



CITY COUNCIL
WORK SESSION AGENDA
Monday, June 20, 2011
6:00 PM – 6:45 PM

**A. Public Services and Community Services Departments
Reorganization**

Carl Fedders and Natalie Huestis will present a reorganization plan to strengthen the Public Services and Community Services Departments to provide better customer services.

B. Other Items

Mayor:

James Dyer

Council Members:

Ward 1 - Wayne Booton

Ward 2 - Nick Metzger

Ward 3 - Brent Williams

Ward 4 - Ryan Traver

Ward 5 - Jody Mankerian

At-Large - Kathy Miller



MARSHALL CITY COUNCIL AGENDA

MONDAY – 7:00 P.M.

JUNE 20, 2011

- 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. 2011 Fireworks Schedule

City Council will consider the recommendation to approve the fireworks events scheduled for 2011.

B. Set Public Hearing – TIF Plan Amendment

City Council will consider the recommendation to schedule a public hearing for Monday, July 18, 2011 to hear public comment on the proposed amended LDFA Development/TIF Plan.

C. Set Public Hearing – LDFA/TIF Expansion

City Council will consider the recommendation to schedule a public hearing for Monday, July 18, 2011 to hear public comment on the proposed expansion of the LDFA/TIF expansion.

D. Parallel Taxiway Rehabilitation Design Engineer

City Council will consider the recommendation to authorize the Clerk-Treasurer to sign the agreement with Mead Hunt for the Parallel Taxiway Rehabilitation project at Brooks Field.

E. American Legion Annual Poppy Sales

City Council will consider the request from the American Legion Post #79 to hold their annual poppy sales on July 8 and 9, 2011.

F. City Council Minutes

Regular Session..... Monday, June 6, 2011

G. City Bills

Regular Purchases.....	\$166,683.99
Purchased Power.....	\$590,000.67
Weekly Purchases – 6/3/11.....	\$ 108,592.92
Weekly Purchases – 6/10/11.....	\$12,608.06
Total.....	\$ 877,885.64

Mayor:

James Dyer

Council Members:

- Ward 1 - Wayne Booton
- Ward 2 - Nick Metzger
- Ward 3 - Brent Williams
- Ward 4 - Ryan Traver
- Ward 5 - Jody Mankerian
- At-Large - Kathy Miller



8) PRESENTATIONS AND RECOGNITIONS

9) INFORMATIONAL ITEMS

A. Event Report – Pastrami Joe’s Reuben Eating Contest

10) PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. Public Hearing – SRF Project Plan

City Council will hear public comment regarding the resolution adopting the proposed final project plan for wastewater treatment and collection system improvements and designating an authorized project representative.

11) OLD BUSINESS

12) REPORTS AND RECOMMENDATIONS

A. Inspection Services

City Council will consider the recommendation to authorize the Clerk-Treasurer to sign the contract with Cornerstone Inspection Services, LLC and adopt the resolution to authorize Glenn Lindsey to act as the City’s Building Official and Building Inspector.

B. FY 2011 Year End Budget Amendments

City Council will consider the recommendation adopt the resolution to amend the FY 2011 Adopted Budget.

C. Police Contract – Patrol Officer’s Division

City Council will consider the recommendation to approve the three-year Contract with the Police Offer Labor Council, Patrol Officer’s Division.

13) APPOINTMENTS / ELECTIONS

A. Library Board

The Mayor will recommend an appointment to fill the vacancy on the District Library Board with a term expiring March 31, 2014.

14) PUBLIC COMMENT ON NON-AGENDA ITEMS

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

15) COUNCIL AND MANAGER COMMUNICATIONS

16) CLOSED SESSION

City Council will be requested to convene into Closed Session to discuss Labor Negotiations.

17) ADJOURNMENT

Respectfully submitted,

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

Tom Tarkiewicz
City Manager

June 20, 2011



ADMINISTRATIVE REPORT
June 20, 2011 - CITY COUNCIL MEETING

REPORT TO: Mayor James L. Dyer and City Council Members
FROM: Bob Kiessling, Fire Chief
Tom Tarkiewicz, City Manager
SUBJECT: 2011 Fireworks Schedule

BACKGROUND: The Marshall Fire Department has received two requests for fireworks displays at the Calhoun County Fair Grounds. The first would be held on Friday July 1, 2011 during The Cruise to the Fountain, with a rain date of August 19th. The second display would be held on Saturday August 20, 2011 during the Calhoun County Fair with October 8th as a rain date.

Michigan law requires that any permits issued under Act 328 must be issued by action of a council or commission of a city or village, or the board of a township, and must be signed by a Board member or representative. The Colonial Fireworks Company and the Calhoun County Fair Administration have requested Council approval for both events. Copies of both requests are included with this report.

In the past, the north east corner of the race track at the fairgrounds has been used to light the display, without incident. The Marshall Fire Department will place an engine and personnel near that area. Department staff will also patrol the area outside the fairgrounds for hot embers. The Marengo Fire Department has agreed to patrol the area east of the fairgrounds in Marengo Township

RECOMMENDATION: It is recommended that Council approve both fireworks events.

FISCAL EFFECTS: None

Respectfully submitted,


Tom Tarkiewicz
City Manager


Bob Kiessling
Fire Chief

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

Application for Fireworks Display Permit
 Michigan Department of Energy, Labor, & Economic Growth
 Bureau of Fire Services
 P.O. Box 30700
 Lansing, MI 48909
 517-241-8847

2011

Authority: Compliance: Penalty:	1968 PA 358 Voluntary Permit will not be issued	The Department of Energy, Labor & Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this agency.	
<input checked="" type="checkbox"/> Public Display		<input type="checkbox"/> Agricultural Pest Control	
NAME OF APPLICANT COLONIAL FIREWORKS FBO CHARTER TOWNSHIP OF FLINT		ADDRESS 6480 TOMER RD CLAYTON, MI	DATE OF APPLICATION 4/28/11
IF CORPORATION, NAME OF PRESIDENT GREG TREMONTI		ADDRESS 500 RIVERSIDE ROSSFORD, OH	
IF A NON-RESIDENT APPLICANT, NAME OF MICHIGAN ATTORNEY OR RESIDENT AGENT MICHIGAN RESIDENT CORPORATION		ADDRESS	TELEPHONE NUMBER
NAME OF PYROTECHNIC OPERATOR DAVID DECK		ADDRESS 352 4TH ST ELMORE OH 43426	AGE (18 or over) 55
NO. YEARS EXPERIENCE 12+	NO. DISPLAYS 65+	WHERE THROUGHOUT MICHIGAN AND OHIO	
NAME OF ASSISTANT GREGORY DECK		ADDRESS 1049 ANDERSON MAUMEE OH 43537	AGE 53
NAME OF OTHER ASSISTANT		ADDRESS	AGE
EXACT LOCATION OF PROPOSED DISPLAY CALHOUN CITY FAIRGROUNDS INFIELD EAST END GRANDSTAND MARSHALL MI			
DATE OF PROPOSED DISPLAY AUGUST 20, 2011 RD: 10/8/11		TIME OF PROPOSED DISPLAY DUSK	
		KIND OF FIREWORKS TO BE DISPLAYED	
461	1200 shots	3" THROUGH 5" AERIAL DISPLAY SHELLS	
		<3" CAKE BARRAGE ITEMS	
MANNER AND PLACE OF STORAGE PRIOR TO DISPLAY (Subject to Approval of Local Fire Authorities) COLONIAL FIREWORKS COMPANY VEHICLE			
AMOUNT OF BOND OR INSURANCE (To be set by local government) \$10 MILLION		NAME OF BONDING CORPORATION OR INSURANCE COMPANY BRITTON GALLAGHER & ASSOC	
ADDRESS OF BONDING CORPORATION OR INSURANCE COMPANY 6240 SOM CENTER RD SOLOON OH			
SIGNATURE OF APPLICANT Jason Lynch {electronically signed}			

* FORM IS VALID FOR YEAR SHOWN ONLY *

Permit for Fireworks Display
 Michigan Department of Energy, Labor & Economic Growth
 Bureau of Fire Services
 Office of the State Fire Marshal
 P.O. Box 30700
 Lansing, MI 48909
 517-241-8847

2011

Authority: 1966 PA 330	The Department of Labor & Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to the agency.
Compliance: Required	
Penalty: \$1000 per day	

This permit is not transferable. Possession of this permit authorizes the herein named person to possess, transport and display fireworks in the amounts, for the purpose of and at the place listed below only.

