



**CITY COUNCIL
WORK SESSION AGENDA
Monday, April 18, 2016
5:30 PM
City Hall Training Room**

We will have dinner available at 5:15.

- A. Work session items**
City Staff will present the FY 2017 City budget.
- B. Other items**
- C. Future Work Sessions**
- D. Future topics**

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MARSHALL CITY COUNCIL AGENDA

MONDAY – 7:00 P.M.

April 18, 2016

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

7) CONSENT AGENDA

- A. **MDOT Local Bridge Program Grant** **P. 4**
 City Council will consider the recommendation to adopt the resolution in support of the submittal of a grant to the Michigan Department of Transportation Local Bridge Program for the Monroe Street Bridge over Rice Creek.
- B. **City Council Minutes** **P. 6**
 Work Session.....Monday, April 4, 2016
 Regular Session.....Monday, April 4, 2016
- C. **City Bills** **P. 31**
 Regular Purchases\$ 79,733.55
 Regular Purchases\$ 135,021.00
 Weekly Purchases – 4/1/16\$ 20,782.29
 Weekly Purchases – 4/8/16\$ 18,476.71
Total.....\$ 254,013.55

8) PRESENTATIONS AND RECOGNITIONS

9) INFORMATIONAL ITEMS

- A. **Event Report – Hospitality Classic** **P. 37**
- B. **Event Report – Memorial Day Parade** **P. 39**

10) PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

- A. **Obsolete Property Exemption Application for 101 West Michigan Avenue** **P. 41**
 City Council will hear public comment on the proposed application for an Obsolete Property Exemption Certificate for 101 West Michigan Avenue.

Mayor:

Jack Reed

Council Members:

Ward 1 - Kari Schurig

Ward 2 - Nick Metzger

Ward 3 - Brent Williams

Ward 4 - Michael McNeil

Ward 5 - Jon Gerten

At-Large - Kathy Miller



B. P. A. 425 Conditional Land Transfer with Marshall Township – 726 North Old US 27 P. 46

City Council will hear public comment regarding the the P.A. 425 Conditional Land Transfer with Marshall Township for 726 North Old US 27.

11) OLD BUSINESS

12) REPORTS AND RECOMMENDATIONS

A. Fee Schedule P. 52

City Council will consider the recommendation to approve the resolution authorizing the Fee Schedule as presented with an effective date of July 1, 2016.

B. Well #4 Improvements P. 61

City Council will consider the recommendation to authorize the execution of a purchase order with Peerless Midwest, Inc. for \$30,880.00 for the Variable Frequency Drive improvement to Well #4.

13) APPOINTMENTS / ELECTIONS

14) PUBLIC COMMENT ON NON-AGENDA ITEMS

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

15) COUNCIL AND MANAGER COMMUNICATIONS

16) ADJOURNMENT

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tom Tarkiewicz".

Tom Tarkiewicz
City Manager



ADMINISTRATIVE REPORT
April 18, 2016 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council

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

SUBJECT: Michigan Department of Transportation Local Bridge Program Grant
Monroe Street Bridge over Rice Creek for 2019 Funding

BACKGROUND: The Michigan Department of Transportation annually has a call for bridge projects for the local bridge grant program. The grant will pay 95% of the construction cost for the replacement or rehabilitation of bridges. Although the State only requires the City of Marshall to inspect the bridges bi-annually, in 2008 the city changed the required inspections to take place annually due to the deterioration that had been observed. In 2011, the City of Marshall added a review of the load ratings and an additional scour inspection to the bridge to determine if there are any footing issues. The current estimated cost of the bridge replacement is \$2,181,000. This will be the tenth time that this bridge has been submitted.

Currently, the city is in possession of plans that are 80% completed for this bridge. This was accomplished in 2009 in an effort to better align these projects with stimulus funds. However, due to new requirements these drawings, while a good starting point, will require updating to current design standards should funds be secured.

RECOMMENDATION: It is recommended that City Council adopt the attached resolution in support of the submittal of a grant to the Michigan Department of Transportation Local Bridge Program for the Monroe Street Bridge over Rice Creek.

FISCAL EFFECTS: None at this time. Should the grant be awarded the City will be responsible for the following costs: update the Monroe St. Bridge design to current standards, 5% of the construction cost (estimated at \$131,000) and the construction engineering. At this time, the source of the City's share will likely be secured through funds in the Major Street Fund and inserted in the Capital Improvement Program (CIP) budgeting for the 2019 construction year

CITY GOAL CLASSIFICATION:

GOAL AREA 4. INFRASTRUCTURE

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

ALTERNATIVES: As suggested by the Council.

Respectfully submitted,

Kristin L. Bauer
Director of Public Services

Tom Tarkiewicz
City Manager

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

**RESOLUTION FOR MICHIGAN DEPARTMENT OF TRANSPORTATION LOCAL
BRIDGE PROGRAM GRANT FOR MONROE STREET**

WHEREAS, the City of Marshall is preparing a Local Bridge Program Grant for replacement of the Monroe Street Bridge over Rice Creek, and

WHEREAS, the City of Marshall may be eligible for a maximum of up to 95 percent participation from Federal and/or State sources, and

WHEREAS, this project would not take place due to insufficient local funds for several years, and

WHEREAS, the application requires a resolution of support from the City Council,

NOW THEREFORE BE IT RESOLVED, the City Council hereby resolves that the City of Marshall supports the replacement of the Monroe Street Bridge over Rice Creek and authorizes the submittal of a Local Bridge Program Application.

Dated: April 18, 2016

IN TESTIMONY WHEREOF, I have hereunto set my hand affixed seal of said City of Marshall, this the 18th day of April A.D., 2016.

Trisha Nelson, Clerk

IN A WORK SESSION held Monday, April 4, 2016 at 6:00 P.M. in the Training Room of Town Hall, 323 West Michigan Avenue, Marshall, MI, the Marshall City Council was called to order.

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

Also Present: City Manager Tarkiewicz, Electric Utility Director Ed Rice, Building Official Tim Musser, Director of Public Services Kristin Bauer, and Finance Director Jon Bartlett.

Absent: Council Member Miller.

Staff presented the recommended adjustments to City fee structure.

Adjourned at 6:50 PM.

Jack Reed, Mayor

Trisha Nelson, Clerk

CALL TO ORDER

IN REGULAR SESSION Monday, April 4, 2016 at 7:00 P.M. in the Council Chambers of Town Hall, 323 West Michigan Avenue, Marshall, MI, the Marshall City Council was called to order by Mayor Reed.

ROLL CALL

Roll was called:

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

Also Present: City Manager Tarkiewicz and Clerk Nelson.

Absent: Council Member Miller.

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

INVOCATION/PLEDGE OF ALLEGIANCE

Council Member Jon Gerten gave the invocation and Mayor Reed led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Moved Metzger, supported Schurig, to approve the agenda with the following changes: Remove item 11A. Zoning /Sign Ordinance Update and revise the dollar amount in item 12D. Sewer Lining-Monroe Street to be \$53,591. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON AGENDA ITEMS

None.

CONSENT AGENDA

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

- A. 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 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. Minutes of the City Council Regular Session held on Monday, March 21, 2016;
- D. Approve city bills in the amount of \$ 2,089,658.69.

On a voice vote – **MOTION CARRIED.**

PRESENTATIONS AND RECOGNITION

A. Introduction of New Patrol Officer:

Chief Schwartz administered the Oath of Honor to Patrol Officer Brian Phillips.

