



**CITY COUNCIL  
WORK SESSION AGENDA  
Monday December 3, 2018  
5:30 PM  
City Hall Training Room**

- A. Proposal 18-1 Recreational Marihuana Law**  
City Council and City Attorney David Revore will discuss the Recreational Marihuana Law.
- B. Other items**
- C. Future Work Sessions**  
None planned.
- D. Future topics**  
Kalamazoo River hydroelectric dam sediment results

323 W. Michigan Ave.

Marshall, MI 49068

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cityofmarshall.com



**MARSHALL CITY COUNCIL AGENDA**

**MONDAY – 7:00 P.M.**

**December 3, 2018**

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

**A. Schedule Public Hearing – Neighborhood Improvement Authority**

**P. 4**

City Council will consider the recommendation to schedule a public hearing for Monday, December 17, 2018 to hear public comment on the proposed ordinance that will create and set the boundaries of the Northeast Neighborhood Improvement Authority.

**B. Schedule Public Hearing – Chapter 119: Medical Marihuana** **P. 10**

City Council will consider the recommendation to schedule a public hearing for Monday, December 17, 2018 to hear public comment on the proposed amendment to Chapter 119: Medical Marihuana. §119.03 Definitions: Security Plan definition.

**C. 2019 City Council Meetings** **P. 15**

City Council will receive the dates for the 2019 City Council Meetings.

**D. 2019 Boards and Commissions** **P. 17**

City Council will receive the listing of the 2019 Board and Commission positions that are scheduled to expire and the term of office.

**E. City Council Minutes** **P. 19**

Work Session.....Monday, November 19, 2018

Regular Session.....Monday, November 19, 2018

**F. City Bills** **P. 23**

Regular Purchases..... \$ 283,851.14

Weekly Purchases – 11/9/18..... \$ 3,883.29

Weekly Purchases – 11/16/18..... \$ 27,776.61

Weekly Purchases – 11/21/18..... \$ 4,725.00

**Total ..... \$ 320,236.04**

**Mayor:**

Jack Reed

**Council Members:**

Ward 1 - Scott Wolfersberger

Ward 2 - Nick Metzger

Ward 3 - Brent Williams

Ward 4 - Michael McNeil

Ward 5 - Robert Costa

At-Large - Joe Caron



8) **PRESENTATIONS AND RECOGNITIONS**

A. **Senator Mike Nofs Recognition**

City Council will recognize Mike Nofs for his service to the Marshall Community.

9) **INFORMATIONAL ITEMS**

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

A. **Comcast Urethane Corporation – Industrial Facilities Tax Exemption Certificate Application** P. 28

City Council will hear public comment regarding the request from Comcast Urethane Corporation for an Industrial Facilities Tax Exemption Certificate at 425 Leggitt.

11) **OLD BUSINESS**

12) **REPORTS AND RECOMMENDATIONS**

A. **MDOT Contract 2019-0058 / Purchase of Plow Truck** P. 37

City Council will consider the recommendation to approve the attached resolution authorizing the City Clerk to sign MDOT Contract No. 2019-0058 for purchase of a new, less polluting diesel dump truck cab and chassis to replace an older model and approve the build out through the State of Michigan Extended Purchasing Program for an amount not to exceed \$145,559.

13) **APPOINTMENTS / ELECTIONS**

A. **Marshall Farmers Market Advisory Board**

City Council will consider the recommendation to appoint Suzette Little to the Marshall Farmers Market Advisory Board with a term expiring October 20, 2021 and Lisa Reed and Patty Parker to the Marshall Farmers Market Advisory Board with terms expiring October 20, 2021.

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

December 3, 2018

Page 2



**ADMINISTRATIVE REPORT**  
**December 3, 2018 – CITY COUNCIL MEETING**

**TO:** Honorable Mayor and City Council

**FROM:** Jon B. Bartlett, Finance Director  
Kristin Bauer, Director of Public Services  
Tom Tarkiewicz, City Manager

**SUBJECT:** Creation of a Neighborhood Improvement Authority.

**BACKGROUND:** Administrative staff has researched on how the City of Marshall, if asked, could assist in the development of the Oaklawn/Golden Rule property and other properties by providing public improvements. Staff has determined that a Neighborhood Improvement Authority (NIA) is the best solution. Most of the programs researched were designed for commercially zoned property, while the NIA program is geared for residential zoned areas containing 70% or more residential zoned properties. A presentation of the proposed NIA and development area was presented to the MAEDA Housing Task Force and a motion of acceptance passed unanimously. At the August 27, 2018, Special City Council Meeting, Council set a public hearing for October 1, 2018 in order to hear public comments concerning the proposed Neighborhood Improvement Authority. The 60-day waiting period for the October 1, 2018, public hearing is over and the Marshall City Council has the authority to introduce an ordinance that will create the Northeast Neighborhood Improvement Authority.

**RECOMMENDATION:** It is recommended that City Council set a public hearing for December 17, 2018, to hear final comment on the ordinance that will create and set the boundaries of the Northeast Neighborhood Improvement Authority.

**FISCAL EFFECTS:** The Neighborhood Improvement Authority not only has a Development Plan it also has a corresponding Tax Increment Financing Plan, which would allow the NIA to begin capturing taxes in 2019. The NIA would only capture City taxes, County taxes, Kellogg Community College taxes, the Ambulance Authority and the Marshall District Library have both opted out from having their taxes captured.

The capturing of taxes by the NIA operates just like the DDA and the LDFA where there is a base initial taxable value and any annual increase of the taxable value of the properties within the development area would be the only amount captured. The taxing jurisdictions would continue to receive the current amount of tax they are receiving from all of the properties within the development area.

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**ALTERNATIVES:** As suggested by City Council.

**CITY GOAL CLASSIFICATION:**

**GOAL AREA 1 – ECONOMIC DEVELOPMENT**

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

**GOAL AREA 4 – INFRASTRUCTURE**

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

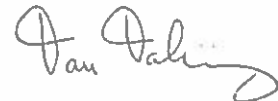
Respectfully Submitted,



Jon B. Bartlett  
Finance Director



Kristin Bauer  
Director of Public Works



Tom Tarkiewicz  
City Manager

**CITY OF MARSHALL, MICHIGAN  
ORDINANCE NUMBER #2018-**

AN ORDINANCE TO AMEND TITLE III, ADMINISTRATION, OF THE CITY OF MARSHALL CODE OF ORDINANCES BY AMENDING CHAPTER 31: CITY ORGANIZATIONS

THE CITY OF MARSHALL ORDAINS:

**Section 1.** THAT TITLE III, ADMINISTRATION, CHAPTER 31: CITY ORGANIZATIONS BE AMENDED BY ADDING THE FOLLOWING SECTIONS TO READ AS FOLLOWS:

Section

31.65	Created; membership; qualifications.
31.66	Terms; vacancies.
31.67	Compensation.
31.68	Election of chairperson.
31.69	Oath of office.
31.70	Meetings.
31.71	Removal of board members for cause.
31.72	Expenses and financial records.
31.73	Writings.
31.74	Duties and powers of the authority.
31.75	Budget; cost of handling and auditing funds.
31.76	Boundaries of the development area
31.77	Dissolution of the authority; property and assets

**31.65 CREATED; MEMBERSHIP; QUALIFICATIONS.**

Pursuant to the provisions of and under the authority of Public Act 61 of 2007, as amended there is hereby created a Northeast Neighborhood Improvement Authority, which shall be under the supervision and control of a Board, consisting of the City Manager or his or her designee, and not less than 5 or more than 9 members appointed by the City Manager, subject to the approval of the City Council. Not less than a majority of the members shall be persons having an ownership or business interest in property located in the development area, as hereinafter described. At least one of the members shall be a resident of the development area or of an area within ½ mile of any part of the development area.

**31.66 TERMS; VACANCIES.**

Of the members first appointed, an equal number of the members, as near as is practicable, shall be appointed for 1 year, 2 years, 3 years, and 4 years. A member shall hold office until the member's successor is appointed. After the initial appointment, each member shall serve for a term of 4 years. An appointment to fill a vacancy shall be made by the City Manager for the unexpired term only.

**31.67 COMPENSATION.**

Members of the board shall serve without compensation, but shall be reimbursed for actual and necessary expenses.

### **31.68 ELECTION OF CHAIRPERSON.**

The chairperson of the board shall be elected by the board.

### **31.69 OATH OF OFFICE.**

Before assuming the duties of office, a member shall qualify by taking and subscribing to the constitutional oath of office.

### **31.70 MEETINGS.**

The proceedings and rules of the board are subject to the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. The board shall adopt rules governing its procedure and the holding of regular meetings, subject to the approval of the governing body. Special meetings may be held if called in the manner provided in the rules of the board.

### **31.71 REMOVAL OF BOARD MEMBER FOR CAUSE.**

After having been given notice and an opportunity to be heard, a member of the board may be removed for cause by the Marshall City Council.