<input checked="" type="checkbox"/> Public Display		<input type="checkbox"/> Agricultural Pest Control	
ISSUED TO COLONIAL FIREWORKS COMPANY			AGE (18 or over)
ADDRESS 6480 TOMER RD CLAYTON, MI			
NAME OF ORGANIZATION, GROUP, FIRM, OR CORPORATION CALHOUN COUNTY FAIRGROUND ASSOC.			
NUMBER AND TYPES OF FIREWORKS 409 3" THROUGH 5" AERIAL DISPLAY SHELLS 1200 shots <3" CAKE BARRAGE ITEMS			
EXACT LOCATION OF DISPLAY TRACK AT CALHOUN COUNTY FAIRGROUNDS, MARSHALL MI			
CITY, VILLAGE, TOWNSHIP CALHOUN		DATE JULY 1, 2011	RAIN DATE: 8/19/11
BOND OR INSURANCE FILED <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			TIME DUSK
			AMOUNT \$10 MILLION

Issued by action of the	<input type="checkbox"/> council	<input type="checkbox"/> commission	<input type="checkbox"/> board of
<input type="checkbox"/> city	<input type="checkbox"/> village	<input type="checkbox"/> township of _____	on the _____ day of _____
_____ 20 _____			
_____ (Signature and Title of Council/Commission/Board Representative)			

* THIS FORM IS VALID FOR THE YEAR SHOWN ONLY *

Application for Fireworks Display Permit
 Michigan Department of Energy, Labor, & Economic Growth
 Bureau of Fire Services
 P.O. Box 30700
 Lansing, MI 48909
 517-241-8847

2011

Authority: 1066 PA 358	The Department of Energy, Labor & Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, mental status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this agency.	
Completion: Voluntary		
Penalty: Permit will not be issued		
<input checked="" type="checkbox"/> Public Display	<input type="checkbox"/> Agricultural Pest Control	DATE OF APPLICATION 4/28/11
NAME OF APPLICANT COLONIAL FIREWORKS FBO CALHOUN COUNTY FAIRGROUND ASSOC.	ADDRESS 6480 TOMER RD CLAYTON, MI	AGE (18 or over)
IF CORPORATION, NAME OF PRESIDENT GREG TREMONTI	ADDRESS 500 RIVERSIDE ROSSFORD, OH	
IF A NON-RESIDENT APPLICANT, NAME OF MICHIGAN ATTORNEY OR RESIDENT AGENT MICHIGAN RESIDENT CORPORATION	ADDRESS	TELEPHONE NUMBER
NAME OF PYROTECHNIC OPERATOR DAVID DECK	ADDRESS 352 4TH ST ELMORE OH 43416	AGE (18 or over) 55
NO. YEARS EXPERIENCE 12+	NO. DISPLAYS 65+	WHERE THROUGHOUT MICHIGAN AND OHIO
NAME OF ASSISTANT GREGORY DECK	ADDRESS 1049 ANDERSON MAUMEE OH 43537	AGE 53
NAME OF OTHER ASSISTANT	ADDRESS	AGE
EXACT LOCATION OF PROPOSED DISPLAY TRACK AT CALHOUN COUNTY FAIRGROUNDS, MARSHALL MI		
DATE OF PROPOSED DISPLAY JULY 1, 2011 RAIN DATE: 8/19/11		TIME OF PROPOSED DISPLAY DUSK
	KIND OR FIREWORKS TO BE DISPLAYED	
409	3" THROUGH 5" AERIAL DISPLAY SHELLS	
1200 shots	<3" CAKE BARRAGE ITEMS	
MANNER AND PLACE OF STORAGE PRIOR TO DISPLAY (Subject to Approval of Local Fire Authorities) COLONIAL FIREWORKS COMPANY VEHICLE		
AMOUNT OF BOND OR INSURANCE (To be set by local government) \$10 MILLION	NAME OF BONDING CORPORATION OR INSURANCE COMPANY BRITTON GALLAGHER & ASSOC	
ADDRESS OF BONDING CORPORATION OR INSURANCE COMPANY 6240 SOM CENTER RD SOLON OH		
SIGNATURE OF APPLICANT Jason Lynch (electronically signed)		

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Permit for Fireworks Display
 Michigan Department of Energy, Labor & Economic Growth
 Bureau of Fire Services
 Office of the State Fire Marshal
 P.O. Box 30700
 Lansing, MI 48909
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2011

Authority: Compliance: Penalty:	1988 PA 358 Required Misdemeanor	The Department of Labor & Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to the agency.
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This permit is not transferable. Possession of this permit authorizes the herein named person to possess, transport and display fireworks in the amounts, for the purpose of and at the place listed below only.

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ISSUED TO COLONIAL FIREWORKS COMPANY			AGE (18 or over)
ADDRESS 6480 TOMER RD CLAYTON, MI			
NAME OF ORGANIZATION, GROUP, FIRM, OR CORPORATION CALHOUN COUNTY FAIRGROUND ASSOC.			
NUMBER AND TYPES OF FIREWORKS 461 3" THROUGH 5" AERIAL DISPLAY SHELLS 1200 shots <3" CAKE BARRAGE ITEMS			
EXACT LOCATION OF DISPLAY CALHOUN CITY FAIRGROUNDS INFIELD EAST END GRANDSTAND MARSHALL MI			
CITY, VILLAGE, TOWNSHIP CALHOUN		DATE AUGUST 20, 2011 RD: 10/8/11	TIME DUSK
BOND OR INSURANCE FILED <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			AMOUNT \$10 MILLION

Issued by action of the	<input type="checkbox"/> council	<input type="checkbox"/> commission	<input type="checkbox"/> board of
<input type="checkbox"/> city	<input type="checkbox"/> village	<input type="checkbox"/> township of _____	on the _____ day of _____ 20____
_____ (Signature and Title of Council/Commission/Board Representative)			

* THIS FORM IS VALID FOR THE YEAR SHOWN ONLY *



ADMINISTRATIVE REPORT
June 20, 2011 – CITY COUNCIL MEETING

TO: Honorable Mayor and City Council

FROM: Michael D. Hindenach, Manager, Marshall Economic Development
Tom Tarkiewicz, City Manager

SUBJECT: Schedule a Public Hearing – LDFA Development/TIF Plan Amendment

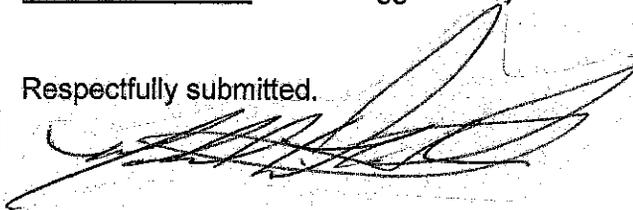
BACKGROUND: On March 16, 1992, the City Council approved Marshall Local Development Finance Authority (LDFA) Development/TIF plan. The plan was amended by City Council on June 16, 2005. The LDFA is requesting that City Council amend the current LDFA/TIF plan. The amended plan would allow the LDFA to utilize captured tax dollars in a limited, but more flexible manner. Changes allow for items such as airport improvements that support business purposes, directional and promotional signage outside of the LDFA district, Entrepreneur training and development, creation and continuation of a business revolving loan program, partnering with community marketing and promotional initiatives, transportation infrastructure outside of the LDFA district that supports the flow of goods to the district, etc.

RECOMMENDATION: It is recommended that a public hearing be established to receive public comment on the proposed amended LDFA development/TIF Plan for Monday, July 18, 2011 at 7:00 p.m.

FISCAL EFFECT: If growth progresses in a similar way as it has historically for the L. Alta Brooks Industrial Park, the general fund could see revenues of approximately \$350,000 by the year 2028. Projections were based upon the near 20 year history of the LDFA.

ALTERNATIVES: As suggested by Council.

Respectfully submitted.


