

CALL TO ORDER

IN REGULAR SESSION Monday, June 20, 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 Pro Tem Metzger.

ROLL CALL

Roll was called:

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

Also Present: City Manager Tarkiewicz and Clerk Nelson.

Absent: Council Member Miller and Mayor Reed.

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

INVOCATION/PLEDGE OF ALLEGIANCE

Richard Gerten of Family Bible Church gave the invocation and Mayor Pro Tem Metzger led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Moved Gerten, supported Williams, to move item 7C Schedule Public Hearing - §156.003 and §156.224 Donation Bins to item 12C for further discussion. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON AGENDA ITEMS

None.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Mary LaFountain of 211 Forest Street spoke regarding an issue she is having with deer and asked City Council for assistance in decreasing the population.

CONSENT AGENDA

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

- A. Approve the resolution to authorize the City Clerk to sign the agreement with MDOT to “Construct Terminal Building, Terminal Study, and Planning at Brooks Field”;
- B. Approve the 12-month Assessment Services Agreement with the City of Albion, pending a decision by the City of Albion’s Council to concur with the Agreement on June 20, 2016;
- C. Schedule a public hearing for Monday, July 18, 2016 to hear public

- comment on the vacation of the east 55' of the Cedar Street right of way between Montgomery Street and Warren Street;
- D. Minutes of the City Council Regular Session held on Monday, June 6, 2016;
 - E. Approve city bills in the amount of \$ 872,608.74.

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

PRESENTATIONS AND RECOGNITION

A. Binder Park Zoo Presentation:

Leslie Walsh and Hannah Smedley gave a informational presentation on the happenings at Binder Park Zoo.

INFORMATIONAL ITEMS

Lieutenant Josh Lankerd provided event reports for the Cruise at the Fountain and Jam for a Cure.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. Proposed Changes to Chapter 31: City Organizations:

Natalie Dean provided background on the proposed changes to Chapter 31: City Organizations of the City of Marshall Code of Ordinances. The changes to the ordinance are updating outdated verbiage to reflect the current status of City Departments.

Mayor Pro Tem Metzger opened the public hearing to hear public comment regarding the proposed changes to Chapter 31 of the Marshall City Code.

Hearing no comment, the hearing was closed.

Moved Williams, supported McNeil, to approve the proposed changes to Chapter §31: City Organizations. On a roll call vote – ayes: Gerten, McNeil, Metzger, Schurig, and Williams; nays: none. **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN ORDINANCE #2016-05

AN ORDINANCE TO AMEND CITY OF MARSHALL CODE, CHAPTER 31: CITY ORGANIZATIONS. THE CITY OF MARSHALL HEREBY ORDAINS:

Section 1. That chapter and section **§31.01 Created; Function** of the Marshall City Code, is hereby amended to the following:

The Parks, Recreation and Cemetery Departments are hereby created for the city. The function of the departments is to provide opportunities for wholesome year-round recreation and other leisure time activities for all age groups and to supervise and manage the use and a maintenance of municipal parks and the city cemetery.

Section 1a. That chapter and section **§31.02 Director** is amended to be changed to **§31.02 Administration** and be amended to the following:

- A. The Director of Public Services and Recreation Administrator shall be hired by the City Manager.
- B. The Director of Public Services and Recreation Administrator shall:
 1. Be responsible for the overall administration, management, planning, organization, maintenance and supervision of the parks, recreation, and cemetery departments;
 2. Represent the parks, recreation, and cemetery departments on all department matters coming before the City Council;
 3. Submit annually a proposed operating budget for the ensuing fiscal year, in accordance with legal requirements, for the departments;
 4. Be responsible for the employment and supervision of all personnel of the departments in conformity with personnel rules and regulations and classification plan established by the city;
 5. Coordinate the activities of the parks, recreation, and cemetery departments with other groups to achieve the highest degree of cooperation and promotion of sound recreation goals and other applicable appropriate public functions; and
 6. Be responsible for the planning of all recreation, parks, and cemetery programs and see that such activities and programs are carried out in a safe and healthful manner.

Section 1b. That chapter and section **§31.03 Recreation Fund** be amended to the following:

- A. There is hereby created a recreation fund under the jurisdiction of the Treasurer, into which all funds levied, collected or derived for recreation purposes of the city shall be deposited. The funds shall not be commingled with park and cemetery funds or appropriations.

- B. Expenditures may be made from the recreation fund in accordance with the budget and appropriations approved by the City Council in accordance with legal requirements and rules established thereunder. Vouches for the payment of any claims shall be approved by the Recreation Administrator and submitted to the Treasurer for payment. The Recreation Administrator shall request such services as may be required from other city departments and the cost of the services shall be charged against the Recreation Fund.

Section 1c. That chapter and section **§31.17 Terms** be amended to the following:

The terms of office for the Parks, Recreation, and Cemetery Board shall be for three years commencing on July 1 and ending June 30.

Section 1d. That chapter and section **§31.20 Organization** be amended to the following:

- A. The members of the Parks, Recreation, and Cemetery Advisory Board shall, at their first meeting in July of each year, organize and elect one of their board members as Chairperson and one as Vice-Chairperson.
- B. A majority of the Board shall constitute a quorum for the transaction of business.
- C. The Recreation Administrator or designee shall act as the Board Secretary.