### **31.72 EXPENSES AND FINANCIAL RECORDS.**

All expense items of the authority shall be publicized monthly and the financial records shall always be open to the public.

### **31.73 WRITINGS.**

A writing prepared, owned, used, in the possession of, or retained by the board in the performance of an official function is subject to the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

### **31.74 DUTIES AND POWERS OF THE AUTHORITY.**

The board shall possess all the powers granted to it by P.A. 61 of 2007, as amended, and shall perform any and all acts required of it.

### **31.75 BUDGET; COST OF HANDLING AND AUDITING FUNDS.**

1. A budget shall be submitted to the board for the operation of the authority for each fiscal year before the beginning of the fiscal year. The budget shall be prepared in the manner and contain the information required of other City departments. After review by the board, the budget shall be submitted to the Marshall City Council. The Marshall City Council shall approve the budget before the board may adopt the budget. Unless authorized by the Marshall City Council or by P.A. 61 of 2007, as amended, funds of the municipality shall not be included in the budget of the authority.
2. The Marshall City Council shall assess a reasonable pro rata share of the funds for the cost of handling, accounting, and auditing the funds against the funds of the authority, other than those committed, which shall be paid annually by the board pursuant to an appropriate item in its budget.

### **31.76 BOUNDARIES OF THE DEVELOPMENT AREA**

A tract of land within the City of Marshall with Point of Beginning at the southeast corner of Lot 56, Upper Village Annex. Thence north 20 rods, parallel with the east section line of Sect. 25, T2S, R6W. Thence running along the west side of East Dr., north 66 ft. to the southeast corner of Lot 11, East Drive. Thence continuing along the west side of East Dr. right of way, north 501.88 ft. to the northeast corner of Lot 7, East Drive. Thence north 60 ft. crossing Mann Rd. right of way to a point at the southeast corner of Lot 29, East Drive. Thence continuing along the west side of East Dr. right of way along the arc of a curve to the left 212.2 ft., whose radius is 1,420.95 ft. and chord bearing N 08°33'40" W. Thence continuing along said west right of way line along the arc of a curve to the right 330.15 ft., whose radius is 540.46 ft. and chord bearing N 10°57'00" E. Thence along the arc of a curve to the right 143.87 ft., whose radius is 1,741.28 ft. and chord bearing N 19°19'00" E, to a point at the northeast corner of Lot 23, East Drive. Thence continuing along the west right of way line of East Dr., N 28°10'00" E 171.22 ft. to a point at the northeast corner of Lot 76, East Drive #2. Thence crossing Forest St. right of way, N 28°10'00" E 60.12 ft. to a point at the southeast corner of Lot 50, East Drive #2. Thence continuing along the west side of East Dr. right of way, N 28°10'00" E 242.17 ft. to a point at the intersection of East Dr. and Hill Rd. Thence N 00°10'00" E 651.36 ft. to a point at the northeast corner of Lot 42, East Drive #2. Thence continuing along the west side of East Dr. right of way, N 00°10'00" E 216.98 ft. to a point in the south half of Lot 172, East Drive #6. Thence along the arc of a curve to the left 443.79 ft whose radius is 443.84 ft., and delta angle N 89°03'00" E to a point on the north side of Lot 161, East Drive #6. Thence crossing East Dr. right of way, N 43°35'00" E 66 ft. to a point at the southeast corner of Lot 155, East Drive #6. Thence continuing along the east line of said Lot 155, N 43°35'00" E 172.05 ft. Thence continuing along said east line, N 01°07'00" E 88.0 ft., to a point at the northeast corner of said Lot 155. Thence S 88°53'00" E 741.0 ft. to a point at the northeast corner of Lot 88, East Drive #3. Thence along the east line of said Lot 88, S 00°09'00" W 31.42 ft. to a point at the northwest corner of Lot 179, East Drive #7. Thence S 89°57'24" E 314.29 ft. along the east-west ¼ line of Sect. 19, T2S, R5W. Thence along the arc of a curve to the left 626.11 ft., whose radius is 6,736.12 ft. and chord bearing S 75°13'25" E 625.88 ft. to a point on the east line of the west ½ of southwest ¼ of said Sect. 19. Thence along the arc of a curve to the left 1,273.03 ft., whose radius is 6,736.12 ft. and chord bearing S 80°15'03" E 573.38 ft. Thence S 00°06'30" W 355.4 ft. along the west line of 18 ½ Mile Rd. right of way. Thence N 89°56'48" W 390.56 ft. Thence S 07°38'42" E 547.89 ft. to a point on the east side of Woodruff Dr. right of way. Thence S 89°55'50" E 353.76 ft. to a point on the west side of 18 ½ Mile Rd. right of way. Thence S 00°06'30" W 796.67' to a point on the north side of Centennial Rd. right of way. Thence along said right of way, S 48°37'24" W 326.30 ft. Thence N 00°00'12" E 231.54 ft. to a point on the west side of Woodruff Dr. right of way. Thence N 89°55'21" W 1055.41 ft. to the east line of the east ½ of the southwest ¼ of Sect. 19, T2S, R5W. Thence south along said east line 641.25 ft. Thence S 89°25'26" W 338.91 ft. Thence S 89°25'16" W 353.91 ft. Thence south 600 ft. to a point on the north line of E. Michigan Ave. right of way. Thence continuing along said right of way, S 73°20'00" W 272.26 ft. to the west section line of Sect. 30, T2S, R5W. Thence continuing along said right of way, S 73°34'00" W 851.9 ft. to a point on the south line of Lot 59, Upper Village Annex. Thence N 89°20'00" W 102.5 ft. to a point at the southwest corner of Lot 58, Upper Village Annex, said point also being the east line of East Dr. right of way. Thence N 89°20'00" W 66 ft. to a point at the southeast corner of Lot 56, Upper Village Annex, said point also being the Point of Beginning.

### **31.77 DISSOLUTION OF THE AUTHORITY; PROPERTY AND ASSETS.**

An authority that has completed the purposes for which it was organized shall be dissolved by ordinance of the Marshall City Council. Property and assets of the authority remaining after the satisfaction of the obligations of the authority belong to the City of Marshall.



**Severability.**

The various parts, sections and clauses of the Ordinance are declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a Court of competent jurisdiction, the remainder of the ordinance shall not be affected.

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

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

Adopted and signed this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Jack Reed, MAYOR

\_\_\_\_\_  
Trisha Nelson, CITY CLERK

I, Trisha Nelson, being duly sworn as the 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 December 17, 2018, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available by said Act.

\_\_\_\_\_  
Trisha Nelson, CITY CLERK



**ADMINISTRATIVE REPORT**  
**December 3, 2018 City Council Meeting**

**REPORT TO:** Honorable Mayor and City Council  
**FROM:** Tom Tarkiewicz, City Manager  
**SUBJECT:** Amend Chapter 119 Section 1 Security Plan Definition

**BACKGROUND:** In May of 2017, Chapter 119 was ordained. As Staff has worked with developers, the current definition of Security Plan has been problematic. The definition currently reads:

**SECURITY PLAN.** A plan for preventing unauthorized access to, or theft and pilferage from, an MMMFLA licensed facility, approved for operation in the City of Marshall. A security plan must be approved by the City Manager with the advice of the Director of Public Safety. The plan shall be subject to review and reasonable approval by city staff, but shall include, at a minimum, the following components:

- (1) An eight-foot tall perimeter fence;
- (2) An exterior lighting system;
- (3) A building security system;
- (4) An on-site security guard program;
- (5) An off-site official contact list;
- (6) Established hours of operation;
- (7) Appropriate signage;
- (8) A plan for facility inspection by the City of Marshall, which shall include no less than an annual comprehensive fire and security inspection; and
- (9) Such other conditions as may be suitable for the particular license or facility to be operated by the MMMFLA licensee.

City Attorney David Revore has recommended some changes to the definition. Attached is a proposed Ordinance amendment. Also attached is a red-line/strikeout copy.

**RECOMMENDATION:** It is recommended that the City Council establish a public hearing for December 17, 2018 at 7:00 PM to hear public comment on amending Chapter 119 Section 1 Security Plan definition.