Michael D. Hindenach
Manager
Marshall Economic Development


Tom Tarkiewicz
City Manager

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



ADMINISTRATIVE REPORT
June 20, 2011 – CITY COUNCIL MEETING

TO: Honorable Mayor and City Council
FROM: Michael D. Hindenach, Manager, Marshall Economic Development
Tom Tarkiewicz, City Manager
SUBJECT: Schedule a Public Hearing – LDFA/TIF Expansion

BACKGROUND: On March 16, 1992, the City Council approved Marshall Local Development Finance Authority (LDFA) Development/TIF plan. The plan was amended by City Council on June 16, 2005. The LDFA is requesting that City Council expand the LDFA/TIF district to include the following two properties:

Quigley Property:
Marshall City, the West one-half (W ½) of the Southwest Quarter (SW ¼) of Section One (1), Town Three (3) South, Range Six (6) West, excepting lands conveyed to the State of Michigan for highway purposes.

Lafferty Property:
THE NE ¼ OF THE SE ¼ OF SEC 2, T3S, R6W (FREDONIA TWP) EXCEPTING THEREFROM BEGINNING AT THE E ¼ POST OF SEC 2, T3S, R6W FREDONIA TWP, CALHOUN COUNTY MICHIGAN; TH S 01DEG 17' 13" E ALONG THE E LINE OF SAID SEC 2, A DISTANCE OF 745 FT; TH N 89 DEG 59' 04" W PARALLEL WITH THE EAST AND WEST ¼ LINE, A DISTANCE OF 584.70 FT; TH N 01 DEG 17' 13" W 745.00 FT TO SAID E AND W ¼ LINE; TH S 89 DEG 59' 04" E ALONG SAID ¼ LINE, 584.70 FT TO POB.

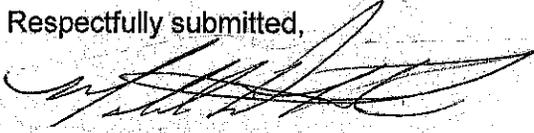
The properties would become part of the LDFA/TIF district and share taxes with the taxing jurisdictions. (65% LDFA/35% Taxing Jurisdictions)

RECOMMENDATION: It is recommended that a public hearing be established to receive public comment on the proposed expansion of the LDFA TIF plan for July 18, 2011 at 7:00 p.m.

FISCAL EFFECT: If growth progresses in a similar way as it has historically for the L. Alta Brooks Industrial Park, the general fund could see revenues of approximately \$350,000 by the year 2028. Projections were based upon the near 20 year history of the LDFA.

ALTERNATIVES: As suggested by Council.

Respectfully submitted,


Michael D. Hindenach
Manager
Marshall Economic Development


Tom Tarkiewicz
City Manager

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

f 269.781.3835

cityofmarshall.com



ADMINISTRATIVE REPORT
June 20, 2011 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council

FROM: Carl Fedders, Director of Public Services
John Riske, Airport Manager
Tom Tarkiewicz, City Manager

SUBJECT: Parallel Taxiway Rehabilitation Design Engineer

BACKGROUND: The City has received a grant through the Michigan Department of Transportation (MDOT) for the rehabilitation of the parallel taxiway at Brook Field. The funding is divided between the Federal Aviation Association, the State of Michigan and the City of Marshall; 95%, 2.5%, and 2.5% respectively. The proposed rehabilitation has been included in the MDOT approved 10 year capital improvement plan (CIP) as well as in the City of Marshall FY2012 CIP at an estimate \$400. MDOT will receive the bids and City Council will be required to take action at that time.

Mead Hunt of Lansing has been the City's airport engineer. The City's 2.5% cost sharing portion for the design phase is approximately \$700. The anticipated overrun will be balanced by other line item savings.

The portion of the construction cost that the City is responsible for is estimated at \$8,625. Construction is planned for the Spring of 2012.

RECOMMENDATION: It is recommended that the City Council authorize the Clerk-Treasurer to sign the agreement with Mead Hunt for the Parallel Taxiway Rehabilitation project at Brook Field.

FISCAL EFFECTS: To appropriate \$700 from the Airport Fund Capital Outlay expenditure line item 295-900-970.00 in the FY12 budget.

ALTERNATIVES: As suggested by the Council.

Respectfully submitted,

Carl Fedders
Director of Public Services

John Riske
Airport Manager

Tom Tarkiewicz
City Manager

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

f 269.781.3835

cityofmarshall.com



**Stanley E. Lamb Post 79
American Legion
Marshall, MI**

June 15, 2011

The Honorable Mayor James Dyer
City of Marshall
323 W. Michigan Ave.
Marshall, MI 49068

Dear Mayor Dyer and City Council Members:

The American Legion Marshall Stanley E. Lamb Post 79 is asking approval to conduct their annual Poppy Sale at various locations within the City of Marshall on July 8 & 9, 2011.

The American Legion Marshall Stanley E. Lamb Post 79 is a 501(c)(19) tax exempt military veterans' organization under the IRS code.

All profits raised in the poppy sale go toward the assistance of military veterans and present members of the military in need. This assistance includes, but is not limited to, providing access to a Legion service officer to assist with dealing with the bureaucracy of the Veterans Administration. Among the other uses of the proceeds from this sale is assistance to Legion Villa, an adult foster care home for veterans, and the purchase of coupon books to allow patients at the Battle Creek VA hospital to purchase snacks and toiletries (Remember-A-Vet).

Sincerely

Rodney Detty
Post Commander

CALL TO ORDER

IN REGULAR SESSION Monday, June 6, 2011 at 7:00 P.M. in Council Chambers of Town Hall, 323 West Michigan Avenue, Marshall, MI, the Marshall City Council was called to order by Mayor Dyer.

ROLL CALL

Roll was called:

Present: Council Members: Booton, Mayor Dyer, Mankerian, Metzger, Miller, Traver, and Williams.

Also Present: City Manager Tarkiewicz.

Absent: None.

INVOCATION/PLEDGE OF ALLEGIANCE

Mayor Dyer led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Moved Miller, supported Metzger, to approve the agenda with the addition of Agenda Item 12D Fire Contract. On a voice vote: **MOTION CARRIED.**

PUBLIC COMMENT ON AGENDA ITEMS

John LaPietra of 386 Boyer Court inquired about the savings in our purchased power costs.

Vince Trudell of 1212 Comstock inquired about the completion of 1148 Woodruff.

Tracy Trudell of 1212 Comstock inquired about the Development Agreement for Pratt Park.

CONSENT AGENDA

Moved Williams, supported Mankerian, to approve the consent agenda:

- A. Received the FY 2012 Administrative Chain of Command Appointments;
- B. Schedule a public hearing for Monday, June 20, 2011 for a resolution adopting the final project plan for the wastewater treatment and collection system improvements and designating an authorized project representative;
- C. Approve the Privacy Practices Policy to replace Appendix D of the

- Personnel Policy Manual;
- D. Approve minutes of the City Council Work Session and Regular Session held on Monday, May 16, 2011;
 - E. Approve city bills in the amount of \$836,392.74.

On a roll call vote – ayes: Booton, Mayor Dyer, Mankerian, Metzger, Miller, Traver, and Williams; nays: none. **MOTION CARRIED.**

PRESENTATIONS AND RECOGNITIONS

None.

INFORMATIONAL ITEMS

Director of Public Services Fedders provided information regarding the Bakers Dozen Beer Run.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. Controlled Substance Ordinance:

Mayor Dyer opened the public hearing to hear public comment regarding the adoption of proposed ordinance §137.06 – Association with Controlled Substances to the Marshall City Code.

Police Chief Schwartz provided some background regarding the ordinance and Mayor Dyer read the context of the ordinance into the record:

No person shall knowingly loiter in or about any building, apartment, store, automobile, trailer or other place, or an area open to the public, where a controlled substance or drug paraphernalia is being illegally used, sold, dispensed, furnished, given away or stored.

John LaPietra of 386 Boyer Court inquired how this ordinance interacts with Medical Marijuana.

John Ryan of 818 River Road inquired how this ordinance would apply with the smoking ban.

Brian Munger of 120 S. Grand feels that there are drug problems in Marshall and approves of the enforcement.

Hearing no further comment the hearing was closed.

