- 2) The new industrial park has a pad-ready site.
- 3) The feasibility of a “spec building” has been researched.

Key Partners:

- 1) Interested partner
- 2) LDFA
- 3) MAEDA

Performance measures:

How Marshall will assess progress in achieving Goal 3	<i>Baseline</i>	<i>Target</i>	<i>Target Amount</i>
1. Type of spec building and lot have been identified.	0	Jul-16	Both ready
2. The site is “pad-ready” with preliminary approvals.	0	Mar-17	1 site
3. The feasibility of a spec building has been researched.	0	Jan-17	1 study

Goal 4: Ultra high speed data service (Fiber to the Premises) is provided to businesses and residences in Marshall.

Champions: Director of Electric Utility and Finance Director

For the purpose of economic growth and the attraction of Marshall as a place to live, grow, and work, it is important for all businesses and residences to have at least 1 gig of connectivity available. The nature of “work” is changing and the environment of today’s society requires internet speed. By providing this quality of connectivity, Marshall will see an increase in business, learning opportunity, and sale of homes.

Strategies:

- 4.1 Complete customer survey, legal review and proforma.
- 4.2 Develop preliminary design.
- 4.3 Make sure funding is in place.
- 4.4 Build system.

Outcomes:

- 1) Marshall has implemented Fiber to the Premises.
- 2) Growth and opportunities for Marshall have increased.

Key Partners:

- 1) City (Electric Director)
- 2) Key Partners like Oaklawn, schools, LDFA
- 3) Calhoun County

Performance measures:

How Marshall will assess progress in achieving Goal 4	<i>Baseline</i>	<i>Target</i>	<i>Target Amount</i>
1. Develop preliminary design.	0	Mar-16	1
2. CPA has approved proforma.	0	Apr-16	1
3. Beginning to build system.	0	Jul-16	1
4. Fiber system goes commercial	0	Mar-17	1

Goal 5: Marshall supports innovation and entrepreneurship in business.

Champions: MAEDA CEO

Through providing support and education to area businesses, especially new business owners, Marshall hopes to make our community a top choice for starting a new business. Also, providing this type of support, business retention will increase. The amount of vacant buildings will decrease.

Strategies:

- 5.1 Offer concierge service to business owners through MAEDA.
- 5.2 Develop a 12-month program for new business owners.
- 5.3 Offer an annual award for business owners (best participation, etc.)

Outcomes:

- 1) More businesses are started in Marshall.
- 2) More businesses are choosing to stay in Marshall.

Key Partners:

- 1) MAEDA
- 2) DDA
- 3) Veteran business owners
- 4) Local Foundations

Performance measures:

How Marshall will assess progress in achieving Goal 5	<i>Baseline</i>	<i>Target</i>	<i>Target Amount</i>
1. A plan has been fully created to support existing and new businesses.	0	Aug-16	1 plan
2. Business owner program has begun.	0	Jan-17	1 program
3. MAEDA offers concierge service to business owners.	0	Jul-16	1

Goal 6: MAEDA/Chamber has an effective incentive program for businesses.

Champions: MAEDA CEO and Director of Finance

An incentive program builds community support for the Chamber and MAEDA. In Marshall, the goal is to have established businesses helping new and upcoming businesses. Building membership within the Chamber will encourage both.

Strategies:

- 6.1 Create Top 10 list of benefits to utilize in recruiting additional members and maintaining current membership in the chamber.
- 6.2 Revitalize the benefits of being a chamber member.

Outcomes:

- 1) Members are utilizing benefits to strengthen business community.
- 2) Businesses are actively helping other businesses.
- 3) Membership has grown.

Key Partners:

- 1) MAEDA/Chamber
- 2) Chamber ambassadors
- 3) Local Foundations

Performance measures:

How Marshall will assess progress in achieving Goal 6	<i>Baseline</i>	<i>Target</i>	<i>Target Amount</i>
1. Benefits for chamber members have been revitalized.	0	2 nd quarter 2016	1
2. Top 10 Benefits of Membership List has been made.	0	Jul-16	1
3. Additional members have been recruited.	0	annually	5%

Goal 7: The downtown has been expanded to the River District.

Champions: Director of Community Services and City Manager and DDA Board and MAEDA and Director of Public Safety

It is important to expand the DDA district to the River District to create synergy between the traditional downtown and the less traditional River District businesses. Through this expansion, Marshall hopes to increase the DDA benefits to the River District in an effort to grow and improve the area, as well enhance and share the customer base between the two areas.

Strategies:

- 7.1 City Council will consider revising the DDA district after receiving DDA recommendation.
- 7.2 Work to contact and create partnerships with owners.
- 7.3 Implement the revised DDA district.

Outcomes:

- 1) Customers see a greater unity between the River District and the downtown.
- 2) All businesses are benefiting from membership in the DDA.
- 3) The River District has become more aesthetically pleasing.