**FISCAL EFFECT:** None.

**ALTERNATIVES:** As suggested by Council.

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Respectfully Submitted,

Tom Tarkiewicz,  
City Manager

**CITY OF MARSHALL, MICHIGAN  
ORDINANCE #2018-**

AN ORDINANCE TO AMEND CITY OF MARSHALL CODE, CHAPTER 119: MEDICAL MARIHUANA. THE CITY OF MARSHALL HEREBY ORDAINS:

**Section 1.** That chapter and section §119.03 Definitions; “SECURITY PLAN” of the Marshall City Code, shall be and is deleted in its entirety and is hereby amended as follows:

**SECURITY PLAN.** A plan for preventing unauthorized access to, or theft and pilferage from, an MMMFLA licensed facility, approved for operation in the City of Marshall. The security plan shall be subject to review and pre-approval by City staff based upon the below components. The final security plan must be approved by the City Manager with the advice of the Director of Public Safety. Based upon the size and structure of the facility, location, and lot configuration, the security plan may include, but not limited to, the following components:

- (1) An eight-foot tall perimeter fence;
- (2) An exterior lighting system;
- (3) A building security system;
- (4) An on-site security guard program;
- (5) An off-site official contact list;
- (6) Established hours of operation;
- (7) Appropriate signage;
- (8) A plan for facility inspection by the City of Marshall, which shall include no less than an annual comprehensive fire and security inspection; and
- (9) Such other conditions as may be suitable for the particular license or facility to be operated by the MMMFLA licensee.

**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.** If any section, paragraph, clause, phrase or part of this Ordinance is held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance, and the application of those provisions to any person or circumstances shall not be affected thereby.

**Section 4.** Except as specifically amended herein, all other provisions of Ordinance #2017-05 shall remain in full force and effect.

**Section 5.** This Ordinance is declared to be effective immediately upon publication.

Adopted and signed this 17<sup>th</sup> day of December 17, 2018.

\_\_\_\_\_  
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 December 17, 2018, 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

**CITY OF MARSHALL, MICHIGAN  
ORDINANCE #2018-**

AN ORDINANCE TO AMEND CITY OF MARSHALL CODE, CHAPTER 119: MEDICAL MARIHUANA. THE CITY OF MARSHALL HEREBY ORDAINS:

**Section 1.** That chapter and section §119.03 Definitions; “SECURITY PLAN” of the Marshall City Code, shall be and is deleted in its entirety and is hereby amended ~~to the following as follows:~~

**SECURITY PLAN.** A plan for preventing unauthorized access to, or theft and pilferage from, an MMMFLA licensed facility, approved for operation in the City of Marshall. A The security plan shall be subject to review and pre-approval by City staff based upon the below components. The final security plan must be approved by the City Manager with the advice of the Director of Public Safety. The plan shall be subject to review and reasonable approval by city staff, but shall include, at a minimum Based upon the size and structure of the facility, location, and lot configuration, the security plan may include, but not limited to, the following components:

- (1) An eight-foot tall perimeter fence;
- (2) An exterior lighting system;
- (3) A building security system;
- (4) An on-site security guard program;
- (5) An off-site official contact list;
- (6) Established hours of operation;
- (7) Appropriate signage;
- (8) A plan for facility inspection by the City of Marshall, which shall include no less than an annual comprehensive fire and security inspection; and
- (9) Such other conditions as may be suitable for the particular license or facility to be operated by the MMMFLA licensee.

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**Section 3.** ~~Section 3.~~ If any section, paragraph, clause, phrase or part of this Ordinance is held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance, and the application of those provisions to any person or circumstances shall not be affected thereby.

**Section 4.** Except as specifically amended herein, all other provisions of Ordinance #2017-05 shall remain in full force and effect.

**Section 5.** This Ordinance is declared to be effective immediately upon publication.

Adopted and signed this 17<sup>th</sup> day of December 17, 2018.

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Jack Reed, MAYOR

---

Trisha Nelson, CITY CLERK

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Trisha Nelson, CITY CLERK



**ADMINISTRATIVE REPORT**  
**December 3, 2018 – CITY COUNCIL MEETING**

**REPORT TO:** Honorable Mayor and City Council

**FROM:** Trisha Nelson, Clerk  
Tom Tarkiewicz, City Manager

**SUBJECT:** 2019 City Council Meetings

**BACKGROUND:** According to Marshall City Charter Section 2.15 (a), Council shall meet regularly at least once in every month. As such, the Council has customarily held its meetings on the first and third Monday of the month, unless a holiday falls on a Monday.

Attached is a listing of meeting dates for City Council in the Year 2019. All meetings will be held at 7:00 p.m. in the Council Chambers of Town Hall.

**RECOMMENDATION:** None. This is an informational report.

**FISCAL EFFECT:** None.

**ALTERNATIVES:** As suggested by Council.

Respectfully submitted,

A handwritten signature in cursive script that reads "Trisha Nelson".

Trisha Nelson  
Clerk

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

Tom Tarkiewicz  
City Manager

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**CITY OF MARSHALL**

**PUBLIC NOTICE**

**THE MARSHALL CITY COUNCIL MAY HOLD WORK SESSIONS PRIOR TO COUNCIL MEETINGS AT 6:00 P.M., AT TOWN HALL IN THE TRAINING ROOM, 323 WEST MICHIGAN AVENUE, MARSHALL, MI 49068.**

**THE MARSHALL CITY COUNCIL WILL HOLD ITS REGULAR MEETINGS IN THE YEAR 2019 AT 7:00 P.M., AT TOWN HALL IN THE COUNCIL CHAMBERS, 323 WEST MICHIGAN AVENUE, MARSHALL, MI 49068, ON THE FOLLOWING DATES:**

Monday, January 7<sup>th</sup>

*Tuesday, January 22<sup>nd</sup>*

Monday, February 4<sup>th</sup>

*Tuesday, February 19<sup>th</sup>*

Monday, March 4<sup>th</sup>

Monday, March 18<sup>th</sup>

Monday, April 1<sup>st</sup>

Monday, April 15<sup>th</sup>

Monday, May 6<sup>th</sup>

Monday, May 20<sup>th</sup>

Monday, June 3<sup>rd</sup>

Monday, June 17<sup>th</sup>

Monday, July 1<sup>st</sup>

Monday, July 15<sup>th</sup>

Monday, August 5<sup>th</sup>

Monday, August 19<sup>th</sup>

*Tuesday, September 3<sup>rd</sup>*

Monday, September 16<sup>th</sup>

Monday, October 7<sup>th</sup>

Monday, October 21<sup>st</sup>

Monday, November 4<sup>th</sup>

Monday, November 18<sup>th</sup>

*Tuesday, December 3<sup>rd</sup>*

Monday, December 16<sup>th</sup>

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Trisha Nelson, Clerk





**ADMINISTRATIVE REPORT**  
**December 3, 2018 – CITY COUNCIL MEETING**

**REPORT TO:** Honorable Mayor and City Council

**FROM:** Trisha Nelson, Clerk  
Tom Tarkiewicz, City Manager

**SUBJECT:** Appointment or Reappointment of Boards and  
Commission Members

**BACKGROUND:** According to Marshall City Charter Section 2.13(d) Council shall, in December of each year, publish a listing of all board or commission positions which are scheduled to expire the following year and the term of office for each. Such notice shall also state how applicants may apply for such vacancies. The notice shall be published in a newspaper of general circulation within the city. Said notice shall also be posted in City Hall.

Attached is a listing of vacancies which will be published in the Advisor Chronicle.

**RECOMMENDATION:** None. This is an informational report

**FISCAL EFFECT:** None.

**ALTERNATIVES:** As suggested by Council.

Respectfully submitted,

Trisha Nelson  
Clerk

Tom Tarkiewicz  
City Manager

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**CITY OF MARSHALL NOTICE**  
**Boards and Commissions Positions**

Section 2.13: Appointment of Boards and Commissions, of the City Charter, requires publication, in December, a listing of all Board and Commission positions which are scheduled to expire the following year and the term of office.

Following is a listing of Boards and Commissions positions whose terms are scheduled to expire in 2019. Interested parties wishing to volunteer their services may apply by filling out an application and submitting a resume to the Mayor, Marshall City Hall, 323 West Michigan Avenue, Marshall, MI 49068. Some expired seats may be filled by the incumbent member.

<b>Board or Commission</b>	<b>Term of Office</b>
AIRPORT BOARD Two positions	10/1/2019 to 9/30/2022
BROOKS NATURE AREA Two positions	8/15/2019 to 8/14/2022
CONSTRUCTION BOARD OF APPEALS Two positions	10/7/2019 to 10/6/2022
DISTRICT LIBRARY BOARD One position	3/31/2019 to 3/30/2022
DOWNTOWN DEVELOPMENT AUTHORITY/ LOCAL DEVELOPMENT FINANCE AUTHORITY One position	9/15/2019 to 9/14/2023
LOCAL ADVISORY COMMITTEE One position	2/1/2019 to 1/31/2022
MARSHALL FARMERS MARKET ADVISORY BOARD Three positions	10/20/2019 to 10/19/2022
PARKS AND RECREATION Two positions	7/01/2019 to 6/30/2022
PLANNING COMMISSION Two positions	11/01/2019 to 10/31/2022
SISTER CITY COMMITTEE Four positions	11/01/2019 to 10/15/2022
ZONING BOARD OF APPEALS Two positions	3/10/2019 to 3/09/2022

Trisha Nelson, Clerk  
12/4/2018

IN A WORK SESSION held Monday, November 19, 2018 at 5:30 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: Caron, Costa (via telephone), McNeil, Metzger, and Mayor Reed

Also Present: City Manager Tarkiewicz, Director of Electric & Fiber Utility Ed Rice, Director of Public Safety Jim Schwartz, Finance Director Jon Bartlett, and City Attorney David Revore.