Moved Metzger, supported Williams to approve the adoption of §137.06 – Association with Controlled Substances to the Marshall City Code. On a roll call vote – ayes: Mayor Dyer, Mankerian, Metzger, Miller, Traver, Williams, and Booton; nays: none. **MOTION CARRIED.**

**CITY OF MARSHALL
ORDINANCE #2011- 11**

**AN ORDINANCE TO AMEND CHAPTER 137, OF THE MARSHALL CODE,
ENTITLED "OFFENSES RELATING TO CONTROLLED SUBSTANCES"**

Chapter 137 of the Marshall Code is hereby amended to read as follows:

§137.06 ASSOCIATION WITH CONTROLLED SUBSTANCES

No person shall knowingly loiter in or about any building, apartment, store, automobile, trailer or other place, or an area open to the public, where a controlled substance or drug paraphernalia is being illegally used, sold, dispensed, furnished, given away or stored.

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.

This Ordinance is declared to be effective immediately upon publication.
Adopted and signed this 6th day of June, 2011.

James L Dyer, MAYOR

Sandra Bird, CLERK-TREASURER

I, Sandra Bird, being duly sworn as the Clerk-Treasurer 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 6, 2011, 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.

Sandra Bird, CLERK-TREASURER

OLD BUSINESS

A. Pratt Park Phase I and II Update:

City Manager Tarkiewicz provided an update on Pratt Park Phase I and Phase II to address some concerns that have been made regarding the project.

REPORTS AND RECOMMENDATIONS

A. Michigan Main Street Program:

Moved Miller, supported Traver, to receive the recommendation from the DDA to graduate out of the Main Street program immediately and table any council action until the first meeting of September. On a roll call vote – ayes: Mankerian, Metzger, Miller, Traver, Williams, Booton, and Mayor Dyer; nays: none. **MOTION CARRIED.**

B. Replacement of 2400 Volt Switchgear:

Moved Miller, supported Williams to approve the proposal submitted by Primary Integration Encorp LLC for \$253,000 for the 2400 Volt Switchgear. On a roll call vote – ayes: Metzger, Miller, Traver, Williams, Booton, Mayor Dyer, and Mankerian; nays: none. **MOTION CARRIED.**

C. Design Services – 2011.03 Local Street Rehabilitation:

Moved Metzger, supported Williams to accept the proposal from Civil Engineering Inc. for the design and construction services for the 201.03 Local Street Rehabilitation for the not to exceed cost of \$9,805. On a roll call vote – ayes: Miller, Traver, Williams, Booton, Mayor Dyer, Mankerian, and Metzger; nays: none.

D. Fire Contract:

Moved Williams, supported Booton, to ratify the fire contract with Local 1929 International Association of Firefighters. On a roll call vote – ayes: Williams, Booton, Mayor Dyer, Mankerian, Metzger, Miller, and Traver; nays: none.

APPOINTMENTS / ELECTIONS

A. Sister City Delegate:

Moved Miller, supported Booton to appoint Nick Metzger as the Council

delegate to participate in the Sister City Trip to Koka, Japan. On a roll call vote – ayes: Traver, Williams, Booton, Mayor Dyer, Mankerian, Metzger, and Miller; nays: none. **MOTION CARRIED.**

PUBLIC COMMENT ON NON-AGENDA ITEMS

Fran Rauth of 372 Westbrook Court expressed the need to fill a vacancy on the Library Board.

John Ryan of 818 River Road announced his formation of a Presidential Exploratory Committee to run for President of the United States.

Brian Munger of 120 S. Grand thanked Council and past Councils for not renewing an agreement with Michigan South Central Power Agency.

John LaPietra of 386 Boyer Court spoke of some personal issues and his stand for peace.

COUNCIL AND MANAGER COMMUNICATIONS

None.

ADJOURNMENT

The meeting was adjourned at 8:15 p.m.

James L. Dyer, Mayor

Sandra Bird, Clerk-Treasurer

VENDOR APPROVAL SUMMARY REPORT

Date: 06/15/2011

Time: 4:52pm

Page: 1

CITY OF MARSHALL

Vendor Name	Vendor Number	Description	Check Amount	Hand Check Amount
AIRGAS GREAT LAKES	4982	CYLINDER RENTAL	75.40	0.00
ALEXANDER CHEMICAL CORPORATION	7024	CHEMICALS	1,423.00	0.00
ALL-TRONICS INC	9157	ANNUAL INSPECTION OF FIRE ALRM	396.24	0.00
AMP INC	9714	TREE TRIMMING	12,426.52	0.00
APPLIED IMAGING	2538	RICOH/AF2018D	225.43	0.00
ARROW UNIFORM	6839	CUST #010198-03	574.16	0.00
ASPHALT SOLUTIONS PLUS	21730	Misc Asphalt Patches	9,800.00	0.00
AUTO VALUE MARSHALL	21340	PEAK 50/50 EXTN	951.38	0.00
BOSHEARS FORD SALES INC	7117	M-2 MOTOR	20,952.04	0.00
BOSSERD FAMILY FARM	6198	FLOWERS	404.00	0.00
BROOKS GRANTIER	300500	TUNED BALDWIN PIANO	60.00	0.00
CALHOUN COUNTY ROAD COMMISSION	7173	COMPOST CNTR-07/10--05/11	227.37	0.00
CANNON EQUIPMENT	300110	#302, #307 DECALS	246.72	0.00
CARPET WAREHOUSE INC	5892	Reserve Fund Project-Apt 101	3,989.64	0.00
CARR BROTHERS & SONS	7192	SOIL - STORM RESTORATION	327.50	0.00
CLASSIC DRY CLEANING&TAILORING	5975	CLEANING, LAUNDRY	430.00	0.00
CITY OF COLDWATER	2730	MUTUAL AID	11,253.60	0.00
COLE CHRYSLER DODGE JEEP	2996	#119 2002 DODGE RAM 2500	787.36	0.00
CRT, INC	6541	SOFTWARE AND CARD READERS	15,356.00	0.00
DENNY CRULL GENERAL CONTRACTOR	5890	Reserve Fund Project-Apt 119	10,891.68	0.00
CRYSTAL FLASH ENERGY	6176	GASOLINE	919.07	0.00
D & D MAINTENANCE SUPPLY	7271	JANITORIAL SUPPLIES	886.36	0.00
D & G EQUIPMENT INC	21636	HANDLE	21.01	0.00
D C BYERS COMPANY	7158	HERITAGE ROUTE MUSEUM PROJECT	25,800.00	0.00
D-K FENCE CO, INC	7275	REPAIR SOFTBALL FIELDS 1 & 4	248.58	0.00
DADOW POWER EQUIPMENT	7277	#716 WHEEL	77.00	0.00
DARLING ACE HARDWARE	7281	SM & H SUPPLIES	196.48	0.00
EJUSTICE SOLUTIONS LLC	300114	RMS - JULY 2011	1,000.00	0.00
FASTENAL COMPANY	5789	BOLTS FOR AIRPORT PROJECT	55.45	0.00
FREIGHTLINER OF KALAMAZOO	6502	#405 ROCKER SWITCH, VALVE	183.25	0.00
GLGC PLUMBING COMPANY LLC	217837	SERVICE CALL	923.04	0.00
KEN GOODRICH	9158	INSTLL NEW CARPET, REMOVE OLD	692.00	0.00
GOODWIN PLUMBING, LLC	7394	GAR BUILDING REPAIRS	1,331.52	0.00
GRAND RIVER BUILDERS	400229	GAR HALL, CAPITAL SCHOOL	8,000.00	0.00
GREAT AMERICAN BUSINESS PROD	300131	MAINT WORK ORDER BOOK	48.00	0.00
GRIFFIN PEST SOLUTIONS	400246	PEST CONTROL	160.00	0.00
HERMANS MARSHALL HARDWARE	7446	2 GAL JUG	185.83	0.00
HOEKSTRA TRANSPORTATION INC	5730	DART #4, BELT	108.00	0.00
HUNTER PRELL COMPANY	7460	ANNUAL FIRE & BACKFLOW INSPCTN	250.00	0.00
IRISH ACRES DISTRIBUTING	300132	HOIST REPAIR	250.00	0.00
J & K PLUMBING SUPPLY	3351	69519	52.09	0.00
J.O. GALLOUP COMPANY	4624	SUPPLIES FOR FERRIC TANK VENT	146.70	0.00
JIMMY'S JOHNS	4235	COMPOST CENTER	110.00	0.00
K & H CONCRETE CUTTING INC	5202	FERRIC VENT CORE	150.00	0.00
KAR LABORATORIES INC	8817	CYANIDE ANALYSIS	100.00	0.00
KELLOGG'S REPAIR GARAGE	5869	#620 PTO BELTS	30.74	0.00
LARRY'S FLOOR COVERING	7530	CARPET	2,349.90	0.00
LEXISNEXIS RISK DATA MNGMNT	400109	MAY 2011	135.50	0.00
MARSHALL LUMBERTOWN	7569	1 X 4 PINE BOARD, SHIMS	650.54	0.00
MARSHALL MEDICAL ASSOCIATES	7571	KIP SUNDBERG	178.00	0.00
MARSHALL TIRE	3771	FOR WOOD CHIPPER	279.88	0.00
DONALD MARX	21694	UPDATE DIGITAL ART-CITY MAP	50.00	0.00
MEDLER ELECTRIC COMPANY	7604	PRIMER	837.60	0.00
MICHIGAN ECONOMIC DEVELOPERS	7641	ECON DEV TOOLS PROGRAM	80.00	0.00
MILLER CANFIELD PADDOCK &	7683	BARGAINING 2011-PATROL OFFCRS	4,234.89	0.00
MISSION CAR WASH	217915	MAY CHARGES	25.00	0.00
NORTROP GRUMMAN	9974	CABLE	253.95	0.00
O'LEARY WATER CONDITIONING	6995	MAY-JUNE COOLER RENTAL,WATER	29.00	0.00
OERTHERS	21127	FLOWERS & SUPPLIES	241.30	0.00
MARTIN OVERHISER	5181	FENCE STAIN, HONOLULU HOUSE	118.75	0.00
POWER LINE SUPPLY	7821	9 KV ARRESTER	1,736.93	0.00
PRECISION LAWN CARE	300237	MOW & TRIM	750.00	0.00
PVS TECHNOLOGIES	7797	FERRIC CHLORIDE SOLUTION	4,058.00	0.00
QUALITY LAWN CARE	8838	MOWING	2,575.00	0.00
R.W. MERCER	400261	CHECK CALLIBRATION	179.75	0.00
RADIO COMMUNICATIONS	7810	M-1 REPAIR	180.00	0.00
ROTO-ROOTER	7838	Drain Cleaning at WWTP	2,280.00	0.00