B. Land Bank Presentation:

Krista Trout-Edwards, Executive Director of Calhoun County Land Bank, gave a presentation to Council regarding the operations of the Land Bank.

INFORMATIONAL ITEMS

None.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

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

MAEDA CEO, Scott Fleming, provided background regarding the application for an Industrial Facilities Tax Exemption Certificate for Mor-Dall Enterprises, LLC at 511 S. Kalamazoo Avenue.

Mayor Reed opened the public hearing to hear public comment regarding the application.

Hearing no comment, the hearing was closed.

Moved Schurig, supported Metzger, to approve the application for an Industrial Facilities Tax Exemption Certificate for Mor-Dall Enterprises, LLC at 511 S. Kalamazoo Avenue. On a roll call vote – ayes: Gerten, McNeil, Metzger, Mayor Reed, Schurig, and Williams. **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION #2016-09**

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

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

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

NAYS: None.

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

B. Stormwater Ordinance:

Kristin Bauer, Director of Public Services, provided background regarding the establishment of a new Stormwater Management Ordinance and the new conditions required for the City's wastewater plant NPDES (National Pollutant Discharge Elimination System) permit.

Mayor Reed opened the public hearing to hear public comment regarding the Chapter 54: Stormwater Management ordinance.

Hearing no comment, the hearing was closed.

Moved Metzger, supported Williams, to approve the addition of Chapter 54: Stormwater Management to the City of Marshall Code of Ordinances. On a voice vote: **MOTION CARRIED.**

ORDINANCE #2016-04

**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) Meting the Performance Standards may constitute exceptional challenges when contemplating redevelopment of existing sites. Any additional storm water imperviousness shall generally be off-set to the extent defined by the SWMP. However, to be consistent with the goals of this chapter, redevelopment is also generally expected to result in increased environmental protection whenever the overall site is not currently performing to these SWMP. Therefore, in determining whether to grant a variance and the conditions to impose, for a reconstruction project the Director shall be guided by seeking a minimum 20% improvement over existing conditions for water quality or water volume or both.
- (D) Any person receiving a Notice of Violation or whose variance request has been denied in whole or in part may appeal the determination set forth within the Notice or the variance decision to the Zoning Board of Appeals by submitting a written notice of appeal to the City. The notice of appeal must be received by the Director within 30 days from the date of the Notice of Violation, with enough detail to allow the Zoning Board of Appeals to understand the situation. Within 30 days of the receipt of an appeal, the Zoning Board of Appeals shall set the matter for hearing. Notice of the hearing shall be given in writing to the applicant and to the owner of the stormwater system. The applicant shall be given the opportunity to present evidence at the hearing in person or in writing or by representative. The Zoning Board of Appeals shall issue a written decision on the appeal. The

Zoning Board of Appeals response shall affirm, reverse, or modify the Notice of Violation being appealed.

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

54.17 Suspension of access to the stormwater system

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

54.18 Abatement activities by the City

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

of the objection, provide an opportunity for the objecting party to present facts or arguments supporting said objection. If the Director determines that some or the entire amount originally billed is appropriate, the person shall pay said sum within 30 days of receipt of that determination. If the amount due is not timely paid, the City may cause the charges to become a special assessment against the property and shall constitute a lien on the property.

54.19 Injunctive relief

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

54.20 Violations deemed a public nuisance

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

54.21 Penalty for violation

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

54.22 Existing Ordinances

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

54.23 Severability

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

Section 2. This Ordinance [or a summary thereof as permitted by MCL 125.3401] shall be published in the *Marshall Chronicle*, a newspaper of general circulation in the City of Marshall qualified under state law to publish legal notices. This Ordinance shall be recorded in the

Ordinance Book and such recording shall be authenticated by the signatures of the Mayor and the City Clerk.

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

Adopted and signed this 4th day of April, 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

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. Property Purchase for New Brewer Street Substation:

Moved Schurig, supported Metzger, to recuse Council Member Williams from voting. On a voice vote – **MOTION CARRIED.**

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

B. Fiber To The Premise Resolution:

Moved Williams, supported Metzger, to approve the resolution approving the initiation of the Fiber to the Premise project. On a voice vote – **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN RESOLUTION #2016-10

RESOLUTION AUTHORIZING ACTION IN FURTHERANCE OF THE FIBER TO THE PREMISE PROJECT PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF ACT 48 OF THE PUBLIC ACTS OF THE STATE OF

MICHIGAN OF 2002, 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 4TH day of April, 2016 at 7 p.m.

PRESENT: Gerten, McNeil, Metzger, Mayor Reed, Schurig, and Williams. ABSENT:

Miller

MOTION BY: Council Member Williams.

SUPPORTED BY: Council Member Metzger.

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: Gerten, McNeil, Metzger, 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 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 of April, 2016.

Trisha Nelson, City of Marshall City Clerk

C. 2016 Strategic Plan:

Moved McNeil, supported Gerten, to adopt the 2016 Marshall Economic Development Strategic Plan. On a voice vote – **MOTION CARRIED.**

D. Sewer Lining – Monroe Street:

Moved Williams, supported Schurig, to approve the bid from Insituform Technologies of Howell, MI in the lump sum amount of \$53,591 and an additional contingency amount of \$6,409, for any possible additional piping that may be unaccounted for. On a roll call vote – ayes: Metzger, Mayor Reed, Schurig, Williams, Gerten, and McNeil; nays: none. **MOTION CARRIED.**

E. Schedule Budget Work Session:

City Council will be holding work sessions on Monday, April 18, 2016 at 5:30 p.m. and Tuesday, April 19, 2016 at 6:00 p.m. in the Training Room of City Hall to review the FY 2017 Proposed Budget.

APPOINTMENTS/ELECTIONS

None.

PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

COUNCIL AND MANAGER COMMUNICATIONS

CLOSED SESSION

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

Enter into closed session at 8:20 p.m.

Marshall City Council, Regular Session
Monday, April 4, 2016
Unofficial

Return to open session at 9:45 p.m.

ADJOURNMENT

The meeting was adjourned at 9:45 p.m.

Jack Reed, Mayor

Trisha Nelson, City Clerk

User: ctanner
DB: MarshallEXP CHECK RUN DATES 04/16/2016 - 05/05/2016
UNJOURNALIZED
OPEN