Absent: Council Members Williams and Wolfersberger.

City Council and City Attorney David Revore discussed the Recreational Marihuana Law.

Adjourned at 7:00 PM.

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Jack Reed, Mayor

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Trisha Nelson, Clerk

**CALL TO ORDER**

IN REGULAR SESSION Monday, November 19, 2018 at 7:00 P.M. in the Council Chambers of Town Hall, 323 West Michigan Avenue, Marshall, MI, the Marshall City Council was called to order by Mayor Reed.

**ROLL CALL**

Roll was called:

Present: Council Members: Caron, Costa, McNeil, Metzger, and Mayor Reed.

Also Present: City Manager Tarkiewicz and Clerk Nelson.

Absent: Council Members Williams and Wolfersberger.

Moved McNeil, supported Caron, to excuse Council Members Williams and Wolfersberger. On a voice vote – **MOTION CARRIED.**

**INVOCATION/PLEDGE OF ALLEGIANCE**

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

**APPROVAL OF THE AGENDA**

Moved Metzger, supported Costa, to approve the agenda with the addition of Item 13A: Planning Commission Appointments. On a voice vote – **MOTION CARRIED.**

**PUBLIC COMMENT ON AGENDA ITEMS**

None.

**CONSENT AGENDA**

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

- A. Approve the proposed Traffic Control Order #106 to remove yield signs that are currently in place on Hanover Street at Marshall Street and replace with stop signs;
- B. Schedule a public hearing for Monday, December 3, 2018 to hear public comment regarding an application for an Industrial Facilities Tax Exemption Certificate for Comcast Urethane at 425 Leggitt;
- C. Minutes of the City Council Regular Session held on Monday, October 15, 2018;
- D. Approve city bills in the amount of \$ 1,867,776.47.

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

## **PRESENTATIONS AND RECOGNITION**

### **A. Boy Scout – Eagle Scout Award:**

Mayor Reed recognized Paul Radulescu on the occasion of earning his Eagle Scout rank in the Boy Scouts of America.

## **INFORMATIONAL ITEMS**

None.

## **PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION**

None.

## **OLD BUSINESS**

None.

## **REPORTS AND RECOMMENDATIONS**

### **A. 1<sup>st</sup> Quarter Financial Report:**

Moved Metzger, supported McNeil, to accept and place on file the 1<sup>st</sup> Quarter Financial Report as presented. On a voice vote – **MOTION CARRIED.**

### **B. 1<sup>st</sup> Quarter Investment Portfolio Report:**

Moved Metzger, supported Costa, to accept and place on file the 1<sup>st</sup> Quarter Investment Portfolio Report as presented. On a voice vote – **MOTION CARRIED.**

### **C. 1<sup>st</sup> Quarter Cash Position Report:**

Moved Metzger, supported McNeil, to accept and place on file the 1<sup>st</sup> Quarter Cash Position Report as presented. On a voice vote – **MOTION CARRIED.**

## **APPOINTMENTS/ELECTIONS**

### **A. Planning Commission Appointments:**

Moved Metzger, supported Caron, to approve the reappointment of Matt Davis, Tim Banfield, Jason Bomia, and Julie Burke-Smith to the Planning Commission with terms expiring November 1, 2021. On a voice vote – **MOTION CARRIED.**

## **PUBLIC COMMENT ON NON-AGENDA ITEMS**

Kathy Miller of 540 Cosmopolitan spoke regarding the Winter Farmer's Market at the B.E. Henry Building and for the first time in that location had 218 visitors.

**COUNCIL AND MANAGER COMMUNICATIONS**

**CLOSED SESSION**

**Moved** McNeil, supported Metzger, to enter into Closed Session under section 8 (a) of the Michigan Open Meetings Act to discuss the periodic personnel evaluation of the City Manager. On a roll call vote – ayes: Caron, Costa, McNeil, Metzger, and Mayor Reed; nays: none. **MOTION CARRIED.**

Enter into Closed Session at 7:45 p.m.

Return to open Session at 8:55 p.m.

**ADJOURNMENT**

The meeting was adjourned at 8:55 p.m.

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Jack Reed, Mayor

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Trisha Nelson, City Clerk

APPROVAL LIST 2 FOR CITY OF MARSHALL  
 EXP CHECK RUN DATES 01/01/2018 - 12/06/2018  
 UNJOURNALIZED  
 OPEN AND PARTIALLY PAID

INVOICE NUMBER	INVOICE DATE	VENDOR NAME	DESCRIPTION	AMOUNT
BANK CODE: MAIN				
256546	10/31/2018	AD-VISOR & CHRONICLE	MARSHALL CITY COUNCIL MEETING	325.02
9957058715	10/31/2018	AIRGAS USA LLC	ACETYLENE, ARGON, OXYGEN	138.99
89119	10/08/2018	ALL-TRONICS INC	MAINTENANCE PLUS 1 YR FOR NEC SV9100 PHO	1,600.00
I028923	11/06/2018	AUTO GLASS SOLUTIONS,	WINDSHIELD	200.00
W015808	11/06/2018	AUTO GLASS SOLUTIONS,	WINDSHIELD	250.00
W015807	10/31/2018	AUTO GLASS SOLUTIONS,	WINDSHIELD	200.00
225-439085	11/07/2018	AUTO VALUE MARSHALL	TRAILER CONNECT	3.39
225-439239	11/12/2018	AUTO VALUE MARSHALL	DART 11	68.56
225-438801	10/31/2018	AUTO VALUE MARSHALL	DART 11	47.50
225-438984	11/06/2018	AUTO VALUE MARSHALL	DART 11	166.36
225439356	11/14/2018	AUTO VALUE MARSHALL	OIL DRY	33.87
225-439417	11/15/2018	AUTO VALUE MARSHALL	CONTOUR BLADE	25.98
225-438275	10/17/2018	AUTO VALUE MARSHALL	CLEAR	15.78
225-438732	10/30/2018	AUTO VALUE MARSHALL	SUPPLIES	203.72
225-439077	11/07/2018	AUTO VALUE MARSHALL	FLEX TUBE & BAND CLAMP	102.90
225-439655	11/21/2018	AUTO VALUE MARSHALL	SUPER HC V BELT	57.57
225-439654	11/21/2018	AUTO VALUE MARSHALL	POWERATED BELT	(78.87)
225-439600	11/20/2018	AUTO VALUE MARSHALL	POWERATED BELT	78.87
225-439588	11/20/2018	AUTO VALUE MARSHALL	SUPPLIES	59.17
225-439773	11/26/2018	AUTO VALUE MARSHALL	IMPACT TOOL	379.95
225-439446	11/16/2018	AUTO VALUE MARSHALL	OIL & FILTER	51.99
2265790571	11/16/2018	AUTO ZONE INC	HIGH TEMP SOCKET	11.49
388-P8099549	11/13/2018	BATTERIES PLUS BULBS	12V BATTERY	184.95
098580	11/12/2018	BENNETTS WOODWORKS	SIDE BOARDS FOR NEW SALT TRUCK	160.00
98232	10/31/2018	BOSHEARS FORD SALES IN	SERVICE 2017 FORD EXPLORER	53.35
96983	07/30/2018	BOSHEARS FORD SALES IN	SERVICE 2016 FORD EXPLORER	1,674.88
83022770	10/30/2018	BOUND TREE MEDICAL LLC	MEDICAL SUPPLIES	18.10
83020132	10/26/2018	BOUND TREE MEDICAL LLC	MEDICAL SUPPLIES	302.40
119038	11/08/2018	CARON CHEVROLET	MIRROR	478.90
MAR-03.1-03	11/07/2018	CHALLENGER TECHNOLOGIE	FIBERNET PHASE VI UNDERGROUND CONSTRUCTI	4,486.75
MAR-03.4-01	11/07/2018	CHALLENGER TECHNOLOGIE	FIBERNET PHASE VI UNDERGROUND CONSTRUCTI	14,158.60
MAR-03.3-01	11/07/2018	CHALLENGER TECHNOLOGIE	FIBERNET PHASE VI UNDERGROUND CONSTRUCTI	77,418.50
MAR-03.1-02	10/24/2018	CHALLENGER TECHNOLOGIE	FIBERNET PHASE VI UNDERGROUND CONSTRUCTI	59,143.30
109S1116	11/13/2018	CROSSROADS MOBILE MAIN	REPAIR BOOM	1,007.88
S3-14884	11/16/2018	CUMMINS BRIDGEWAY	WTP GENERATOR MAINTENANCE 2018	712.80
S3-12587	10/29/2018	CUMMINS BRIDGEWAY	MAINTENANCE	896.28
538536	11/16/2018	DARLING ACE HARDWARE	CONNECTOR	1.18
538361	11/14/2018	DARLING ACE HARDWARE	SUPPLIES	25.36
538102	11/09/2018	DARLING ACE HARDWARE	HEATER FOR COMPOST	32.31
538441	11/15/2018	DARLING ACE HARDWARE	SALT SPREADER	119.99
538281	11/13/2018	DARLING ACE HARDWARE	NEW SALT TRUCK PAINT	52.55
537926	11/07/2018	DARLING ACE HARDWARE	SUPPLIES	18.37
537939	11/07/2018	DARLING ACE HARDWARE	SUPPLIES	24.48
538668	11/20/2018	DARLING ACE HARDWARE	EXHAUST FAN BELT	6.59
538673	11/20/2018	DARLING ACE HARDWARE	VINEGAR	4.59
538992	11/27/2018	DARLING ACE HARDWARE	PIVOT GUIDE TOP	3.59
538912	11/26/2018	DARLING ACE HARDWARE	SCREEN REPAIR	98.99
138952	10/29/2018	DLZ	CONSTRUCTION OVERSIGHT & INSPECTION MARS	33,361.53
3253750	11/08/2018	EDWARDS INDUSTRIAL SAL	HOSE, O-RING	40.94
0062618	11/07/2018	FERGUSON ENTERPRISES I	VALVE BOX TOP	508.32
1128170	10/31/2018	FIRST ADVANTAGE	APT #218	13.75
18-10447	11/12/2018	GARAGE DOORS UNLIMITED	SERVICE CALL AT DPW	99.00
9008781446	11/19/2018	GRAINGER	PUSH BUTTON ROD KIT	42.08
111918	11/19/2018	GRANDMA'S HELPING HAND	APARTMENT CLEANING #409	100.00
9307262653	11/15/2018	GRAYBAR ELECTRIC	COMMSCOPE SUPPLIES- MST, TRAYS QUOTE#023	826.72
9307250607	11/15/2018	GRAYBAR ELECTRIC	1 1/2" CONDUIT W/ TRACER WIRE OUR STOCK	1,371.43
00078300	11/08/2018	GREENSCAPE SERVICES	REPAIR TO IRRIGATION SYSTEM	95.98
1676345	10/30/2018	GRIFFIN PEST SOLUTIONS	MONTHLY SERVICE 1201 ARMS ST	44.00
298717	11/16/2018	HAVILAND PRODUCTS COME	BLANKET PO FOR TREATMENT CHEMICALS	4,277.23
2899	11/15/2018	HE CLEANS TOO, LLC	JANITORIAL SUPPLIES	142.54
100243-1118	11/01/2018	HERITAGE CLEANERS	MPD CLEANING	888.00
77987	11/13/2018	HERMANS MARSHALL HARDW	BATTERIES	65.76
4821	11/14/2018	HUMANERGY INC.	MARSHALL HOUSE TENANT SURVEY	6,100.00
M26110	11/16/2018	IMPACT SOLUTIONS	ENERGY OPTIMIZATION & FIBERNET ADVERTISE	236.48
M26100	11/16/2018	IMPACT SOLUTIONS	SHUT OFF TAGS	507.25
9318	11/15/2018	INTERIOR MAINTENANCE	STRIP AND SEAL FLOORS IN COMMUNITY ROOM	608.50
11052018	11/05/2018	INTERNATIONAL INSTITUT	ANNUAL MEMBERSHIP FEE	170.00
111318	11/13/2018	ISAAC & SONS	FIRST FLOOR, LIBRARY CARPET & FURNITURE	1,505.00
110518	11/05/2018	ISAAC & SONS	COMMON AREA CARPET CLEANING	1,585.00
9403	11/19/2018	J AND K PLUMBING SUPPL	BOLTS, JOHNI QUICK BLT, FOAM RUBER CLOSE	23.37
A16545	11/07/2018	JACK DOHENY COMPANIES,	CHAIN GUIDE PLATE	67.00