VENDOR APPROVAL SUMMARY REPORT

Date: 06/15/2011
 Time: 4:52pm
 Page: 2

CITY OF MARSHALL

Vendor Name	Vendor Number	Description	Check Amount	Hand Check Amount
SHAFFER REDI-MIX INC	7867	LIMESTONE	1,511.99	0.00
SMITH & LOVELESS	21568	SONIC START	1,325.85	0.00
SPOTLESS AUTOMATIC LAUNDRY	7900	CLEAN BASEMENT CARPET @ GAR	240.00	0.00
SSOE GROUP	5886	2400 Volt Switchgear Replaceme	5,986.10	0.00
STANDARD PRINTING & OFFICE	7903	DELIVERY	382.70	0.00
STATE OF MICHIGAN	300238	COURTROOM TESTIMONY SEMINAR	70.00	0.00
STRUBLE'S HARDWARE & SUPPLY	6352	CHAIN SAW PARTS	120.10	0.00
SUMMIT POINTE	5891	ADJ INV #15692	1,080.00	0.00
SYN-TECH SYSTEMS	300336	CUSTOMER SUPPORT	75.00	0.00
VIRIDIS DESIGN GROUP	400262	CONSTRUCTION DOCUMENTS	1,200.00	0.00
WOODS POOLS INC	3901	LEAF NET	25.10	0.00
YOU R SPECIAL, LLC	21522	MAY CLEANING	720.00	0.00
Grand Total:			166,683.99	0.00

CHECK NUMBER SERIES AS OF FRIDAY, 06/10/11

	Beginning #	Ending #	Dated
PAYROLL-ACH	71197	71205	05/28/11-06/10/11
A/P & P/R-OTHER	87793	87966	05/28/11-06/10/11



MICHIGAN SOUTH CENTRAL POWER AGENCY

720 HERRING ROAD • LITCHFIELD, MICHIGAN 49252
 PHONE (517) 542-2346 • FAX (517) 542-3049
 www.msepa.net

ORIGINAL INVOICE

MARSHALL CITY ELECTRIC DEPARTMENT
 323 WEST MICHIGAN AVENUE
 MARSHALL, MICHIGAN 49068
 Attn: Mr. Tom Tarkiewicz

Invoice Date: 15-Jun-11
 Due Date: 30-Jun-11
 Service From: 01-May-11
 To: 31-May-11

Peak Demand 21,122 kw
 Total Energy Received 8,900,113 kWh
 Hydro Generation 173,312 kWh
 Net Billing kWh's 8,726,801 kWh

Area	Entitlement %	Operating and Maintenance Costs	Debt Service	Total
PROJECT 1-ENDICOTT	24.0%	386,599.14	-	386,599.14
PROJECT 2	18.0%	6,759.60	-	6,759.60
PROJECT 3	20.2%	1,900.57	-	1,900.57
PURCHASED POWER	17.0%	214,014.32		214,014.32
TRANSMISSION	25.4%	(54,240.68)	-	(54,240.68)
MISO	20.6%	10,486.69		10,486.69
SUBSTATION	34.4%	27.71	-	27.71
ADMINISTRATION	20.6%	32,287.06		32,287.06
MEMBER	12.9%	2,434.65		2,434.65
MEMBER HYDRO	0.0%	-		-
CAPACITY	12.9%	-		-
RATE STABILIZATION		23,758.46		23,758.46
TOTAL COST		\$ 624,027.53	-	624,027.53
		\$/kWh 0.07151	0.00000	0.07151
CREDITS		\$ (34,026.86)	-	(34,026.86)
		\$/kWh (0.00390)	0.00000	(0.00390)
NET COST		\$ 590,000.67	-	590,000.67
		\$/kWh 0.06761	0.00000	0.06761

Pay this amount	\$ 590,000.67
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Any amounts due and not paid by the due date shall bear interest at the rate of 1% per month until paid.

VENDOR APPROVAL SUMMARY REPORT

Date: 06/03/2011

Time: 10:14am

Page: 1

CITY OF MARSHALL

Vendor Name	Vendor Number	Description	Check Amount	Hand Check Amount
ALLSTATE WORKPLACE DIVISION	3431	POLICY #ALLMI550	768.77	0.00
AMERICAN BEAUTY TURF NURSERIES	400242	SOD FOR CEMETERY	0.00	225.00
MORRIS ARVOY	400157	MARKETING CONSULTANT-MAY	3,000.00	0.00
BROADSTRIPE	3293	ACCT #198-177805	172.98	0.00
CARLETON EQUIPMENT COMPANY	7189	CANCEL #1-16658 (POWERPLAN)	0.00	0.00
CHILDREN'S SHOPPE	400251	UTILITY DEPOSIT REFUND	57.06	0.00
CITGO	3724	FLEET #132271610	14,208.77	0.00
COMMERCIAL OFFICE PRODUCTS	9769	TONER, CRTDGS, PENS	397.40	0.00
CONSUMERS ENERGY	8560	1000 0033 5602	2,372.88	0.00
KAI COUSINEAU	400250	REFUND UTILITY DEPOSIT	82.01	0.00
DELTA DENTAL PLAN OF MICHIGAN	7294	CUST #MI022820001	4,725.02	0.00
JULIE FULLER	400252	UTILITY DEPOSIT REFUND	1.70	0.00
DOUG LEACH	6060	DINNER FOR MUTUAL AID CREWS	112.35	0.00
MARSHALL COMMUNITY CU	7558	2113 - TRUDEAU	123.39	0.00
GREG MCCOMB	5742	EXPENSE REIMBURSEMENT	91.91	0.00
MICHIGAN MUNICIPAL LEAGUE	2224	POLICY #5550390-11	56,327.00	0.00
ADAM OTTJEPKA	6632	EXPENSE REIMBURSEMENT	103.74	0.00
REPUBLIC SERVICES #249	2096	ACCT #3-0249-1022021	514.25	0.00
STATE OF MICHIGAN	4872	TIN #38-6004708, 05/11,SLS TAX	24,001.11	0.00
CHRISTINA STOCKBURGER	21167	REFUND UTILITY DEPOSIT	76.98	0.00
KRISTI TREVARROW	400249	FACEBOOK PRESENTATION	375.00	0.00
JENNIFER WOOD	400156	PRESERVATION OF HISTORIC RECOR	1,000.00	0.00