Section 1e. That chapter and section **§31.21 Duties** be amended to the following:

It shall be the duty of the Parks, Recreation and Cemetery Board to:

- A. Act in an advisory capacity to the City Council and the Director of Public Services and Recreation Administrator in all matters pertaining to public recreation, municipal parks, city cemetery, and to cooperate with all governmental agencies in the advancement of sound planning, and programming;
- B. Aid the Director of Public Services and Recreation Administrator in making plans for the conduct of recreation activities, use of municipal parks, and the city cemetery;
- C. Interpret the recreation programs to public officials and interested citizens in order to promote understanding and financial support from public and private sources;
- D. Recommend to the City Council the establishment of general policies with respect to the Parks, Recreation and Cemetery Departments;
- E. Assist the Director of Public Services and Recreation Administrator in the preparation of rules and regulations for the use of parks, recreation and

cemetery facilities and participation in recreation programs, which shall be recommended to the City Council for consideration and adoption; and

- F. Advise the Director of Public Services and Recreation Administrator in the preparation of the annual operating budgets for the departments.

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 20th day of June, 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 June 20, 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. Albion Marshall Connector Agreement:

Moved Gerten, supported McNeil, to approve the agreement with Albion for the Albion Marshall Connector Service. On a voice vote – **MOTION CARRIED.**

B. FY 2016 Year-End Budget Amendments:

Moved Schurig, supported Williams, to approve the resolution authorizing the budget amendments to amend the FY 2016 Budget. On a roll call vote – ayes: Gerten, McNeil, Metzger, Schurig, and Williams; nays: none. **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN
RESOLUTION #2016-27
THE CITY OF MARSHALL
AMENDED GENERAL APPROPRIATION ACT RESOLUTION
July 1, 2015 – June 30, 2016

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

<u>General Fund Revenues</u>	<u>Adopted</u>	<u>Amended Mid-Year</u>	<u>Amended June, 2016</u>	<u>Change</u>
Taxes	3,497,613	3,497,613	3,454,477	(43,136)
Licenses and Permits	96,200	96,200	62,947	(33,253)
Intergovernmental Revenues	684,000	684,000	666,663	(17,337)
Charges for Services	117,000	117,000	96,438	(20,562)
Fines and Forfeits	118,500	118,500	51,236	(67,264)
Rents	255,000	255,000	251,469	(3,531)
Interest	10,000	10,000	10,467	467
Miscellaneous	102,150	102,150	105,580	3,430
Other Financing Sources	1,136,740	1,136,740	1,578,412	441,672
Total Revenues	6,017,203	6,017,203	6,277,689	260,486
<u>General Fund Expenditures</u>				
City Council	3,676	3,676	3,281	395
City Manager	138,568	138,568	150,129	(11,561)
Assessor	164,885	164,885	153,716	11,169
Attorney	55,000	55,000	41,600	13,400
Human Resources	69,641	69,641	64,142	5,499
Clerk	54,563	54,563	47,691	6,872
Treasurer	235,621	235,621	239,928	(4,307)
City Hall	81,548	81,548	73,095	8,453
Chapel	2,400	2,400	39	2,361
Other City Property	37,700	37,700	26,751	10,949
Cemetery	188,451	188,451	201,976	(13,525)
Non-Departmental	899,300	899,300	1,508,810	(609,510)
Police	1,632,529	1,632,529	1,675,705	(43,176)

Marshall City Council, Regular Session
Monday, June 20, 2016

Crossing Guards	12,487	12,487	10,925	1,562
Dispatch	112,900	112,900	109,967	2,933
Fire	927,110	927,110	929,760	(2,650)
Inspection	102,386	102,386	126,702	(24,316)
Planning/Zoning	150,384	150,384	117,804	32,580
Streets	871,292	871,292	736,627	134,665
Engineering	51,983	51,983	43,951	8,032
Public Svcs. Build Operations	122,042	122,042	112,447	9,595
Community Development	0	0	0	0
	<u>Adopted</u>	<u>Amended Mid-Year</u>	<u>Amended June, 2016</u>	<u>Change</u>
Parks	101,988	101,988	98,161	3,827
Capital Improvements	164,300	164,300	227,300	(63,000)
Total Expenditures	6,180,754	6,180,754	6,700,507	(519,753)
GF Net Surplus/(Deficit)	(163,551)	(163,551)	(422,818)	

<u>GF - Recreation</u>				
Revenues	397,459	397,459	408,336	10,877
Expenditures	430,397	430,397	404,009	26,388
Net Surplus/(Deficit)	(32,938)	(32,938)	4,327	

<u>GF - Farmers Market</u>				
Revenues	14,023	14,023	26,905	12,882
Expenditures	13,101	13,101	17,878	(4,777)
Net Surplus/(Deficit)	922	922	9,027	

<u>GF - Composting</u>				
Revenues	27,750	27,750	14,274	(13,476)
Expenditures	60,072	60,072	40,160	19,912
Net Surplus/(Deficit)	(32,322)	(32,322)	(25,886)	