APPROVAL LIST 2 FOR CITY OF MARSHALL  
 EXP CHECK RUN DATES 01/01/2018 - 12/06/2018  
 UNJOURNALIZED  
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INVOICE NUMBER	INVOICE DATE	VENDOR NAME	DESCRIPTION	AMOUNT
BANK CODE: MAIN				
131	11/08/2018	JOHN B SULLIVAN	SERVICES 7/1 - 9/30	6,627.00
011243	11/01/2018	LEWEY'S SHOE REPAIR	PATCH ON COAT - ERIC WEBERLING	5.00
014669	11/05/2018	LEWEY'S SHOE REPAIR	BOOT ALLOWANCE - CINDY UPRIGHT	295.00
014637	10/27/2018	LEWEY'S SHOE REPAIR	BOOT ALLOWANCE - ED MILLER	165.00
3431-1118	11/01/2018	MARSHALL COMMUNITY CU	3431 - CITY OF MARSHALL	191.57
2922 - 1118	11/01/2018	MARSHALL COMMUNITY CU	2922 - SEARS	505.36
6996-1118	11/01/2018	MARSHALL COMMUNITY CU	6996 - BAUER	82.15
3507-1118	11/01/2018	MARSHALL COMMUNITY CU	3507 - MCDONALD	38.11
9156-1118	11/01/2018	MARSHALL COMMUNITY CU	9156 - MILLER	2,110.44
7617-1118	11/01/2018	MARSHALL COMMUNITY CU	7617 - RAMEY	818.35
7681-1118	11/01/2018	MARSHALL COMMUNITY CU	7681 - TARKIEWICZ	822.01
4868-1118	11/01/2018	MARSHALL COMMUNITY CU	4868 - RICE	251.96
110818	11/08/2018	MICHIGAN DEPT OF TRANS	MARSHALL AVE BRIDGE MATCH FUNDS	23,278.69
34289300	11/16/2018	MSC INDUSTRIAL SUPPLY	CAUTION TAPE	43.84
31863690	11/09/2018	MSC INDUSTRIAL SUPPLY	MARKING PAINT	179.76
517896	11/16/2018	NAPA OF MARSHALL	9007 LED PAIR	69.99
517377	11/09/2018	NAPA OF MARSHALL	POWER HOUSE MOWER BATTERY	105.91
677030	11/13/2018	NYE UNIFORM COMPANY	SGT STRIPES	32.66
89556	10/30/2018	O'LEARY WATER CONDITIO	WATER	45.00
89557	10/30/2018	O'LEARY WATER CONDITIO	WATER COOLER	61.00
2018-93	10/25/2018	OERTHERS	RED MULCH	52.47
1193008	11/02/2018	OFFICE 360	SUPPLIES	5.99
1200795	11/13/2018	OFFICE 360	CALENDARS	34.45
18171	11/20/2018	PALM TEES	T-SHIRTS, PLAQUES	594.00
1612	11/24/2018	PARAGON LABORATORIES,	QUARTERLY MERCURY ANALYSIS	245.00
2018-0017	11/17/2018	PARKS COMMUNICATION SO	INSTALL SERVICE	680.00
56313579	11/12/2018	POWER LINE SUPPLY	OKONITE 1/0 COPPER PRIMARY WIRE- UNDERGR	771.74
56314533	11/14/2018	POWER LINE SUPPLY	5/8 M BOLT	121.69
56315301	11/18/2018	POWER LINE SUPPLY	BLANKET PURCHASE ORDER FOR ELECTRIC DEPT	3,400.18
402	10/22/2018	PSTGP, LLC	POLICE SUPERVISOR LEGAL LIABILITY	150.00
53697	10/17/2018	R&R FIRE TRUCK REPAIR,	ANNUAL EQUIP MAINT	546.66
13058	11/27/2018	RADIO COMMUNICATIONS	REMOVE RADIO FROM HYDRO TRUCK	477.25
13057	11/27/2018	RADIO COMMUNICATIONS	INSTALL RADIO IN NEW SALT TRUCK	352.25
1071371	10/31/2018	ROSATI, SCHULTZ, JOPPI	GENERAL MATTERS	540.00
20946	11/20/2018	RS TECHNICAL SERVICE	IMETER CALIBRATION	457.00
20945	11/20/2018	RS TECHNICAL SERVICE	IANNUAL CALIBRATION	130.00
40368	11/19/2018	SAFETY SERVICES INCORP	HARNES & LANYARDS	811.81
062288	10/31/2018	SCOTT- MERRIMAN, INC.	PARKING CITATIONS WITH MAILER	848.80
1603-6	11/14/2018	SHERWIN-WILLIAMS	UNIT 225 COMPLETE	1,662.47
1602-8	11/14/2018	SHERWIN-WILLIAMS	APT #409	201.99
SA000039007	10/30/2018	STANARD & ASSOCIATES,	LAW ENFORCEMENT TEST	355.00
1476	10/30/2018	SWIFT FUELS LLC	SWIFT UNLEADED 94 OCTANE AVGAS FOR BROOK	11,972.14
MAR13388	11/13/2018	TIRE CITY TIRE PROS	TIRES	585.64
MAR13398	11/13/2018	TIRE CITY TIRE PROS	TIRES	667.92
MAR13246	11/07/2018	TIRE CITY TIRE PROS	LEFT FRONT TIRE REPAIR	20.00
2790083525-113018	11/16/2018	TRUGREEN	ICE MELT BAGS	1,236.76
2790083525-111618	11/30/2018	TRUGREEN	ICE MELT BAGS	618.38
1610032775	11/21/2018	UNIFIRST CORPORATION	MARSHALL HOUSE	39.88
161 0032773	11/21/2018	UNIFIRST CORPORATION	POWER HOUSE	52.87
161 0032310	11/21/2018	UNIFIRST CORPORATION	POWER HOUSE	52.87
161 0032312	11/14/2018	UNIFIRST CORPORATION	MARSHALL HOUSE	39.88
1610032771	11/21/2018	UNIFIRST CORPORATION	DPW GARAGE	63.57
161 0032772	11/21/2018	UNIFIRST CORPORATION	ELECTRIC	181.06
161 0032770	11/21/2018	UNIFIRST CORPORATION	WASTE WATER	34.75
161 0032308	11/14/2018	UNIFIRST CORPORATION	DPW GARAGE	63.57
161 0032311	11/14/2018	UNIFIRST CORPORATION	WATER	34.82
161 0032309	11/14/2018	UNIFIRST CORPORATION	ELECTRIC	181.06
161 0032307	11/14/2018	UNIFIRST CORPORATION	WASTE WATER	34.84
161 0032774	11/21/2018	UNIFIRST CORPORATION	WATER	34.82
530355224	11/06/2018	UTILITIES INSTRUMENTAT	OIL SAMPLING AND TRANSFORMER MAINTENANCE	2,009.45
61098	11/13/2018	WIGHTMAN & ASSOCIATES,	RESEARCH	52.50
TOTAL BANK				283,851.14
GRAND TOTAL:				283,851.14