Key Partners:

- 1) MAEDA
- 2) DDA
- 3) Local businesses in the downtown and River District

Performance measures:

How Marshall will assess progress in achieving Goal 7	<i>Baseline</i>	<i>Target</i>	<i>Target Amount</i>
1. Contact with owners has been made.	0	May-16	All new
2. The revision of the DDA district has been approved.	0	Jun-16	1 revision
3. The DDA district has successfully been expanded.	0	Jul-16	1
4. Improvements to expanded DDA have begun.	0	Aug-17	1 completed

Goal 8: Business hours have been expanded in the DDA.

Champions: MAEDA CEO and DDA Board

Marshall wants to be known as a retail and tourist destination. There is a need for expanded and unified hours as part of the marketing of Marshall. This gives tourists the ability to see all of what Marshall has to offer.

Strategies:

- 8.1 Create partnership between DDA businesses to stay open with longer, more unified hours.
- 8.2 A study has been completed on preferred shopping hours in downtown.
- 8.3 Study results have been shared to create an on-going strategy for shopping hours.

Outcomes:

- 1) Increased customer traffic in the DDA and subsequent increased business.
- 2) Marshall is branded as a community with attractive shopping hours.

Key Partners:

- 1) MAEDA
- 2) DDA
- 3) Retailers group
- 4) DDA businesses

Performance measures:

How Marshall will assess progress in achieving Goal 8	<i>Baseline</i>	<i>Target</i>	<i>Target Amount</i>
1. A study has been completed	0	Dec-16	1
2. Businesses have increased and consistent business hours in the DDA.	0	Jul-17	20%
3. Businesses have increased and consistent business hours in the DDA.	0	Dec-18	40%
4. Businesses have increased and consistent business hours in the DDA.	0	Jul-19	60%

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Goal 9: Marshall has facilities for expanded social and recreational attractions.

Champions: Director of Community Services, Recreation Department and Parks & Recreation Board, and Director of Finance

In order to grow the Marshall community, there is a need to attract and retain younger professionals and families. It is a well-known fact that the younger generation is attracted to areas with new and interesting recreational and social opportunities.

Strategies:

- 9.1 Take an inventory of existing facilities that could work for attractions.
- 9.2 Complete a combined survey to assess needs and desires (phone, survey monkey, door-to-door, mail, schools, etc.)
- 9.3 Hold open house to gather information and share results of survey
- 9.4 Creatively market new opportunities in the City of Marshall for social and recreational uses.

Outcomes:

- 1) Marshall has a community-built Top 10 list of social and recreational needs and desires.
- 2) Expanded social and recreational facilities in Marshall.
- 3) Development of facilities that are more attractive to and used by the younger generation.

Key Partners:

- 1) Existing building owners.
- 2) Multi-generational committee (youth parks and rec board)
- 3) Parks and Rec board to mentor youth board
- 4) Business sponsors/investors
- 5) Fairgrounds

Performance measures:

How Marshall will assess progress in achieving Goal 9	<i>Baseline 2016</i>	<i>Target</i>	<i>Target Amount</i>
1. Inventory of available facilities has been completed.	0	Jul-16	1
2. Survey completed	1	Jan-17	1
3. Two open houses held.	0	Summer 2016 & Winter 2016	2
4. New social and recreational facilities developed.	0	Jan-18	2

Goal 10: Develop robust regional internship program to attract and retain a skilled workforce.

Champions: MAEDA CEO, LDFA and Marshall Public Schools

Talent in the community is declining, as seen by trends in local businesses. The school system has a vested interest in seeing young adults educated and this creates a perfect partnership with local businesses.

Strategies:

- 10.1 Partner with schools and business leaders to identify local internship opportunities.
- 10.2 Utilize counselors and educators, high school students, middle school students and parents to engage them in internship opportunities.
- 10.3 Engage businesses to identify talent needed and understand how internships can be used to enhance their business objectives.
- 10.4 Identify how internship training can lead to college readiness/credits and career-oriented jobs.

Outcomes:

- 1) The number of businesses offering internships has increased.
- 2) Local and regional talent retention has increased.
- 3) MPS has an internship program with local businesses.
- 4) Marshall has a stronger employment base.

Key Partners:

- 1) Marshall Public Schools (MPS)
- 2) Local businesses and manufacturers
- 3) MAEDA (facilitator)
- 4) Calhoun Area Career Center (CACC)
- 5) Kellogg Community College

Performance measures:

How Marshall will assess progress in achieving Goal 10	<i>Baseline 2016</i>	<i>Target</i>	<i>Target Amount</i>
1. MAEDA has facilitated discussions on internship/job shadow programs with MPS and local businesses	0	Nov-16	1
2. MPS has refined their internship/job shadow program.	0	Sep-17	1
3. CACC has identified and expanded certain trade classes to accommodate identified internships.	0	Sep-17	1
4. There is an increase in internship/job shadow participation by local students.	0	Jan-20	50%

Review and Oversight

Review of the plan

The Economic Development Strategic Plan will be reviewed, approved and amended periodically by City Council. With the help of community key partners, the City of Marshall staff will work towards each goal. Periodic updates on these goals will be reported to City Council through the City Manager.