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
9-001-16	2 STEPP CONSTRUCTION	RENOVATIONS TO ATHLETIC FIELD CONCESSI	2016.222	5,625.00
1234	ALL RELIABLE SERVICES	2016 LINE CLEARANCE- TREE TRIMMING CONT	2016.226	1,586.28
1245	ALL RELIABLE SERVICES	2016 LINE CLEARANCE- TREE TRIMMING CONT	2016.226	4,021.20
86306	ALL-TRONICS INC	RELOCATION OF PANIC BUTTON, DESK PHONE	2016.276	1,129.78
86312	ALL-TRONICS INC	RELOCATION OF PANIC BUTTON, DESK PHONE	2016.276	227.00
105256	AMERICAN PUBLIC POWER	MEMBERSHIP DUES - MICHAEL HACKWORTH		360.00
91969	APOLLO FIRE EQUIPMENT	LOOP CHAIN		276.99
14-607773	ARROW UNIFORM	CUST #010198-04		51.42
14-607776	ARROW UNIFORM	CUST #010198-06		31.23
14-607777	ARROW UNIFORM	CUST #010198-05		25.29
14-607768	ARROW UNIFORM	CUST #010198-01		27.47
14-607774	ARROW UNIFORM	CUST #010198-03		219.94
14-607772	ARROW UNIFORM	CUST #010198-02		54.25
14-600182	ARROW UNIFORM	CUST #010198-05		25.29
14-600178	ARROW UNIFORM	CUST # 010198-04		51.42
14-600177	ARROW UNIFORM	CUST #010198-02		54.25
14-600179	ARROW UNIFORM	CUST #010198-03		138.94
14-600173	ARROW UNIFORM	CUST #010198-01		27.47
14-600181	ARROW UNIFORM	CUST #010198-06		31.23
388-106310-01	AUSTIN-BATTERIES PLUS	1000W MH BULBS		209.94
388-106311-01	AUSTIN-BATTERIES PLUS	400W HPS BULB		347.88
225-390213	AUTO VALUE MARSHALL	ECONO FAST, PREM STRAINER		14.13
225-390098	AUTO VALUE MARSHALL	DISC BRAKE ROTOR, CERAMIC PADS		150.17
225-390097	AUTO VALUE MARSHALL	QUICK STRUT ASSY, HP MONOTUBE, DSC BRK		792.10
225-388985	AUTO VALUE MARSHALL	CFM STATION, AQUACHEK, FILTERS		283.54
225-389851	AUTO VALUE MARSHALL	NAPTHA		(23.49)
225-389984	AUTO VALUE MARSHALL	OIL FILTER, OIL, V6-3496 3.5L DOHC		62.70
225-390590	AUTO VALUE MARSHALL	L&G BATT 250CCA, CORE		33.99
225-390576	AUTO VALUE MARSHALL	SPARK PLGS		5.98
225-390665	AUTO VALUE MARSHALL	BPR4ES PLUGS		11.96
225-390025	AUTO VALUE MARSHALL	OIL		45.48
225-389913	AUTO VALUE MARSHALL	MODULE ASM PARK, PRIMER, ROLOC DISCS, C		127.24
225-389318	AUTO VALUE MARSHALL	PARKING BRK SHOE, SEVERE DUTY PAD, REAR		179.74
225-389430	AUTO VALUE MARSHALL	BRAKE CABLE		87.44
225-389739	AUTO VALUE MARSHALL	MODULE ASM PARK		104.39
225-390401	AUTO VALUE MARSHALL	FUEL FILTER, AIR FILTER		69.75
225-390527	AUTO VALUE MARSHALL	FUEL FILTER, MINI LAMPS		60.81
243102-IN	BEAVER RESEARCH CO	LS-210 HOT WATER/NITRATE		793.80
35110281	BLUETARP FINANCIAL IN	STRONGWAY MULTI CART		208.44
82672	BOSHEARS FORD SALES I	2015 FORD E-450		73.44
179041	BOSKER BRICK COMPANY	DEADLOCK		75.54
700003456-0416	BRONSON HEALTHCARE GR	THOMAS 5004120191 & KOYL 5004119566		220.00
117176	BUD'S WRECKER SERVICE	#10 DART		45.00
40816	CARL COMMUNICATIONS	INSTALLED CAT5E WIRE & 2 JACKS		164.66
3201	CB HALL ELECTRIC COMP	FIX CAN LITE AT PSB		175.00
16-0173196	CITY OF ALBION	INTERNET		127.49
9957	COURTNEY & ASSOCIATES	MONTHLY RETAINER		250.00
90611	CRT, INC	WASTEWATER ICOM STORAGE	2016.269	2,904.00
90413	CRT, INC	SMARTNET 1 YEAR		343.00
862755	CRYSTAL FLASH ENERGY	PROPANE		17.72
134111	D & D MAINTENANCE SUP	TOWELS		50.40
134106	D & D MAINTENANCE SUP	JANITORIAL SUPPLIES		392.96
482797	D & D MAINTENANCE SUP	ELECTRIC PARTS		15.96
134203	D & D MAINTENANCE SUP	JANITORIAL SUPPLIES		391.60
134280	D & D MAINTENANCE SUP	JANITORIAL SERVICES FOR MRLEC BUILDING	2016.123	4,454.67
482700	DARLING ACE HARDWARE	VINYL REFLECTIVE NUMBERS, STIHL PARTS,		15.53
135576	DLZ	ENGINEERING SERVICES FOR S MARSHALL ST	2016.180	396.02
961776	ELECTION SYSTEMS & SO	HARDWARE MAINT-AUTOMARK		31.60
780452	ENVIRONMENTAL RESOURC	WATER QA/QC SUPPLIES		584.44
354376	EPROMOS.COM	PROMOTIONAL ITEMS - FIRST AID KITS	2016.251	265.64
354386	EPROMOS.COM	PROMOTIONAL ITEMS - CUSTOM PENCILS	2016.251	115.00
354412	EPROMOS.COM	PROMOTIONAL ITEMS - TOTE BAGS	2016.251	163.56
354382	EPROMOS.COM	PROMOTIONAL ITEMS - CUSTOM PENCILS	2016.251	115.00
354387	EPROMOS.COM	PROMOTIONAL ITEMS - FLY SWATTERS	2016.251	308.49
MIMA165281	FASTENAL COMPANY	SUPPLIES		7.42
MIMA165378	FASTENAL COMPANY	SUPPLIES		18.37
215570	FIRE EXTINGUISHER SER	ANNUAL EXTINGUISHER INSPECTION		77.00
215575	FIRE EXTINGUISHER SER	ANNUAL EXTINGUISHER INSPECTION		70.75
215572	FIRE EXTINGUISHER SER	ANNUAL EXTINGUISHER INSPECTION - POLICE		113.00
215547	FIRE EXTINGUISHER SER	ANNUAL SERVICE - WWTP		191.00
3121	GOODWIN'S PLUMBING, L	SERVICE CALL AT AIRPORT		321.00
9063949813	GRAINGER	AIR LINE FITTING		17.78
9062980074	GRAINGER	DIE CUT LETTER LABEL		39.80
1342323	GRIFFIN PEST SOLUTION	PEST CONTROL AT CITY HALL		33.00
5873	GUTTERS R US LLC	2016 WINTER SNOW PLOWING AND SALTING AT	2016.217	1,568.00
937542	GWIN, DARWIN	BRUSH HOG FIELD #2 FOR BURNING		100.00
9143476966	HD SUPPLY FACILITIES	WET/DRY VAC, TRASH CAN & LID, DELTA H/C		340.15
76021	HERMANS MARSHALL HARD	BALL VALVE, THREADED BARB ENDS		33.16
76063	HERMANS MARSHALL HARD	SUPPLIES FOR ARMORY, CLEANING GUNS		205.42