APPROVAL LIST 2 FOR CITY OF MARSHALL  
 EXP CHECK RUN DATES 09/01/2018 - 11/09/2018  
 UNJOURNALIZED  
 OPEN AND PARTIALLY PAID

INVOICE NUMBER	INVOICE DATE	VENDOR NAME	DESCRIPTION	AMOUNT
BAN CODE: MAIN				
102018	10/31/2018	CALHOUN COUNTY TREASU	TRAILER FEE	80.00
110518	11/05/2018	CITY OF MARSHALL	LOUIE'S - ELECTION DAY	40.80
102718	10/27/2018	EICHER, MARY	TOKENS REDEEMED	60.00
110718	11/07/2018	FOUNTAIN AUTOMOTIVE C	ENERGY OPTIMIZATION	189.00
10302018	10/24/2018	FRIEND, LEE	TRAVEL - LUNCH	18.76
110718	11/07/2018	HOLLY VANDERPUYL	ENERGY OPTIMIZATION	200.00
3396838	10/31/2018	IIX INSURANCE INFORMA	MOTOR VEHICLE REPORTS	64.90
102718	10/27/2018	OLD MACDONALD'S FARM	TOKENS REDEEMED	66.00
0249-006145553	10/25/2018	REPUBLIC SERVICES #24	NOVEMBER 2018	1,548.79
102718	10/27/2018	SNICKS FARM/WILLOW GA	TOKENS REDEEMED	51.00
102718	10/27/2018	TOLLGATE GARDENS	TOKENS REDEEMED	62.00
110618	11/06/2018	TRISHA NELSON	LUNCH	6.50
014226414102918	10/29/2018	WOW! BUSINESS	1201 ARMS ST	102.76
010058364102818	10/28/2018	WOW! BUSINESS	1243 S KALAMAZOO	32.97
010040764101618	11/02/2018	WOW! INTERNET-CABLE-P	MARSHALL HOUSE	1,359.81
TOTAL BAN				3,883.29
GRAND TOTAL:				3,883.29

APPROVAL LIST 2 FOR CITY OF MARSHALL  
 EXP CHECK RUN DATES 01/01/2018 - 11/16/2018  
 UNJOURNALIZED  
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INVOICE NUMBER	INVOICE DATE	VENDOR NAME	DESCRIPTION	AMOUNT
B. CODE: MAIN				
269781444711	11/04/2018	AT&T MOBILITY	781-4447	360.22
269781981511	11/04/2018	AT&T MOBILITY	781-9815	4,800.07
269781907011	11/04/2018	AT&T MOBILITY	781-9070	95.47
269789901111	11/04/2018	AT&T MOBILITY	789-9011	138.47
287238047810X11111	11/03/2018	AT&T MOBILITY	NOVEMBER STMT	76.00
111318	11/13/2018	BRETT BAKKER	WOW! TECH VISIT	50.00
11/15/2018	11/15/2018	BRIAN BANFIELD LLC	UB refund for account: 2801710004	180.25
111218	11/12/2018	CHRISTOPHER & ELIZABE	ENERGY OPTIMIZATION - FURNACE & AC	200.00
201628402474	11/06/2018	CONSUMERS ENERGY	103018521130	1,660.33
204565162214	10/31/2018	CONSUMERS ENERGY	1030 1580 0248	183.98
202251367853	11/07/2018	CONSUMERS ENERGY	1000 7224 3312	204.65
203230289698	11/07/2018	CONSUMERS ENERGY	1000 0759 4680	108.28
205099102121	11/07/2018	CONSUMERS ENERGY	1000 0916 3971	375.53
205099102120	11/08/2018	CONSUMERS ENERGY	1000 0916 3203	30.82
111518COM	11/15/2018	CRT, INC	T-BRICKS	11,000.00
7018274110818	11/08/2018	EARTHLINK BUSINESS	TELEPHONE	70.14
11/15/2018	11/15/2018	FAUSETT, RYAN	UB refund for account: 2700540001	263.16
1255430	11/14/2018	HUB INTERNATIONAL MID	2018-2019 AIRPORT LIABILITY INSURANCE P	2,310.00
11/13/2018	11/13/2018	LOWDER, MALLORIE	UB refund for account: 2104210012	85.59
30942	11/02/2018	LOWES BUSINESS ACCOUN	NOVEMBER STMT	15.89
11/15/2018	11/15/2018	MARSHALL COMM CREDIT	UB refund for account: 801100006	51.65
11/13/2018	11/13/2018	MOREAU, CHARLES	UB refund for account: 3108070005	37.72
790004405582930711	11/04/2018	NEOFUNDS BY NEOPOST	POSTAGE	3,000.00
11/13/2018	11/13/2018	PENFIELD, ALYSSA & CO	UB refund for account: 3202700030	1.96
11/15/2018	11/15/2018	QUADE, ALFRED	UB refund for account: 901800000	49.81
11/15/2018	11/15/2018	RIDGEWAY, ROBERT	UB refund for account: 400640019	108.64
110818	11/08/2018	TIFFANY	REIMB - MARSHALL BASKETBALL PARTNERSHIP	368.28
111418	11/14/2018	TIFFANY BURNS	REIMB - MARSHALL BASKETBALL PARTNERSHIP	744.54
11/13/2018	11/13/2018	TRAVELERS HAVEN LLC	UB refund for account: 3005140028	60.83
11/15/2018	11/15/2018	VANDENHEEDE, JANE	UB refund for account: 2700040002	13.83
9817600850	11/01/2018	VERIZON WIRELESS	NOVEMBER STMT	1,077.79
11/13/2018	11/13/2018	YAHIA, YUSSRI MOHSEN	UB refund for account: 3204960040	52.71
TOTAL BAN				27,776.61
GRAND TOTAL:				27,776.61

INVOICE NUMBER	INVOICE DATE	VENDOR NAME	DESCRIPTION	AMOUNT
B. CODE: MAIN				
207145104197	11/07/2018	CONSUMERS ENERGY	MARSHALL HOUSE	1,803.94
111918	11/19/2018	JIMMY'S JOHNS	FARMERS MARKET PORTA POTTY	325.00
11/21/2018	11/21/2018	LEINAAR, LOY ANN	UB refund for account: 3101860001	79.80
11/21/2018	11/21/2018	MILLARD, ETANA	UB refund for account: 3004450021	86.78
111918	11/19/2018	PAM SIGREN	ENERGY OPTIMIZATION - FURNACE	125.00
11/21/2018	11/21/2018	PEREZ, RICKY	UB refund for account: 2103340017	127.29
11/21/2018	11/21/2018	RAMIREZ, GUADALUPE	UB REFUND FOR ACCOUNT: 1801460000	323.76
11/21/2018	11/21/2018	SALINE, RJ	UB refund for account: 101700002	24.40
151020	11/07/2018	TELNET WORLDWIDE	NOVEMBER STMT	1,753.57
11/21/2018	11/21/2018	WERNET, RICHARD	UB refund for account: 3005940032	75.46
TOTAL BAN				4,725.00
GRAND TOTAL:				4,725.00



**ADMINISTRATIVE REPORT**  
**December 3, 2018 – City Council Meeting**

**REPORT TO:** Honorable Mayor and Council Members

**FROM:** K. Scott Fleming, CEO, MAEDA  
Tom Tarkiewicz, City Manager

**SUBJECT:** Comcast Urethane Corporation/Cutter Enterprises  
425 Leggitt Road Marshall, Michigan 49068

**BACKGROUND:** The City of Marshall has received a request from Comcast Urethane Corporation, for an Industrial Facilities Tax Exemption Certificate. The requested abatement is to consider a \$201,987 investment in a building addition. The application and agreement are attached.