Grand Total: 108,512.32 225.00

PRESCRIPTION REIMBURSEMENTS 80.60

TOTAL CASH DISBURSEMENTS \$108,592.92

VENDOR APPROVAL SUMMARY REPORT

Date: 06/10/2011

Time: 10:48am

Page: 1

CITY OF MARSHALL

Vendor Name	Vendor Number	Description	Check Amount	Hand Check Amount
A T & T	3176	269 789-2615 963 4	1,678.25	0.00
AD-VISOR & CHRONICLE	7557	MAY CHARGES	822.51	0.00
BROADSTRIPE	3293	ACCT #198-040788	1,918.49	0.00
BRONNER'S COMMERCIAL DISPLAY	400260	HEAVY DUTY CORDS	644.00	0.00
ANDREW BROWN	400256	REFUND UTILITY DEPOSIT	83.12	0.00
CALHOUN COUNTY TREASURER	7177	MAY TRAILER FEES	80.00	0.00
NANCY CARMAN	400258	REFUND UTILITY DEPOSIT	18.41	0.00
COMMERCIAL OFFICE PRODUCTS	9769	RCPT BOOK,CRTDGS,ROLLS,TAPE	300.86	0.00
TROY DEKRYGER	4929	EXPENSE REIMBURSEMENT	9.32	0.00
JOE DELAPAS	6084	MEALS	10.00	0.00
MIKE DEVLIN	400253	PLAYGROUND GAMES TRAINING	150.00	0.00
CODY DRUMM	25123	MEALS	30.00	0.00
MORRIS EVANS	2218	MEALS	30.00	0.00
CASSANDRA FITZPATRICK	400257	REFUND UTILITY DEPOSIT	79.06	0.00
JOHN HACKER	2529	MEALS	10.00	0.00
GENIE KIPKER	400254	REPLACE URN	38.69	0.00
KITCHEN SHOP OUTLET	6598	436715 & 436713 corrections	1.20	0.00
JOSH LANKERD	2321	BOOT ALLOWANCE	51.48	0.00
DOUG LEACH	6060	MEALS	30.00	0.00
RODNEY MCFADDEN	4239	MEALS	30.00	0.00
RICHARD MCVICKER	400259	REFUND UTILITY DEPOSIT	85.37	0.00
MEDLER ELECTRIC COMPANY	7604	WASP SPRAY	1,694.97	0.00
STEVE MEYER	3325	MEALS	10.00	0.00
MPTA	21545	TOM FITZPATRICK REGISTRATION	200.00	0.00
NEOFUNDS BY NEOPOST	400232	POSTAGE	3,000.00	0.00
ADAM OTTJEPKA	6632	EXPENSE REIMBURSEMENT	70.18	0.00
ADAM SCHROEDER	4000260	REFUND UTILITY DEPOSIT	51.33	0.00
SCHULERS RESTAURANT	7857	MANUFACTURER'S APPRECIATION	891.23	0.00
ROBERT SIEGEL	2773	MEALS	20.00	0.00
STAPLES	8291	ACCT #7972 3200 0007 4618	431.96	0.00
LUCAS TICE	300431	MEALS	30.00	0.00
UNIVERSAL SIGNS	400255	PERMIT FEE REFUND	100.00	0.00
WOODS POOLS INC	3901	FOUNTAIN SUPPLIES	3.33	0.00
Grand Total:			12,603.76	0.00

PRESCRIPTION REIMBURSEMENT 4.30

TOTAL CASH DISBURSEMENT \$12,608.06

EVENT REPORT

EVENT: World Rueben Eating Contest

EVENT LOCATION: North Jefferson Street

SPONSOR: Pastrami Joes

EVENT DATE: July 16, 2011

EVENT TIMEFRAME: 4pm – 6pm

MDOT PERMIT REQUIRED: YES NO

MDOT PERMIT GRANTED: YES NO **DATE:**

ROAD CLOSURE TIMEFRAME: Noon – 6pm

ROAD CLOSURE DETAIL: North Jefferson Street from Michigan Avenue to Mansion Street

EVENT CLOSURE DETAIL: North Jefferson Street from Michigan Avenue to Mansion Street

DETOUR DETAIL: None

EVENT DETAIL: Children relay and stage for Rueben Eating Contest

PARKING PROHIBITION: No on-street parking on Jefferson Street. From Michigan Avenue to Mansion Street

COUNCIL NOTIFICATION DATE: June 20, 2011



ADMINISTRATIVE REPORT
June 20, 2011 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council

FROM: Alec Egnatuk, Wastewater Superintendent
Carl Fedders, Director of Public Services
Tom Tarkiewicz, City Manager

SUBJECT: Resolution adopting an SRF Project Plan – Public Hearing

BACKGROUND: The City of Marshall retained Stantec Consulting Inc. to prepare and submit a Project Plan to the Michigan Department of Environmental Quality to be ranked on the State's annual Project Priority List for obtaining low-interest loans from the Clean Water State Revolving Fund (SRF). The SRF Loan is being pursued as an alternative to General Obligation Bonds due to the low interest rate available. In addition, some of the proposed projects would not be able to be funded by Bonds due to the expected life of the equipment, but are allowed by the SRF. The Wastewater Department intends to utilize the SRF loan to address deficiencies related to the treatment plant, data acquisition system and the sewage collection system.

The Project Plan submitted by Stantec Consulting Inc. utilized findings from a sanitary sewer system master plan and a wastewater treatment plant facilities plan that were completed in 2008. The City's CIP was used to determine which projects would be evaluated for inclusion in the Project Plan. Subsequent research done by Stantec this spring was compiled along with the 2008 findings to complete the Project Plan. This research included, but was not limited to performing site reviews at the wastewater plant and pumping stations, conducting interviews with City staff, collecting historic data, requesting historical and environmental clearances, evaluating alternatives, performing feasibility analysis, evaluating environmental impacts, and developing an Engineer's opinion of probable project cost associated with the evaluated alternatives.

RECOMMENDATION: After hearing public comments it is recommended that the City Council pass a resolution adopting the proposed final project plan for wastewater treatment and collection system improvements and designating an authorized project representative.

FISCAL EFFECTS: None at this time.

ALTERNATIVES: As suggested by the Council.

Respectfully submitted,

Alec Egnatuk
Wastewater Superintendent

Carl Fedders
Director of Public Services

Tom Tarkiewicz
City Manager

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

**A RESOLUTION ADOPTING A FINAL PROJECT PLAN
FOR WASTEWATER TREATMENT AND COLLECTION SYSTEMS IMPROVEMENTS AND
DESIGNATING AN AUTHORIZED PROJECT REPRESENTATIVE**

WHEREAS, the City of Marshall recognizes the need to make improvements to its existing wastewater treatment and collection systems; and

WHEREAS, the City of Marshall authorized Stantec Consulting Michigan, Inc. (Stantec) to prepare a Project Plan, which recommends a single phased project including improvements to the Wastewater Treatment Plant and multiple Pump Stations.

WHEREAS, said Project Plan was presented at a Public Hearing held on June 20, 2011 and all public comments have been considered and addressed;

NOW THEREFORE BE IT RESOLVED, that the City of Marshall formally adopts said Project Plan and agrees to implement the selected alternative.

BE IT FURTHER RESOLVED, that the Director of Public Services, a position currently held by Mr. Carl Fedders, PE is designated as the authorized representative for all activities associated with the project referenced above, including the submittal of said Project Plan as the first step in applying to the State of Michigan for a State Revolving Fund Loan to assist in the implementation of the selected alternative.

Yeas:

Nays:

I certify that the above Resolution was adopted by the City of Marshall Council on June 20, 2011.