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
76011	HERMANS MARSHALL HARD	BRUSH		8.99
76374	HERMANS MARSHALL HARD	SPRAY ENAMEL		4.79
76347	HERMANS MARSHALL HARD	PAINT SUPPLIES		11.06
76333	HERMANS MARSHALL HARD	TOMCAT, RAT TRAPS		19.57
76334	HERMANS MARSHALL HARD	PACKAGING TAPE & DISPENSER		14.79
76002	HERMANS MARSHALL HARD	GREASE HOSE, PISTOL GREASE GUN		32.28
76380	HERMANS MARSHALL HARD	MERC VAPOR BULBS, SHOVEL		52.97
76364	HERMANS MARSHALL HARD	BLADES		14.49
76294	HERMANS MARSHALL HARD	NONSLIP PADS, SHOVEL, DOOR WATCH, PULL		57.31
76943	HERMANS MARSHALL HARD	BATTERIES, O RING		5.99
38512-IN	HYDROCOP	CROSS CONNECTION CONTROL - MARCH 2016		395.00
38243-IN	HYDROCOP	CROSS CONNECTION CONTROL PROGRAM - FEBR		395.00
3007152	IIX INSURANCE INFORMA	MOTOR VEHICLE REPORTS		41.55
101310	J & K PLUMBING SUPPLY	SUPPLIES		9.24
100982	J & K PLUMBING SUPPLY	COUPLING, BUSH BLK		3.44
101463	J & K PLUMBING SUPPLY	PIPE CPVC, COUPLING CPVC		6.08
PC001277803:01	JACKSON TRUCK SERVICE	C-2 LED BEACON SHORT DOME		43.49
PC001278642:01	JACKSON TRUCK SERVICE	C2- LED BEACON SHORT DOME		86.98
119	JOHN D BRUNDAGE & JOH	ORDINANCE PROSECUTION 01/01/16 THRU 02/		6,279.00
174091	K & H CONCRETE CUTTIN	ASPHALT SLAB SAWING		175.00
602574	KAR LABORATORIES INC	CYANIDE ANALYSIS		100.00
603266	KAR LABORATORIES INC	CYANIDE ANALYSIS		100.00
602924	KAR LABORATORIES INC	MERCURY ANALYSIS		260.00
29339	LAKELAND ASPHALT CORP	BITUMINOUS AGGREGATES		238.68
29364	LAKELAND ASPHALT CORP	BITUMINOUS AGGREGATES		376.48
29350	LAKELAND ASPHALT CORP	BITUMINOUS AGGREGATES		423.28
31944	MAIL MANAGEMENT INC	INK CARTRIDGE		229.20
26243	MARSHALL CUTTING EDGE	SNOW AND ICE REMOVAL - MARCH 2016	2016.263	1,273.00
18184	MARSHALL TIRE CITY	2011 CHEVY TAHOE		474.36
S3902842.001	MEDLER ELECTRIC COMPA	LIGHTS FOR WELL HOUSES #1-3	2016.225	736.00
200001010	MICHIGAN ASSOCIATION	JAMES SCHWARTZ - 2016 SUMMER CONFERENCE		235.00
200001019	MICHIGAN ASSOCIATION	SCOTT MCDONALD - 2016 SUMMER CONFERENCE		235.00
97018	MICHIGAN METER TECHNO	REPAIR METER AT MARSHALL MANOR	2016.278	1,541.71
1315256	MILLER CANFIELD PADDO	GENERAL EMPLOYMENT MATTERS		4,675.00
57743946	MSC INDUSTRIAL SUPPLY	TRAFFIC CONES		294.10
57020126	MSC INDUSTRIAL SUPPLY	GLOVES		149.80
437933	NAPA OF MARSHALL	SHAKER SIPHON		13.99
436405	NAPA OF MARSHALL	NAPAGOLD AIR FILTERS, OIL & FUEL FILTER		513.92
72795	O'LEARY WATER CONDITI	SALT DELIVERED		117.00
72789	O'LEARY WATER CONDITI	MARCH & APRIL COOL RENTAL, WATER DELIVE		24.50
4788-131482	O'REILLY AUTO PARTS	AIR FILTER		27.26
4788-130866	O'REILLY AUTO PARTS	FOG CAPSULE		7.47
1-11228	OAKLAWN HOSPITAL	STEVE EMERSON, ACCT #9950-56303		84.00
631535	OFFICE 360	PADS OF PAPER		19.49
625881	OFFICE 360	TONER		200.99
631589	OFFICE 360	TABLE		239.99
638159	OFFICE 360	INDEX		229.95
38116CM	OFFICE 360	LABELS		(11.99)
634734	OFFICE 360	USB DRIVE, TONER		497.43
632858	OFFICE 360	LABELS		11.99
632607	OFFICE 360	TONER		72.99
626999B1	OFFICE 360	AA BATTERIES		15.99
632160	OFFICE 360	PAPER, NOTES		64.98
1535	PAULA TUCKER CATERING	BREAKFAST FOR CITY/COUNTY MEETING		165.00
46187	PEERLESS MIDWEST INC	SERVICE CALL FOR WELL 4 PUMPHOUSE		250.00
2016010464	PEOPLEFACTS LLC	BRIAN PHILLIPS		30.95
56017479	POWER LINE SUPPLY	WR289 CONNECTORS		31.63
56017459	POWER LINE SUPPLY	HOT STICK TOOL TRUCK 324		468.50
56016035	POWER LINE SUPPLY	RED METER SEALS		545.25
56017480	POWER LINE SUPPLY	GUY MARKERS		79.06
56019081	POWER LINE SUPPLY	REPLCMNT PARTS - TELESCOPING TOOL		31.20
56019079	POWER LINE SUPPLY	RPLCMNT PARTS - TELESCOPING TOOL		5.45
56019064	POWER LINE SUPPLY	9KV ELBOW ARRESTER		514.44
56020911	POWER LINE SUPPLY	SAFETY - PPE KEVIN KOYL		299.00
56019913	POWER LINE SUPPLY	8 PORT FLOOD SEAL		164.70
56020227	POWER LINE SUPPLY	8 PORT FLOOD SEAL		164.70
56017450	POWER LINE SUPPLY	RUBBER GOODS & GLOVE TESTING		610.50
7061	QUALITY ENGRAVING SER	UPS CHRGS TO MECHANICAL SAFETY EQUIP		46.48
63092	R W MERCER COMPANY	RECEIPT PRINTER		126.25
49098	R&R FIRE TRUCK REPAIR	ANNUAL EQUIPMENT MAINTENANCE		539.66
19285	RS TECHNICAL SERVICE	CHLORINATOR MAINTENANCE	2016.257	1,977.39
19309	RS TECHNICAL SERVICE	REPAIR CHLORINATOR	2016.268	1,030.90
598-0	SHERWIN-WILLIAMS	RETURN OF OFF WHT, PURCHASE FAST DRY JE		(97.08)
21063-0416	SPARTAN STORES	KEN SWISHER'S RETIREMENT CAKE		35.29
032916	SQUIRES, MARA	PAINT #306 AND #308 AND FRONT OFFICE		855.00
18509	STANDARD PRINTING & O	BUSINESS CARDS - BRUCE RAPP		65.58
8038528428	STAPLES ADVANTAGE	HANDSOAP		72.49
8038619135	STAPLES ADVANTAGE	CAT 6 NETWORK CABLE		13.99
1230757	STATE OF MICHIGAN	ELEVATOR INSPECTIONS		180.00

04/13/2016 08:56 AM
User: ctanner
DB: Marshall

APPROVAL LIST FOR CITY OF MARSHALL
EXP CHECK RUN DATES 04/16/2016 - 05/05/2016
UNJOURNALIZED
OPEN

Page: 3/3

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
80090	TROUP ELECTRONICS INC	SERVICE CALL - BUS 15 & 10		797.00
904386	USA BLUEBOOK	PHOSVER3 POWDER PILLOWS, DPD4, DPD1, FE		238.63
530347655	UTILITIES INSTRUMENTA	GENERATOR #6 BUSBAR REPLACEMENT PER QUO	2016.079	17,000.00
				79,733.55