**RECOMMENDATION:** After hearing comment at the public hearing, it is recommended that the Council approve the Industrial Facilities Tax Exemption Certificate Application for Comcast Urethane Corporation.

**FISCAL EFFECTS:** If the IFT is granted, the LDFA will forego an estimated \$1,614.00 in taxes each year over the next 3 years. The company will receive an estimated \$3,543.00 in tax savings each year over the next 3 years (based on personal property qualifying for Michigan Business Tax).

**CITY GOAL CLASSIFICATION:**

**GOAL AREA I. ECONOMIC DEVELOPMENT**

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

**ALTERNATIVES:** As suggested by Council.

Respectfully submitted,

Tom Tarkiewicz  
City Manager

K. Scott Fleming  
CEO, MAEDA

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

f 269.781.3835

cityofmarshall.com

**CITY OF MARSHALL, MICHIGAN  
RESOLUTION #2018-**

Minutes of a regular meeting of the City Council of the City of Marshall held on Monday, December 3, 2018, in the Council Chambers of Town Hall, located at 323 West Michigan Avenue, Marshall, Michigan.

Present:

Absent:

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

**RESOLUTION TO APPROVE APPLICATION OF  
COMCAST URETHANE CORPORATION  
425 LEGGITT ROAD  
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR  
REAL AND 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 July 17, 1989, the Council by Resolution established Industrial Development District No. D-21 as requested; and

**WHEREAS**, Comcast Urethane Corporation has filed an application for an Industrial Facilities Exemption Certificate with respect to real and personal property improvements and the acquisition and installation of new machinery and equipment within Industrial Development District D-21; 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 December 3, 2018 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 November 13, 2018, 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 real and 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 and real 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 Comcast Urethane, 425 Leggitt, for an Industrial Facilities Exemption Certificate, with respect to real property improvements and personal property improvements described as new machinery and equipment to be acquired and installed within the Industrial Development District No. D-21 is hereby approved.
3. The Industrial Facilities Exemption Certificate, when issued, shall be and remain in force and effect for a period of (3) three years under the rules and regulations of Act 198 of Public Acts of 1974, as amended, for the new machinery and equipment from the date of approval by the State Tax Commission.

AYES:

NAYS:

\_\_\_\_\_  
Trisha Nelson, City Clerk

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Council of the City of Marshall, County of Calhoun, Michigan, at a regular meeting held on December 3, 2018.

\_\_\_\_\_  
Trisha Nelson, City Clerk

# Application for Industrial Facilities Tax Exemption Certificate

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

**INSTRUCTIONS:** File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form, call (517) 373-3302.

To be completed by Clerk of Local Government Unit	
Signature of Clerk <i>Juska Nelson</i>	Date Received by Local Unit <i>11/13/18</i>
STC Use Only	
Application Number	Date Received by STC

## APPLICANT INFORMATION

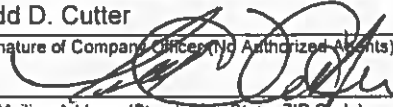
All boxes must be completed.

▶ 1a. Company Name (Applicant must be the occupant/operator of the facility) <b>Comcast Urethane Corporation / Cutter Enterprises, LLC</b>		▶ 1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) <b>SIC 3086 NAICS 326150</b>																
▶ 1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) <b>425 Leggett Road, Marshall, MI 49068</b>		▶ 1d. City/Township/Village (indicate which) <b>City of Marshall</b>	▶ 1e. County <b>Calhoun</b>															
▶ 2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(5)) <input type="checkbox"/> Transfer <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(6)) <input type="checkbox"/> Research and Development (Sec. 2(10)) <input type="checkbox"/> Increase/Amendment		▶ 3a. School District where facility is located <b>Marshall</b>	▶ 3b. School Code <b>13110</b>															
		▶ 4. Amount of years requested for exemption (1-12 Years) <b>3 years</b>																
<p>5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.</p> <p><b>Building addition of 2,000 square feet for business expansion. Also includes other land improvements &amp; machine / structural improvements for same.</b></p>																		
6a. Cost of land and building improvements (excluding cost of land) * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.		▶ <b>\$201,987</b> Real Property Costs																
6b. Cost of machinery, equipment, furniture and fixtures * Attach itemized listing with month, day and year of beginning of installation, plus total		▶ <b>\$84,000</b> Personal Property Costs																
6c. Total Project Costs * Round Costs to Nearest Dollar		▶ <b>\$285,987</b> Total of Real & Personal Costs																
<p>7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.</p> <table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th style="text-align: center;">Begin Date (M/D/Y)</th> <th style="text-align: center;">End Date (M/D/Y)</th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td>Real Property Improvements</td> <td style="text-align: center;">▶ <u>7/1/2018</u></td> <td style="text-align: center;">▶ <u>11/1/2018</u></td> <td>▶ <input type="checkbox"/> Owned</td> <td><input type="checkbox"/> Leased</td> </tr> <tr> <td>Personal Property Improvements</td> <td style="text-align: center;">▶ <u>7/1/2018</u></td> <td style="text-align: center;">▶ <u>11/1/2018</u></td> <td>▶ <input type="checkbox"/> Owned</td> <td><input type="checkbox"/> Leased</td> </tr> </tbody> </table>					Begin Date (M/D/Y)	End Date (M/D/Y)			Real Property Improvements	▶ <u>7/1/2018</u>	▶ <u>11/1/2018</u>	▶ <input type="checkbox"/> Owned	<input type="checkbox"/> Leased	Personal Property Improvements	▶ <u>7/1/2018</u>	▶ <u>11/1/2018</u>	▶ <input type="checkbox"/> Owned	<input type="checkbox"/> Leased
	Begin Date (M/D/Y)	End Date (M/D/Y)																
Real Property Improvements	▶ <u>7/1/2018</u>	▶ <u>11/1/2018</u>	▶ <input type="checkbox"/> Owned	<input type="checkbox"/> Leased														
Personal Property Improvements	▶ <u>7/1/2018</u>	▶ <u>11/1/2018</u>	▶ <input type="checkbox"/> Owned	<input type="checkbox"/> Leased														
▶ 8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																		
▶ 9. No. of existing jobs at this facility that will be retained as a result of this project. <b>18</b>		▶ 10. No. of new jobs at this facility expected to create within 2 years of completion <b>2</b>																
<p>11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation</p> <p>a. TV of Real Property (excluding land) _____</p> <p>b. TV of Personal Property (excluding inventory) _____</p> <p>c. Total TV _____</p>																		
▶ 12a. Check the type of District the facility is located in <input type="checkbox"/> Industrial Development District <input type="checkbox"/> Plant Rehabilitation District																		
▶ 12b. Date district was established by local government unit (contact local unit)		▶ 12c. Is this application for a speculative building (Sec. 3(8))? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																

**APPLICANT CERTIFICATION - complete all boxes.**

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

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

13a. Preparer Name Todd D. Cutter	13b. Telephone Number (269) 781-7026	13c. Fax Number	13d. E-mail Address tcutter@ccurethane.com
14a. Name of Contact Person same	14b. Telephone Number	14c. Fax Number	14d. E-mail Address
▶ 15a. Name of Company Officer (No Authorized Agents) Todd D. Cutter			
15b. Signature of Company Officer (No Authorized Agents) 		15c. Fax Number	15d. Date 11/13/18
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 425 Leggitt Road, Marshall, MI 49068		15f. Telephone Number (269) 781-7026	15g. E-mail Address tcutter@ccurethane.com

**LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.**

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

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

Attached hereto is an original application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time, and that any leases show sufficient tax liability.