BY: Sandra Bird, City Clerk
Name and Title

Signature

Date



ADMINISTRATIVE REPORT
June 20, 2011 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council Members

FROM: Natalie Huestis, Director of Community Services
Tom Tarkiewicz, City Manager

SUBJECT: Request for authorization to appoint Glenn Lindsey, Cornerstone Inspection Services to serve as the City of Marshall Building Official and Inspector

BACKGROUND: In June of 2010, the City made an agreement with Cornerstone Inspection Services to act as "back-up" inspectors for all trades when our designated inspectors weren't available. Since that time, Cornerstone has performed very adequately. In fact, given their history of performance, they were staff's logical choice to hire for our building needs when Tim Eggleston, the current Building Official, gave his resignation as of June 24th. Tim has 3 vacation days he will be taking at the end of his declared resignation time.

Cornerstone currently serves 10 other municipalities, some in a part-time capacity and some in a full-time capacity. They are a full-service entity that provides their own building applications, inspection scheduling, and contractor registrations. The fees they charge for their permits, covers their inspection costs. Any new building applications will be handled completely through Cornerstone and any current open building applications the City has now will also be handled through Cornerstone (the City will pay them per inspection on these permits).

With respect to 1986 PA 54, the City needs to have a designated Building Official and once permission is given to sign the agreement with Cornerstone, staff will inform the State of our change in Building Official as of June 21st. Representatives at Cornerstone and staff at the City will stay in constant contact regarding building permits and circumstances in order to retain our BS&A permit system, as well as staying in contact with the Code Enforcement Officer and other City departments for any violations noticed while inspecting properties.

RECOMMENDATION: Staff recommends that City Council authorize the Clerk-Treasurer to sign the contract with Cornerstone Inspections Services, LLC and by adoption of the attached resolution to authorize Glenn Lindsey to act as the City's Building Official and Building Inspector.

FISCAL EFFECTS: The General Fund revenues will increase for the permit fees collected and the General Fund-Inspection Department expenditures will increase for Cornerstone's contracted costs. The estimated net impact on the FY 2012 budget will be zero. Line item reclassifications between the wages account and the contracted services account will be handled through the year end budget amendment process.

ALTERNATIVES: As suggested by Council.

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

f 269.781.3835

cityofmarshall.com

Respectfully submitted,

Tom Tarkiewicz
City Manager

Natalie Huestis
Director of Community Services

Code Enforcement Agreement

To Approve Agreement with Cornerstone Inspection SVCS, LLC to Administer and Enforce Building Codes and Ordinances

This agreement shall become effective on the 21st day of June, 2011 between the City of Marshall and Cornerstone Inspections SVCS, LLC, ("Cornerstone") a Michigan limited liability company of 107 South Capital Avenue, Athens, Michigan 49011, and to name Glenn Lindsey as the Building Official and Inspector for administering and enforcing various building codes and related ordinances. Cornerstone agrees to act as the City of Marshall's Building Official and Inspector.

The City of Marshall hereby designates Cornerstone as the authorized enforcing agency to enforce the following ordinance(s):

- State of Michigan Building & Construction Codes
- Property Maintenance Code (as requested by Code Enforcement)

Cornerstone also agrees to:

1. Comply at all times with the Michigan Building Officials and Inspectors Registration Act (MCL 338.2301 *et. seq.*).
2. Maintain appropriate building permit records and send copy files to the City.
3. Maintain appropriate staffing to ensure work is completed in a timely manner.
4. Conduct professional and courteous inspections and to work in conjunction with the City's Code Enforcement Officer to issue violation notices if needed.
5. Provide information and counsel on building code requirements to residents and City employees.
6. Process applications, as required, to the Construction Board of Appeals and attend their meetings to offer guidance and information needed to make proper decisions.

In consideration for the above services, Cornerstone shall be paid from the fees generated pursuant to the Fee Scheduled as submitted by Cornerstone. The rates shall not be increased by more than \$2.00 per function on a biennial basis during the term of this agreement.

The City of Marshall agrees, to the extent allowed by law, to indemnify and hold Cornerstone harmless from any and all claims, liability or damages that may be claimed with respect to any person or property under this agreement if Cornerstone acted in good faith and in a manner it reasonably believed to be appropriate and, with respect to any criminal action or proceeding, had no reasonable cause to believe that its conduct was unlawful.

Either party shall have the right to terminate this Agreement upon 90 days written notice to the other party, and mailed to the other party by certified or registered mail to the addresses given below.

This Agreement contains the entire agreement of the parties with respect to the subject matter hereof and cannot be changed except in a written document which expressly references this Agreement.

City of Marshall
323 W. Michigan Ave.
Marshall, Mi 49068

Cornerstone Inspection SVCS, L.L.C.
107 South Capital Ave.
Athens, MI 49011

Sandra Bird, Clerk-Treasurer

Printed Name

Date

Signature

Date

CITY OF MARSHALL
RESOLUTION #-11

RESOLUTION TO APPOINT GLENN LINDSEY AS THE CITY OF MARSHALL'S
BUILDING OFFICIAL AND INSPECTOR

THE CITY OF MARSHALL ORDAINS:

Whereas; As part of the administration of the State Construction Code and as required under 1986 PA 54, the City of Marshall needs to have an appointed Building Official and Inspector.

Whereas; In July 2010, the City of Marshall retained Cornerstone Inspection Services for back-up inspections including Building, Mechanical, Electrical, and Plumbing. As of June 21, 2011, the City of Marshall has retained the services of Glenn Lindsey, of Cornerstone Inspection SVCS, to act as Building Official and Building Inspector and administer and enforce building codes and associated ordinances in the City of Marshall.

Whereas; To provide continuity of services it would be beneficial to appoint Glenn Lindsey, owner of Cornerstone Inspection SVCS, as the City of Marshall's Building Official and Inspector.

Therefore, it is resolved; That the City of Marshall appoints Glenn Lindsey, owner of Cornerstone Inspection SVCS, as the City of Marshall's Building Official and Inspector.

This Resolution is declared to be effective immediately upon publication.

Adopted and signed this _____ day of _____, 2011.

James L Dyer, MAYOR

Sandra Bird, CLERK-TREASURER

I, Sandra Bird, being duly sworn as the Clerk-Treasurer 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, 2011, 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.

Sandra Bird, CLERK-TREASURER

**Cornerstone's
Building Permit**

CORNERSTONE INSPECTION SERVICES
 107 S. CAPITAL AVE., P.O. BOX 190 ATHENS MI 49011
 OFFICE: 269-729-9244 FAX: 269-729-9254
 EMAIL: gkgs@indsey1@aol.com
 Authority: 1972 PA 230
 Completion: Mandatory to obtain permit
 Penalty: Permit cannot be issued

Permit # _____
 Fee _____
 Method of Payment _____
 Receipt # _____
**MAKE CHECK PAYABLE TO THE MUNICIPALITY
 IN WHICH YOUR PROJECT IS LOCATED**

BUILDING PERMIT & PLANS EXAMINATION APPLICATION

I. Project Information					
JOB Address			Name of Owner		
Name of City, Village or Township in which job is located: <input type="checkbox"/> City <input type="checkbox"/> Village <input type="checkbox"/> Township OR:				County	Zip Code
Between _____ And _____					
II. Identification					
A. Owner or Lessee					
Name		Address		City	
State, Zip	Telephone	Work/Cell Phone	Fax	Email	
B. Contractor					
Name		Address		City	
State, Zip	Telephone	Work/Cell Phone	Fax	Email	
Builders License #		Expiration Date	Federal Employer ID # (or reason for exemption)		
Workers Comp Insurance Carrier (or reason for exemption)			MESC # (or reason for exemption)		
C. Architect or Engineer					
Name		Address		City	
State, Zip	Telephone	Work/Cell Phone	Fax	Email	
License #			Expiration Date		
III. Type of Improvement					
A. Type of Improvement					
<input type="checkbox"/> New Building	<input type="checkbox"/> Interior Alteration/Remodel	<input type="checkbox"/> Demolition	<input type="checkbox"/> Foundation Only		
<input type="checkbox"/> Relocation	<input type="checkbox"/> Roofing Shingles Only	<input type="checkbox"/> Roofing Re-Deck & Shingles	<input type="checkbox"/> Repair		
<input type="checkbox"/> Addition	<input type="checkbox"/> Mobile Home Set-Up	<input type="checkbox"/> Pre-manufactured Home	<input type="checkbox"/> Special Inspection		
IV. Proposed Use of Building					
A. Residential					
<input type="checkbox"/> One Family Home		<input type="checkbox"/> Hotel, Motel-No. of Units ____		<input type="checkbox"/> Attached Garage	
<input type="checkbox"/> Pole Barn		<input type="checkbox"/> Shed/Outbuilding		<input type="checkbox"/> Carport	
<input type="checkbox"/> Two or more Family-No. of Units ____		<input type="checkbox"/> Detached Garage		<input type="checkbox"/> Other _____	
B. Non-Residential					
<input type="checkbox"/> Amusement		<input type="checkbox"/> Service Station		<input type="checkbox"/> School, Library, Educat.	
<input type="checkbox"/> Church, Religion		<input type="checkbox"/> Hospital, Institutional		<input type="checkbox"/> Store, Mercantile	
<input type="checkbox"/> Industrial		<input type="checkbox"/> Office, Bank, Professional		<input type="checkbox"/> Tanks, Towers	
<input type="checkbox"/> Parking Garage		<input type="checkbox"/> Public Utility		<input type="checkbox"/> Other _____	