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User: ctanner
DB: Marshall

APPROVAL LIST FOR CITY OF MARSHALL
EXP CHECK RUN DATES 04/20/2016 - 04/20/2016
UNJOURNALIZED
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Page 1/1

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
041316	FREIGHTLINER OF KALAMA:2016	FREIGHTLINER 33,000GVW TRUCK WITH	2016.080	135,021.00 135,021.00

User: ctanner
DB: Marshall

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
145970911-0316	A T & T	ACCT #145970911		65.00
032416	BEARDSLEE LAW OFFICES	SERVICES THROUGH 03/24/16		2,215.50
700003456-0316	BRONSON HEALTHCARE GR	5003929165 STRAND, 5003925761 ROBERSON		220.00
03/31/2016	BURT, DAWN & WILLIAM	UB refund for account: 2900570030		28.52
315107616054674	CAPITAL ONE COMMERCIA	ACCT #6004-3004-9900-5848		15.47
03/31/2016	CHEHOWSKI, MICHELLE S	UB refund for account: 3003280021		71.39
2550994541-0316	CHEMICAL BANK SOUTH	HSA ACCT #2550994541 HOLMES, DALE		1,170.00
32-032000-28	CITY OF MARSHALL	PAUL DOGAN'S CK #104474 NEVER CASHED-AP		19.00
205542719328	CONSUMERS ENERGY	1000 0916 3203		192.31
205542719330	CONSUMERS ENERGY	1000 0916 3708		168.80
205542719331	CONSUMERS ENERGY	1000 0916 3971		1,593.11
205453726359	CONSUMERS ENERGY	1030 1852 0884		561.91
203139888040	CONSUMERS ENERGY	1030 0915 7670		36.54
204652791960	CONSUMERS ENERGY	1000 6710 1772		48.34
204474788470	CONSUMERS ENERGY	1000 0759 4680		240.49
201360049771	CONSUMERS ENERGY	1000 7224 3312		242.84
205542719329	CONSUMERS ENERGY	1000 0916 3435		512.27
202338944966	CONSUMERS ENERGY	1000 0033 5602		2,384.72
206432521127	CONSUMERS ENERGY	1030 1352 1119		14.85
032516	DEVENEY, JAMES R	INSPECTOR COMMISSION		120.00
032316	FULLER, MIKE	TRAVEL EXPENSE REIMBURSEMENT		49.19
03/31/2016	GARCIA-FUENTES, JONAT	UB refund for account: 3204400019		41.26
032516	GROSS, JOHN	INSPECTOR COMMISSION		238.75
032416	HACKWORTH, MICHAEL	APWA MEETING		15.00
11412	LEWEY'S SHOE REPAIR	DOUG LEACH - BOOT ALLOWANCE		180.00
11417	LEWEY'S SHOE REPAIR	CURT CROW - BOOT ALLOWANCE		170.00
1773-0316	MARSHALL COMMUNITY CU	1773 - MCCOMB		893.68
S3930689.001	MEDLER ELECTRIC COMPA	P3 KW		186.16
032515	NICHOLS, JEFFREY S	INSPECTOR COMMISSION		205.00
3287	OERTHERS	50% - FLOWER POTS AND MATERIALS FOR DOW 2016.266		7,800.00
032316	STRAND, MARK	TRAVEL EXPENSE REIMBURSEMENT		149.10
032816	THOMAS, CAROL	CDL PERMIT FEE		30.00
3293	TRIBAL MANUFACTURING	REFUND S.E.T. ON 53-500-103-00		276.79
03/31/2016	U.S. BANK NATIONAL AS	UB refund for account: 1401900004		88.30
10040269-0316	WOW! BUSINESS	ACCT #010040269		316.00
32816	YOUNGDAHL, JOHN	REIMBURSEMENT FOR FOUNDATION		222.00
				20,782.29

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
04/07/2016	ADKINS, JADE	UB refund for account: 2900290046		81.48
160310772	AMBS CALL CENTER	ANSWERING SERVICE		399.36
040616	APWA, MICHIGAN CHAPTE	TOM TARKIEWICZ--GREAT LAKES EXPO REGIST		250.00
04/07/2016	BRITTON, CHELSEY	UB refund for account: 300900038		115.50
040116	CAIN-DEROUIN, JULIE	TRAVEL EXPENSE REIMBURSEMENT		231.92
033116	CALHOUN COUNTY TREASU	MARCH 2016 TRAILER FEES		80.00
2551602556-0416	CHEMICAL BANK SOUTH	HSA ACCT #2551062556 PHILLIPS, BRIAN		390.00
2551602531-0416	CHEMICAL BANK SOUTH	HSA ACCT #2551602531 RAPP, BRUCE		390.00
040116	CLARK, DANNY	ENERGY OPTIMIZATION - LIGHTING		37.16
041516	COMFORT INN-MT PLEASA	WILLIAM DOPP III - 04/17/16--04/22/16		382.50
04/07/2016	CURRAN, ZACHARY	UB refund for account: 1900980023		14.65
04/07/2016	HORNFIELD, D. HEARD &	UB refund for account: 3101010022		34.35
3507-0316	MARSHALL COMMUNITY CU	3507 - MCDONALD		109.34
2016-WATER	MORRIS STULBERG TRUST	ANNUAL WATER MAIN EASEMENT		10.00
2016-POWER LINE	MORRIS STULBERG TRUST	ANNUAL POWERLINE EASEMENT		5.00
2016-STORM SEWER	MORRIS STULBERG TRUST	ANNUAL STORM SEWER EASEMENT		24.00
04/07/2016	OCWEN FINANCIAL	UB refund for account: 2706480007		30.72
3-0249-1022021	REPUBLIC SERVICES #24	ACCT #3-0249-1022021		1,016.64
MIDEAL-256 2016	STATE OF MICHIGAN	MIDEAL-289 FOR 2016		180.00
300666	STEENSMA	SNOW PLOW INSTALLATION ON TRUCK 119	2016.146	2,437.13
308595	STEENSMA	WESTERN 8' PRO PLOW SNOW PLOW	2016.177	3,851.98
324064	STEENSMA	MOWER PARTS		608.94
322783	STEENSMA	SNOW BLOWER REPAIR		466.83
325692	STEENSMA	BLADES		497.01
44762723	WEX BANK	ACCT #0470-00-462076-1		6,799.23
10058364-0316	WOW! BUSINESS	ACCT #010058364		32.97
				18,476.71

EVENT REPORT

EVENT: 33rd Annual Oaklawn Hospitality Classic/Health Fair 2016

EVENT LOCATION: 100 Block of N. Kalamazoo

SPONSOR: Oaklawn Hospital

EVENT DATE: Saturday, May 21, 2016

EVENT TIMEFRAME: 7:00a – 3:00p

MDOT PERMIT REQUIRED: No

MDOT PERMIT GRANTED: NA

ROAD CLOSURE DETAIL: Close 100 Block N. Kalamazoo between Michigan Ave and Mansion Street.

ROAD CLOSURE TIMEFRAME: 7:00a – 3:00p

EVENT CLOSURE DETAIL: The roadway will be closed and barricaded off on Kalamazoo between Mansion and Michigan Ave. The block will remain closed while the health fair is taking place in the fountain circle until 3:00p.

DETOUR DETAIL: Traffic will be diverted to the adjacent local streets.

EVENT DETAIL:

Oaklawn Hospital will be having their 33rd Annual Hospitality Classic at the above stated location. Runners and walkers will be going eastbound on Michigan Ave to East St. Runners will go westbound on Mansion to West Drive. Runners go north on West to F Dr. They then go north on Walters Dr. to 16 1/2 Mile Rd. They then go south on Kalamazoo and return to the starting point.