Oversight

City Manager:	Goal 7: Downtown expansion
Director of Community Services:	Goal 2: Diversified housing options Goal 7: Downtown expansion Goal 9: Social and recreational attractions
Director of Electric Utility:	Goal 1: Expanded infrastructure Goal 4: Fiber to the premises.
Director of Finance:	Goal 1: Expanded infrastructure Goal 4: Fiber to the premises Goal 6: Incentive program for small business Goal 9: Social and recreational attractions
Director of Public Services:	Goal 1: Expanded infrastructure
Director of Public Safety:	Goal 2: Diversified housing options Goal 7: Downtown expansion
MAEDA CEO:	Goal 3: Spec building/pad ready Goal 5: Entrepreneurship support Goal 6: Incentive program for small business Goal 8: Expansion of business hours Goal 10: Internship program

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ADMINISTRATIVE REPORT

April 4, 2016 - CITY COUNCIL MEETING

TO: Honorable Mayor and City Council

FROM: Kristin Bauer, Director of Public Services
Alec Egnatuk, Wastewater Superintendent
Mike Hackworth, Street Superintendent
Tom Tarkiewicz, City Manager

SUBJECT: Sewer Lining – Monroe Street

BACKGROUND: The City of Marshall received grant funding for certain street projects through the Michigan Department of Transportation's Small Urban Grant program. North Drive West and Monroe Street will be reconstructed and rehabilitated, respectively, during the 2016 construction season.

In preparation for this construction all the underground systems within the construction areas were evaluated for soundness. It was determined that 1,850' of sanitary sewer along Monroe Street was in the beginning stages of failure, including some rather large holes in the top of the pipe. It was determined that pipe lining would be a satisfactory and cost effective method to repair these pipe sections. Following the curing of the pipe liner, this section of sewer will be considered similar to new sections of pipe.

Bids for this work were received on March 24, 2016 and are as follows:

Insituform Technologies Howell, MI	\$ 53,591.00 – 1,850 LF of Sewer \$ 28.00/LF – Add or Deduct, +/- 5% of 1,850 LF
Corby Energy Services, Inc. Belleville, MI	\$ 59,200.00 – 1,850 LF of Sewer \$ 28.00/LF – Add or Deduct, +/- 5% of 1,850 LF

RECOMMENDATION: It is recommended that the City Council approve the bid from Insituform Technologies of Howell, MI in the Lump Sum (LS) amount of \$53,591.00 and an additional contingency amount of \$6,409.00, for any possible additional sewer piping that may be unaccounted for. The LS contract will cover between 1,942.5' - 1,757.5' of pipe. Should this contract run over/under these quantities additional payment (or deduct) will be at \$28.00/LF of pipe.

FISCAL EFFECTS: To authorize a professional services contract in the amount of \$53,591.00 with a contingency amount of \$6,409.00, dispersed from the Capital Outlay budget line item, 590-900-970.00. Funds for this project were budgeted in FY16-17 Wastewater CIP in the amount of \$60,000.

CITY GOAL CLASSIFICATION: GOAL AREA 4. INFRASTRUCTURE

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

f 269.781.3835

cityofmarshall.com

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

ALTERNATIVES: As suggested by Council.

Respectfully submitted,



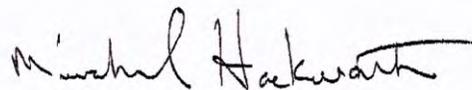
Kristin Bauer
Director of Public Services



Alec Egnatuk
Wastewater Superintendent



Tom Tarkiewicz
City Manager



Mike Hackworth
Streets Superintendent



ADMINISTRATIVE REPORT
April 4, 2016 – CITY COUNCIL MEETING

TO: Honorable Mayor and City Council

FROM: Jon B. Bartlett, Finance Director
Tom Tarkiewicz, City Manager

SUBJECT: FY 2017 Proposed Budget - Schedule a Council Work Session

BACKGROUND: At the April 4, 2016 Regular Council meeting, the FY 2017 Proposed Budget (including the FY 2018 Fiscal Plan) is to be distributed to the Mayor and Council Members. On April 5, the Proposed Budget will be available for public view on the City's website home page. Council will be asked to concur with the scheduling of Council work session/s, tentatively planned for the weeks of April 11th and April 18th.

RECOMMENDATION: Schedule Council work sessions for review and discussion of the FY 2017 Proposed Budget.

FISCAL EFFECT: None at this time.

ALTERNATIVES: As suggested by Council.

Respectfully submitted,

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