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	19f. Fax Number	

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

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

**Michigan Department of Treasury**  
State Tax Commission  
PO Box 30471  
Lansing, MI 48909

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

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



**COMCAST URETHANE CORP / CUTTER ENTERPRISES EXPANSION PROJECT - 2018**

**COST PROJECTIONS - ASSOCIATED**

VENDOR	DESCRIPTION / REAL PROPERTY	COST	COMPLETE
Associated Construction	Drawings / Permits	\$ 5,405.00	X
Associated Construction	Trucking	\$ 1,500.00	X
Associated Construction	Supervision	\$ 4,000.00	X
Associated Construction	Site Work	\$ 14,202.50	X
Associated Construction	Concrete Work	\$ 32,592.00	X
Associated Construction	Metal Building	\$ 58,332.00	X
Associated Construction	Fire Rated Door	\$ 6,438.00	No
Associated Construction	(2) 10x10 Overhead Doors	\$ 7,500.00	X
Associated Construction	Heating	\$ 4,200.00	X
Associated Construction	Electrical	\$ 20,900.00	X
Associated Construction	Concrete Ramp	\$ 15,961.00	X
Associated Construction	6" Downspout Drain	\$ 2,949.60	X
Associated Construction	Crane Mat Rent Steel Guys	\$ 750.00	X
Associated Construction	Pentane Shed	\$ 6,488.00	X
Associated Construction	Attached Awning Structure	\$ 20,769.00	No
		<b>\$ 201,987.10</b>	

VENDOR	DESCRIPTION - MACHINE / FIXTURE INFRASTRUCTURE	COST	
Clark Material Handling	Clark Lift Device	\$ 10,000.00	No
Eric Dale, Sherriff Goslin	HVAC West Molding	\$ 20,000.00	X
TMI Compressed Air, others	Air Compressor / Infrastructure	\$ 29,500.00	X
Vestil	Dock Plates	\$ 5,000.00	No
DMCI	Phone System	\$ 4,500.00	X
CSE Morse	Ducting - Air Compressor Shed	\$ 6,500.00	No
AMPRO	New Warehouse Racking	\$ 8,500.00	50%
		<b>\$ 84,000.00</b>	

	<b>Grand Total</b>	<b>\$ 285,987.10</b>	
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November 13, 2018

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To: Assessor  
City of Marshall  
323 West Michigan Avenue  
Marshall, MI 49068

Subject: Industrial Facilities Exemption Certificate Letter of Agreement

(Comcast Urethane Corporation / Cutter Enterprises, LLC) (the "Company") has submitted an application to you for the granting of an industrial facilities exemption certificate (IFT) pursuant to Michigan Public Acts of 1974, as amended.

To encourage the granting of the IFT and in recognition of the investment the City of Marshall (the "municipality") will be making toward the economic growth of the Company and thus the economic growth of the municipality, I hereby agree on behalf of the Company to the following:

1. No later than the 10<sup>th</sup> day of January immediately following the second year after the issuance date of the IFT, the Company shall submit a letter to the municipality stating:
  - a) The number of new jobs promised in the IFT application within a two-year period and the actual number of new jobs created.
  - b) If the IFT was granted on the basis of job retention, the number of employees at the time of the application and the current number of employees.
  - c) If projection for creation or retention of jobs was not reached, give explanation.
  - d) The estimated project cost given in the application and the actual project cost.
  - e) If actual project costs differ substantially from projected costs, give explanation.
2. The Company further agrees to submit a report regarding status of employment two years after submission of the letter required in Item 1, on or before December 31. If employment has not remained or exceeded the number given in the application, an explanation for this shall be included. This report shall be submitted beginning with the fourth year after the issuance date of the IFT.



November 13, 2018

The Company understands that if employment has not been retained or reached as stated in the application or the construction and/or expansion project has not been completed or expenditures made as described in the application, the governing body has the right to reduce the term or revoke the IFT.

3. The Company agrees to remain within the municipality for the period of the IFT in order to retain the benefits of the IFT unless permission for relocation is granted by the governing body of the municipality.


The Company further understands that if it chooses to leave the municipality without permission for relocation prior to the end of the term of the IFT, the governing body has the right to recapture from the Company up to and including the total amount of the taxes abated by the IFT.

By signatures of the representatives of both the Company and the Municipality below, it is understood that both the Company's investment in the project and the Municipality's investment through the granting of an IFT is to encourage the economic growth of all. It is also acknowledged that certain economic conditions can, at time, prohibit the maintenance of the Company's targeted status. It is understood that if such conditions exist at the time of the designed Company report, the governing body of the municipality will carefully evaluate the Company's situation, and will inform the Company if any action is considered in order to give the Company an opportunity for correction.

WITNESS

(Comcast Urethane Corporation / Cutter Enterprises, LLC)

Lustia Nelson

BY: 

ITS: President/Manager

DATED: 11/13/18

\_\_\_\_\_



November 13, 2018

WITNESS

*K. Scott F. Leman*

CEO

ACKNOWLEDGED BY THE CITY OF  
MARSHALL

BY: *Justa Nelson*

ITS: *City Clerk*

DATED: *11/13/18*



**ADMINISTRATIVE REPORT**  
**December 3, 2018 - CITY COUNCIL MEETING**

**REPORT TO:** Honorable Mayor and City Council

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

**SUBJECT:** MDOT Contract 2019-0058 & purchase of a plow truck

**BACKGROUND:** The City of Marshall with assistance from the Michigan Department of Transportation (MDOT) has secured Federal Highway Administration (FHWA) grant funding through the Congestion Mitigation and Air Quality Improvement (CMAQ) Program. This grant will cover 80% of the cost for a new, less polluting diesel dump truck cab and chassis to replace an older model. The city is responsible for the grant matching funds and any additional costs for the "build out" of the truck which includes the rear dump body, underbody plow and other applicable and required equipment.

The contract from MDOT covers the cost of the eligible items up to an amount not to exceed \$80,160 of which the city's match will be \$16,032 for a total Federal grant allocation of \$64,128. The additional costs for purchase of the completed truck are shown below. Per conditions of the MDOT contract it is our intention to purchase this vehicle through the State of Michigan Extended Purchasing Program and are seeking approval for this as well as the MDOT contract.

• Total Plow Truck Cost, not to exceed:	\$ 145,559
• Federal Allocated Grant Funds:	- \$ 64,128
• City of Marshall Grant Match & Build Out Cost:	\$ 81,431

This new plow truck will replace an older and less environmentally friendly vehicle in the fleet. As part of this program and the air quality stipulation the replaced truck must be salvaged and destroyed so as to no longer be in use.

**RECOMMENDATION:** It is recommended that the City Council approve the attached resolution authorizing the City Clerk to sign MDOT Contract No. 2019-0058 for purchase of a new, less polluting diesel dump truck cab and chassis to replace an older model. Additionally, it is recommended that City Council approve the purchase of said truck cab and chassis, as well as the required build out through the State of Michigan Extended Purchasing Program for an amount not to exceed \$145,559.

**FISCAL EFFECTS:** Funds in the amount of \$145,559 are available in the Motor Vehicle Pool Fund Reserves for purchase of this vehicle. Following purchase of the vehicle the City will be reimbursed from the State of Michigan the grant funds in the amount of \$64,128, for a net expenditure to the city of \$81,431 for this plow truck.

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

f 269.781.3835

cityofmarshall.com

**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 Bauer  
Director of Public Services



Tom Tarkiewicz  
City Manager

**CITY OF MARSHALL, MICHIGAN  
RESOLUTION # \_\_\_\_\_**

**WHEREAS**, the City Council of the City of Marshall has reviewed attached Contract #2019-0058 with the Michigan Department of Transportation (MDOT) for purchase of a new, less polluting dump truck cab and chassis to replace an older model; and

**WHEREAS**, this contract sets forth a grant from the Federal Highway Administration (FHWA) to the City of Marshall under the Congestion Mitigation and Air Quality Improvement (CMAQ) Program for said purchase; and

**WHEREAS**, the City Council agrees to utilize the allotted grant funds for the eligible items, cab and chassis only, up to an amount not to exceed \$80,160, of which \$64,128 are Federal CMAQ funds and the remaining \$16,032 are City of Marshall grant matching funds; and

**WHEREAS**, this grant covers only the purchase of the cab and chassis the remaining non-eligible truck items such as the dump body, underbody plow assemblies and other applicable and required equipment will be covered by funds from the City's Motor Vehicle Pool Funds; and

**WHEREAS**, the total expense for this truck is an amount not to exceed \$145,559; and

**WHEREAS**, the City's total participation for this purchase is \$82,431, which includes the grant match and the remaining non-eligible trucks items; and

**WHEREAS**, the City Council understands and agrees to the contract and its attached conditions, certifications and documentation.

**NOW THEREFORE BE IT RESOLVED** that based upon a motion made by Councilmember \_\_\_\_\_, and supported by Councilmember \_\_\_\_\_, to authorize Trisha Nelson, Clerk to sign MDOT Contract #2019-0058 for acceptance of the Federal Grant funds through the CMAQ program.

**Voting For:**

**Voting Against:**

**Absent:**

**CERTIFICATION OF CITY CLERK**

I 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 3<sup>rd</sup> day of December, 2018.

\_\_\_\_\_  
Trisha Nelson, City Clerk

\_\_\_\_\_  
Date