The 33rd Annual Oaklawn Holiday Classic is for a non-profit event. There are other volunteers throughout the course to provide safety and direction for the runners.

COUNCIL NOTIFICATION DATE: April 18, 2016

March 21, 2016

Chief James Schwartz
Director of Public Safety
City of Marshall
Marshall, MI 49068

Dear Chief Schwartz:

This year, the Oaklawn Hospital Hospitality Classic will mark its 33rd year of bringing the health and enjoyment of running and walking to Marshall. As we have done every year for decades, we again seek your assistance in garnering the support of the Marshall City Council.

As you probably know, we like to hold the race on Saturday, May 21. We hope for another record-breaking turnout of runners and walkers as well as their families, all enjoying Marshall's springtime beauty.

The Hospitality Classic unifies the community in an atmosphere of fun and fitness, with participation available at all ages and fitness levels. Our events include a 10K and 5K race, a one-mile fun run and a non-competitive walk. The first race will start at 7:30 a.m. and the awards ceremony should be over by 11 a.m. This year we would like to add a Health Fair on the fountain lawn to the fun and festivities. With your approval we hope to have approximately 30 sponsors/vendors promoting health in our communities. All tents and all litter should be cleared off all properties by 3 p.m.

Also, if you have any other questions or concerns, please feel free to contact me.

Many thanks for your consideration and assistance!

Sincerely,



E. Michael Beck
Executive Director of Development, Marketing, and Public Relations



EVENT REPORT

EVENT: Memorial Day Parade

EVENT LOCATION: 400 Block of W. Michigan Ave

SPONSOR: VFW

EVENT DATE: Monday, May 30, 2016

EVENT TIMEFRAME: 9:30a – 11:00a

MDOT PERMIT REQUIRED: Yes

MDOT PERMIT GRANTED: Not as of this posting

ROAD CLOSURE DETAIL: Close 400 Block W. Michigan Ave for parade staging

ROAD CLOSURE TIMEFRAME: 9:30a – 10:30a

EVENT CLOSURE DETAIL: The roadway will be closed and barricaded off on W. Michigan Ave at Mulberry Street. The closure will also have a marked unit on Gordon Street at E. Michigan Ave.

DETOUR DETAIL: Traffic will be diverted to the adjacent local streets with proper detour signs.

EVENT DETAIL:

The Annual Memorial Day Parade will travel eastbound on Michigan from the Fountain Circle to Exchange Street. The parade will continue onto Exchange Street to Marshall Avenue. From Marshall Avenue into the Oakridge Cemetery.

COUNCIL NOTIFICATION DATE: April 18, 2016



RECEIVED

MAR 30 2016

CITY OF MARSHALL

**American Legion
Stanley E. Lamb Post 79
P. O. Box 517
Marshall, MI 49068**

March 27, 2016

The Honorable Mayor Jack Reed
City of Marshall
323 W. Michigan Ave.
Marshall, MI 49068

Dear Mayor Reed and City Council Members:

American Legion Stanley E. Lamb Post 79 of Marshall is asking for permission to hold the annual Memorial Day Parade on Monday, May 30, 2016.

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

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

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

Thank you for your attention to this matter.

Sincerely,

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



ADMINISTRATIVE REPORT
April 18, 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: Public hearing to accept the application for exemption for 101 W Michigan Ave, parcel # 53-001-005-00, under the Obsolete Property Rehabilitation Act (OPRA).

BACKGROUND: The City has designated the parcel, building, and improvements at 101 West Michigan Avenue (Cronin Building) as an Obsolete Property Rehabilitation District (OPRD) under the Obsolete Property Rehabilitation Act (OPRA). Under the OPRA, the second step is for the owner to submit an application to the clerk for an Obsolete Property Rehabilitation Exemption for the property in the OPRD. The Council will hold a public hearing to gather comment on granting the exemption. Once the resolution is approved, the clerk will file the application and the resolution with the State.

RECOMMENDATION: After hearing public comment, staff recommends that City Council adopt the resolution and accept the Application for an Obsolete Property Rehabilitation Exemption Certificate for 101 West Michigan Avenue (#53-001-005-00).

FISCAL EFFECTS: Taxes will be paid by Cronin Building Development LLC based on the taxable value, as of December 31, 2016, of the land (\$17,121) and building (\$39,949) for the duration of the OPRA as adjusted by the Consumer Price Index (CPI). All improvements will be exempt from taxation during the exemption period or twelve (12) years.

ALTERNATIVES: As suggested by Council.

CITY GOAL CLASSIFICATIONS:

GOAL AREA I. ECONOMIC DEVELOPMENT

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

GOAL AREA 3. HOUSING DEVELOPMENT

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

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

Respectfully submitted,

Julie Cain-Derouin
Assessor/Abatement Committee Chair

Tom Tarkiewicz
City Manager

**CITY OF MARSHALL
RESOLUTION #2016-**

**RESOLUTION TO APPROVE AN OBSOLETE PROPERTY REHABILITATION
EXEMPTION CERTIFICATE APPLICATION
PA 146 OF 2000 AS AMENDED**

Minutes of a regular meeting of the City Council of the City of Marshall, held on April 18, 2016, in City Hall Council Chambers at 7:00 p.m.

PRESENT:

ABSENT:

The following preamble and resolution was offered by _____,
and supported by _____.

**Resolution 2016-XX Approving Obsolete Property Rehabilitation Exemption
Certificate Application for Cronin Building Development LLC, Located at
101 W. Michigan Ave, Marshall MI**

WHEREAS, pursuant to PA 146 of 2000, the City of Marshall is a Qualified Local Governmental Unit eligible to establish one or more Obsolete Property Rehabilitation Districts; and

WHEREAS, the City of Marshall legally established the Obsolete Property Rehabilitation District (Cronin Commercial Redevelopment District No. 01) on December 7, 2015, after a public hearing held on December 7, 2015; and

WHEREAS, 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) does not exceed 5% of the total taxable value of the City of Marshall; and

WHEREAS, the application was approved at a public hearing as provided by section 4(2) of Public Act 146 of 2000 on April 18, 2016; and

WHEREAS, Cronin Building Development LLC is not delinquent in any taxes related to the facility; and

WHEREAS, the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000; and

WHEREAS, the applicant, Cronin Building Development LLC, has provided answers to all required questions under the application instructions to the City of Marshall; and

WHEREAS, the City of Marshall requires that rehabilitation of the facility shall be completed by December 31, 2016; and

WHEREAS, the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District; and

WHEREAS, 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 the City of Marshall eligible under Public Act 146 of 2000 to establish such a district; and

WHEREAS, 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, and revitalize the downtown area, in which the facility is situated; and

WHEREAS, 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.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marshall Be and hereby is granted an Obsolete Property Rehabilitation Exemption for the real property, excluding land, located in Obsolete Property Rehabilitation District (Cronin Commercial Redevelopment District No. 01) at 101 W. Michigan Ave. for a period of 12 years, beginning December 31, 2016, and ending December 31, 2028, pursuant to the provisions of PA 146 of 2000, as amended.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

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 on April 18, 2016.

Trisha Nelson
Clerk, City of Marshall

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.