<u>Leaf/Brush</u>				
Revenues	74,966	74,966	77,654	2,688
Expenditures	95,532	95,532	94,996	536
Net Surplus/(Deficit)	(20,566)	(20,566)	(17,342)	

<u>MVH-Major & Trunkline</u>				
Revenues	448,800	448,800	547,448	98,648
Expenditures	382,941	382,941	578,801	(195,860)
Net Surplus/(Deficit)	65,859	65,859	(31,353)	

<u>MVH-Local</u>				
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Marshall City Council, Regular Session
Monday, June 20, 2016

Revenues	235,160	235,160	327,000	91,840
Expenditures	307,360	307,360	307,360	0
Net Surplus/(Deficit)	(72,200)	(72,200)	19,640	

MRLEC				
Revenues	281,775	281,775	230,000	(51,775)
Expenditures	245,375	245,375	192,569	52,806
Net Surplus/(Deficit)	36,400	36,400	37,431	

Local Develop. Finance Auth.				
Revenues	440,000	440,000	420,670	(19,330)
Expenditures	865,850	865,850	872,365	(6,515)
Net Surplus/(Deficit)	(425,850)	(425,850)	(451,695)	

	<u>Adopted</u>	<u>Amended Mid-Year</u>	<u>Amended June, 2016</u>	<u>Change</u>
Downtown Develop. Auth.				
Revenues	216,540	216,540	212,063	(4,477)
Expenditures	239,624	239,624	237,323	2,301
Net Surplus/(Deficit)	(23,084)	(23,084)	(25,260)	

GF - Airport				
Revenues	186,500	186,500	152,451	(34,049)
Expenditures	186,446	186,446	141,321	45,125
Net Surplus/(Deficit)	54	54	11,130	

Marshall House				
Revenues	622,510	622,510	952,435	329,925
Expenditures	702,135	702,135	756,566	(54,431)
Net Surplus/(Deficit)	(79,625)	(79,625)	195,869	

Electric				
Revenues	14,408,000	14,408,000	14,408,000	0
Expenditures	14,407,813	14,407,813	14,407,813	0
Net Surplus/(Deficit)	187	187	187	

Dial-A-Ride				
Revenues	362,773	362,773	377,750	14,977
Expenditures	430,148	430,148	424,940	5,208
Net Surplus/(Deficit)	(67,375)	(67,375)	(47,190)	

Excludes Albion Connector (New Freedom Grant)

Marshall City Council, Regular Session
Monday, June 20, 2016

<u>Wastewater</u>				
Revenues	1,592,100	1,592,100	1,592,100	0
Expenditures	1,850,358	1,850,358	1,850,358	0
Net Surplus/(Deficit)	(258,258)	(258,258)	(258,258)	

<u>Water</u>				
Revenues	1,578,100	1,578,100	1,578,100	0
Expenditures	1,628,096	1,628,096	1,628,096	0
Net Surplus/(Deficit)	(49,996)	(49,996)	(49,996)	

	<u>Adopted</u>	<u>Amended Mid-Year</u>	<u>Amended June, 2016</u>	<u>Change</u>
<u>Data Processing</u>				
Revenues	163,720	163,720	167,408	3,688
Expenditures	154,017	154,017	139,541	14,476
Net Surplus/(Deficit)	9,703	9,703	27,867	

<u>Motorpool</u>				
Revenues	696,650	696,650	1,032,368	335,718
Expenditures	1,041,197	1,041,197	1,578,751	537,554
Net Surplus/(Deficit)	(344,547)	(344,547)	546,383	

RESOLVED, the use of prior year's fund balance/net position reserves is not reflected in a Fund's revenue figure above, and that the source of funding for a Fund's Net Loss/(Deficit) shall be the use of prior year's fund balance/net position reserves;

This Resolution shall take effect upon adoption.
Dated June 20, 2016

Trisha Nelson, City Clerk

I, Trisha Nelson, being duly sworn as the City Clerk for the City of Marshall, hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on June 20, 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, City Clerk

C. Schedule Public Hearing - §156.003 and §156.224 Donation Bins:

Moved Schurig, supported Gerten, to schedule a public hearing for Monday, July 18, 2016 to hear public comment on the proposed changes to §156.003 and §156.224 Donation Bins of the City of Marshall Code of Ordinances. On a voice vote – **MOTION CARRIED.**

APPOINTMENTS/ELECTIONS

None.

COUNCIL AND MANAGER COMMUNICATIONS

CLOSED SESSION

Moved McNeil, supported Schurig, to move into closed session under section 8 (e) and 8 (h) of the Open Meetings Act to discuss specific pending litigation and to consider material exempt from disclosure by state of federal statute. On a roll call vote – ayes: Gerten, McNeil, Metzger, Schurig, and Williams; nays: none. **MOTION CARRIED.**

Enter into Closed Session at 8:25 p.m.

Return to Open Session at 9:30 p.m.

ADJOURNMENT

The meeting was adjourned at 9:30 p.m.

Jack Reed, Mayor

Trisha Nelson, City Clerk