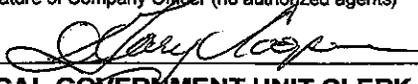
Applicant (Company) Name (applicant must be the OWNER of the facility) Cronin Building development LCC		
Company Mailing address (No. and street, P.O. Box, City, State, ZIP Code) 100 Evening Star Ln., Okemos Mi.		
Location of obsolete facility (No. and street, City, State, ZIP Code) 101 W. Michigan Ave. ,		
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.

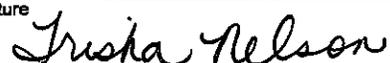
The applicant certifies that this application relates to a rehabilitation program that, when completed, constitutes a rehabilitated facility, as defined by Public Act 146 of 2000, as amended, and that the rehabilitation of the facility would not be undertaken without the applicant's receipt of the exemption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

FOR STATE TAX COMMISSION USE		
Application Number	Date Received 4/1	LUCI Code

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 18, 2016 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council
FROM: Tom Tarkiewicz, City Manager
SUBJECT: Public Hearing for 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 the attached resolution after a public hearing by both governmental bodies. The proposed resolution and contract are attached.

RECOMMENDATION: After hearing public comment, it is recommended that Council approve the P.A. 425 Conditional Land Transfer with Marshall Township 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

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

f 269.781.3835

cityofmarshall.com

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 April 18, 2016.

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.



ADMINISTRATIVE REPORT
April 18, 2016 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council

FROM: Tom Tarkiewicz, City Manager
Jon Bartlett, Finance Director
Kristin Bauer, Director of Public Services
Natalie Dean, Asst. City Manager

SUBJECT: Fee Schedule

BACKGROUND: Staff has reviewed fees charged for certain City services and is recommending fee revisions. Certain costs are incurred in providing a service, and the intent is to set fees at an amount to recover those costs and still remain competitive with surrounding municipalities.

RECOMMENDATION: It is recommended that Council adopt the attached resolution authorizing the Fee Schedule as presented with an effective date of July 1, 2016.

FISCAL EFFECTS: Revenues will increase proportionally by the amount of fee increase and the frequency of the service requested.

CITY GOAL CLASSIFICATION:

GOAL AREA I. ECONOMIC DEVELOPMENT

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

Respectfully submitted,

Tom Tarkiewicz
City Manager

Jon Bartlett
Finance Director

Kristin Bauer
Director of Public Services

Natalie Dean
Asst. City Manager

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

f 269.781.3835

cityofmarshall.com

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

RESOLUTION ESTABLISHING FEES

WHEREAS, City of Marshall deems it necessary and appropriate to periodically review fees as certain costs are incurred in providing a service, and the intent is to set fees at an amount to recover those costs and still remain competitive with surrounding municipalities; and

WHEREAS, the City of Marshall now wishes to establish those fees in accordance with City policy;

NOW THEREFORE, BE IT RESOLVED, that the following fees shall be established and effective July 1, 2016;

Water Department

Hydrant Meter Security Deposit	\$500.00 per Rental
Hydrant Commodity Charge (outside City Limits)	\$0.02 per Gallon
Meter Testing:	
5/8" - 1"	\$50.00 per Meter
1-1/2" - 2"	\$200.00 per Meter
3"	\$225.00 per Meter
4"	\$250.00 per Meter
6"	\$250.00 per Meter
Water Connection Fee	\$600.00 per REU Connection
Fire Suppression Systems:	
6" or smaller	\$120.00 per Year
8"	\$220.00 per Year
10"	\$340.00 per Year
12"	\$500.00 per Year

Sanitary Sewer

Sewer Connection Fees	\$1,500 per REU Connection
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Geographic Information System

Providing Digital Maps (PDF's, JPEG's, Etc.)	\$10.00 per Map
Plotted / Printed Maps (with or without aerial photo):	
8-1/2" x 11"	\$6.00 per Map
11" x 17"	\$10.00 per Map
Larger Format Print/Plotted Maps (42" Maximum): with Aerial photo	\$22.00 per Map

without Aerial photo \$26.00 per Map

Cemetery

Lot Prices	\$550.00 per Lot
Columbarium	\$650.00 per Niche
Columbarium Open/Close	\$50.00 per Opening
Burial Charge:	
Adult	\$400.00 per Opening
Infant (Age -2 and under)	\$200.00 per Opening
Cremains	\$200.00 per Opening
Overtime Charge - Burial & Columbarium (weekdays after 2pm, Saturdays, Holidays)	1.5X
Disinterment: (Only during Normal Work Hours)	
Full Size	\$650.00 per Opening
Infant/Cremation	\$350.00 per Opening
Foundations	\$0.50 per Sq. Surface Inch

Right of Way Permit Fees

Base Permit Application Fee (For consideration of ALL permits)	\$35.00 per Permit
Field Inspection Fee (Sewer Taps, Sidewalk / Drive Approach, etc)	\$50.00 per Inspection
Road Opening Deposit (after 1 year \$500 is refunded if road repair is satisfactory, \$50 covers required inspections)	\$550.00 per Opening

Stormwater

Single Family Residential Developments, less than 1 Acre incl. Institutional Projects	\$0.00 per Project \$150.00 per Project
Developments, 1 Acre to 5 Acres incl. Institutional Projects	\$150.00 plus \$50/acre over 1 acre per Project
Developments, over 5 Acres Incl. Institutional Projects	\$350.00 plus \$25/Acre over 5 acres per Project
Hourly Rate for Additional Review/Inspection Time	\$75.00 per Hour
Field Inspection Fee	
Single Family Residential	\$75.00 1 hour time
Developments, less than 1 Acre	\$75.00 1 hour time
Developments, 1 Acre to 5 Acres	\$150.00 2 hours time
Developments, over 5 Acres	\$225.00 3 hours time

Building Department

Building Permit-Residential	\$60 per 1st \$1,000 construction cost plus \$5 for each additional \$1,000 construction cost per Application
Plumbing, Electrical and Mechanical Admin Fee	\$40/flat per Application
Residential Roofing	\$120.00 per Application
Residential Swimming Pool (Above Ground)	\$120.00 per Application
Fence Permits	\$45.00 per Application
Residential Demolition	\$140 per Building per Application
Commercial Demolition	\$150.00 plus \$.05 per square foot Per Application
Building Permit-Commercial	\$60 per 1st \$1,000 construction cost + \$6 for each additional \$1,000 construction cost per Application
Building Permit-Plan Review	25% of Building Permit Fee per Application

Planning and Zoning

Zoning Amendment	\$200 per Application
ZBA Variance (resident)	\$150 per Application
ZBA Variance (commercial)	\$200 per Application
Sign permit	
Wall Sign	\$40 per Application
Freestanding/Ground	\$50 per Application

Administrative

Credit Card Service Fee	3% of amount due
Mortgage Company Duplicate Bill Fee (per parcel)	\$2.50
Overnight Downtown Parking Permit	\$10.00 per Permit
Security Deposit Residential Tenant w/Landlord Affidavit	\$200 per Affidavit

A copy of this Schedule as amended from time to time, shall be maintained by the Marshall City Clerk.

AYES:

NAYES:

ABSTAIN:

RESOLUTION DECLARED ADOPTED.

I, Trisha Nelson, being duly sworn as the Clerk for the City of Marshall, hereby certify that foregoing is a true and complete copy of a resolution adopted by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on April 18, 2016, and that said meeting was conducted and that the minutes of said meeting were kept and will be or have been made available

Trisha Nelson, Clerk

Department	Is Fee New (Y/N)	Fee Type	Previous Fee	Proposed Fee	Unit
Water	No	Hydrant Meter Security Deposit	\$250.00	\$500.00	per Rental
	No	Hydrant Commodity Charge (outside City Limits)	\$0.01	\$0.02	per Gallon
		Meter Testing:			
		5/8" - 1"	\$20.00	\$50.00	per Meter
		1-1/2" - 2"	\$75.00	\$200.00	per Meter
		3"	\$160.00	\$225.00	per Meter
		4"	\$175.00	\$250.00	per Meter
		6"	\$185.00	\$250.00	per Meter
	No	Water Connection Fee	\$400.00	\$600.00	per REU Connection
	No	Fire Suppression Systems:			
		6" or smaller	\$120.00	\$120.00	per Year
		8"	\$220.00	\$220.00	per Year
		10"	\$340.00	\$340.00	per Year
	12"	\$500.00	\$500.00	per Year	
Sewer	No	Sanitary Sewer Connection Fees	\$1,000.00	\$1,500.00	per REU Connection
GIS	Yes	Providing Digital Maps (PDF's, JPEG's, Etc.)	\$0.00	\$10.00	per Map
	Yes	Plotted / Printed Maps (with or without aerial photo):			
		8-1/2" x 11"	\$0.00	\$6.00	per Map
		11" x 17"	\$0.00	\$10.00	per Map
	Yes	Larger Format Print/Plotted Maps (42" Maximum):			
with Aerial photo		\$0.00	\$22.00	per Map	

		without Aerial photo	\$0.00	\$26.00	per Map	
Cemetery	No	Lot Prices	\$450.00	\$550.00	per Lot	
	No	Columbarium	\$600.00	\$650.00	per Niche	
	No	Columbarium Open/Close	\$25.00	\$50.00	per Opening	
	No	Burial Charge:				
		Adult		\$380.00	\$400.00	per Opening
		Infant (Age -2 and under)		\$180.00	\$200.00	per Opening
		Cremaains		\$150.00	\$200.00	per Opening
	No	Overtime Charge - Burial & Columbarium (weekdays after 2pm, Saturdays, Holidays)	1.5X	1.5X		
	No	Disinterment: (Only during Normal Work Hours)				
		Full Size		\$630.00	\$650.00	per Opening
Infant/Cremation			\$350.00	\$350.00	per Opening	
No	Foundations	\$0.45	\$0.50	per Sq. Surface Inch		
ROW Permit Fees	No	Base Permit Application Fee (For consideration of ALL permits)	\$30.00	\$35.00	Per Permit	
	Yes	Field Inspection Fee (Sewer Taps, Sidewalk / Drive Approach, etc.)	\$0.00	\$50.00	Per Inspection	
	No	Road Opening Deposit (after 1 year \$500 is refunded if road repair is satisfactory, \$50 covers required inspections)	\$500.00	\$550.00	per Opening	
STORM	Yes	Single Family Residential	\$0.00	\$0.00	Per Project	
	Yes	Developments, less than 1 Acre incl. Institutional Projects	\$0.00	\$150.00	Per Project	
	Yes	Developments, 1 Acre to 5 Acres incl. Institutional Projects	\$0.00	\$150.00 plus \$50/acre over 1 acre	Per Project	
	Yes	Developments, over 5 Acres Incl. Institutional Projects	\$0.00	\$350.00 plus \$25/Acre over 5 acres	Per Project	
	Yes	Hourly Rate for Additional Review/Inspection Time	\$0.00	\$75.00	Per Hour	
	Yes	Field Inspection Fee Single Family Residential	\$0.00	\$75.00	1 hour time	

	Yes	Field Inspection Fee Developments, less than 1 Acre	\$0.00	\$75.00	1 hour time
	Yes	Field Inspection Fee Developments, 1 Acre to 5 Acres	\$0.00	\$150.00	2 hours time
	YES	Field Inspection Fee Developments, over 5 Acres	\$0.00	\$225.00	3 hours time
Building	NO	Building Permit-Residential	Various according to square foot construction area	\$60 per 1st \$1,000 construction cost plus \$5 for each additional \$1,000 construction cost	Per Application
	NO	Plumbing, Electrical and Mechanical Administration Fee	\$30/flat	\$40/flat	Per Application
	NO	Residential Roofing	\$70.00	\$120.00	Per Application
	NO	Residential Swimming Pool (Above Ground)	\$70.00	\$120.00	Per Application
	NO	Fence Permits	\$30.00	\$45.00	Per Application
	NO	Residential Demolition	\$110.00	Per Building	Per Application

	NO	Commercial Demolition	\$110 plus \$.01 per sq. foot	\$150.00 plus \$.05 per square foot	Per Application
	NO	Building Permit-Commercial	Per square foot fee based on use group	\$60 per 1st \$1,000 construction cost + \$6 for each additional \$1,000 construction cost	Per Application
	NO	Building Permit-Plan Review	Various according to square foot construction area	25% of Building Permit Fee	Per Application
Planning and Zoning	NO	Zoning Amendment	\$150.00	\$200.00	Per Application
	NO	ZBA Variance (resident)	\$50.00	\$150.00	Per Application
	NO	ZBA Variance (commercial)	\$100.00	\$200.00	Per Application
	NO	Sign permit	\$40/\$50	same	Per Application
Finance	YES	Credit Card Service Fee	\$0.00	3% of amount due	Per Transaction
	NO	Mortgage Company Duplicate Bill Fee (per parcel)	\$0.00	\$2.50	
	NO	Overnight Downtown Parking Permit	\$5.00	\$10.00	Per Permit
	NO	Security Deposit Residential Tenant w/ Landlord Affidavit	\$150.00	\$200.00	Per Affidavit



ADMINISTRATIVE REPORT
April 18, 2016 City Council Meeting

REPORT TO: Honorable Mayor and City Council
FROM: Aaron Ambler, Water Superintendent
Kristin Bauer, Director of Public Services
Tom Tarkiewicz, City Manager
SUBJECT: Well #4 Improvements

BACKGROUND: In 2013 Staff came to Council with a proposal to add Variable Frequency Drives (VFD) to Wells #1 and #2. This was an emergency project to fix one well and make the Water Plant more efficient. Recently, Well #4's starter went bad and replacement parts for a 1950's starter are hard to come by. It is Staff's recommendation to install a VFD on the #4 well at this time.

Well #4 is the only well without a VFD or an energy efficient motor; this project will improve the overall efficiency of the Water Plant as well as keep maintenance cost lower for the future.

Peerless Midwest Inc., Mishawaka, Indiana completed our previous well upgrade for a cost of \$72,860.00, they have proposed to complete this project at a cost of \$30,888.00. Staff has reviewed this proposal and finds it to be acceptable. These services were not competitively bid, but ordinance allows council to award such professional services without this requirement. Peerless Midwest Inc. has a proven track record with the City of Marshall. They have been responsible for servicing our wells at both the water treatment facility and powerhouse for a number of years.

RECOMMENDATION: It is recommended that City Council approve this project authorizing staff to execute a purchase order with Peerless Midwest, Inc. for \$30,888.00 for the VFD improvements to well #4.

FISCAL EFFECT: Staff is recommending that the Water Fund Reserves be used in the amount of \$30,888.00 as this was not a budgeted project. Additionally, the project will be eligible for energy optimization rebates of \$2,000.

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,

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

Aaron Ambler
Water Superintendent

Kristin Bauer
Director of Public Services

Tom Tarkiewicz,
City Manager