Non-Residential: Describe in detail proposed use of building, E.G., food processing plant, machine shop, laundry building at hospital, elementary school, secondary school, college, parochial school, parking garage for department store, rental office building, office building at industrial plant. If use of existing building is being changed, enter proposed use.

V. Selected Characteristics of Building

A. Principal Type of Frame

Masonry Wood Frame Structural Steel Reinforced Concrete Other _____

B. Principal Type of Heating Fuel

Gas Oil Electricity Coal Other _____

C. Type of Sewage Disposal

City Sewer Septic System

D. Type of Water Supply

City Water Private Well or Cistern

E. Type of Mechanical

Will there be Air Conditioning? Yes No Commercial Question: Will there be Fire Suppression? Yes No

Will there be a fire place? Yes No Will it be masonry? Yes No Type of fuel burned in fire place: Wood Gas

F. Dimensions/Data (Include only project dimensions of altered, remodeled or new square footage)

Will any part of the basement be finished? <input type="checkbox"/> Yes <input type="checkbox"/> No If so, how much? _____ Square Feet				
Number of Stories _____	Floor Area:	Project Length _____	Project Width _____	Total Sq. Ft. _____
	Basement Area _____			
No. of Bedrooms _____ (New/Added)	1 st Floor Area _____			
	2 nd Floor Area _____			
No. of Full Baths _____ (New/Added)	3 rd Floor & Above _____			
No. of 1/2 Baths _____ (New/Added)	Height of project from grade to peak _____			Total Sq. Ft. _____

G. Number of Off Street Parking Spaces FOR COMMERCIAL USE ONLY

Enclosed _____ Outdoors _____

VI. Applicant Information

Applicant is responsible for the payment of all fees and charges applicable to this application and must provide the following information:

Name _____	Address _____	City _____
State, Zip Code _____	Telephone (including area code) _____	Federal Employer ID# (or reason for exemption) _____

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her authorized agent, and we agree to conform to all applicable laws of the State of Michigan. All information submitted on this application is accurate to the best of my knowledge.

Section 23a of the state construction code act of 1972, 1972 PA 230, MCL 125.1523A, prohibits a person from conspiring to circumvent the licensing requirements of this state to persons who are to perform work on a residential building or a residential structure. Violators of section 23a are subjected to civil fines.

Signature of Applicant: _____ **Date:** _____

This Department will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need help with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this agency.

VII. Local Government Agency to Complete This Section					
ENVIRONMENTAL CONTROL APPROVALS					
	Required	Approved	Date	Number	By
Zoning	<input type="checkbox"/> Yes <input type="checkbox"/> No				
Soil Erosion	<input type="checkbox"/> Yes <input type="checkbox"/> No				
Flood Zone	<input type="checkbox"/> Yes <input type="checkbox"/> No				
Water Supply	<input type="checkbox"/> Yes <input type="checkbox"/> No				
Septic System	<input type="checkbox"/> Yes <input type="checkbox"/> No				
Driveway	<input type="checkbox"/> Yes <input type="checkbox"/> No				
VIII. Validation-For Department Use Only					
Use Group _____		Review to be Performed _____			
Type of Construction _____		Number of Inspections _____			
Square Feet _____		Bldg Permit Fee _____		Plan Exam Fee _____	
Approval Signature: _____					
Title _____			Date _____		

WORK THAT IS STARTED WITHOUT A PERMIT MAY BE SUBJECT TO A \$65.00 ADMINISTRATIVE FEE, IN ADDITION TO THE REQUIRED PERMIT FEE.

REINSPECTIONS OF DOCUMENTED CODE VIOLATIONS ARE SUBJECT TO A \$65.00 REINSPECTION FEE, PAYABLE PRIOR TO SCHEDULING THE REINSPECTION.

MAKE CHECK PAYABLE TO THE MUNICIPALITY IN WHICH YOUR PROJECT IS LOCATED

RETURNED CHECKS ARE SUBJECT TO FEES IN ACCORDANCE WITH THE APPROPRIATE MUNICIPALITY'S RETURNED CHECK POLICY

**Cornerstone's
Building Permit/Plan Review Fees**

RESIDENTIAL AND COMMERCIAL PERMIT FEE SCHEDULE

CORNERSTONE INSPECTION SVCS

107 S. Capital Ave., P.O. Box 190, Athens, MI 49011*Phone:269-729-9244*Fax:269-729-9254
 Web Site: www.cornerstonemi.net

- | | | |
|---------------------------------|------------------------------|-------------------------|
| 1. RESIDENTIAL | | |
| a. BUILDING | | \$65.00 PER INSPECTION* |
| 2. ORDINANCE ENFORCEMENT | | \$50.00 PER INSPECTION |
| 3. PROPERTY MAINTENANCE | | \$50.00 PER INSPECTION |
| 4. COMMERCIAL | | |
| a. BUILDING | | SQ. FT. X MULTIPLIER* |
| 5. COURT/MEETING TIME | | \$30.00/HOUR |
| | Billed in 1/2 hr. increments | |

COMMERCIAL BUILDING PERMITS

PRICED BY THE BLDG. INSPECTOR

ASK FOR 2 – 3 SETS OF PRINTS STAMPED, SEALED, & SIGNED BY A STATE OF MICHIGAN LICENSED ARCHITECT OR ENGINEER

ALL COMMERCIAL JOBS ARE SUBJECT TO AN \$80.00 ADMINISTRATIVE FEE

<u>USE GROUP</u>	<u>UNIT COST/PER SQ. FT.</u>	<u>USE GROUP</u>	<u>UNIT COST/PER SQ. FT.</u>	
A-1	\$0.56	I-3	\$0.50	
A-2, A-3, A-4	\$0.40	M	\$0.30	<u>FOR ESTIMATING PURPOSES USE</u>
A-5	\$0.35	R-1	\$0.37	<u>THE FOLLOWING FORMULA:</u>
B	\$0.36	R-2	\$0.32	SQ. FT. OF PROJECT
E	\$0.39	S-1, S-2, U	\$0.19	X UNIT COST
F-1, F-2, H	\$0.21	All Groups Remodel	\$0.12	= SUBTOTAL +
I-1	\$0.35	All Groups Demo	\$0.07	<u>\$80.00 ADMIN. FEE</u>
I-2, I-4	\$0.55	Roofing	\$0.06	= TOTAL
			<over 8K Sq Ft = .03/Sq Ft	

NOTE: ANY RESIDENTIAL STRUCTURE WITH 3,600+ SQ. FT. OF OCCUPIABLE SPACE WILL REQUIRE 2-3 COMPLETE SETS OF STRUCTURAL, ELECTRICAL, MECHANICAL AND PLUMBING PRINTS SIGNED, SEALED AND STAMPED BY A STATE OF MICHIGAN LICENSED ARCHITECT OR ENGINEER

***ITEMS ARE SUBJECT TO PLAN REVIEW BASED UPON SIZE AND SCOPE OF JOB. RATE WILL BE ESTABLISHED BY THE BUILDING INSPECTOR IN ACCORDANCE WITH A PRE-DETERMINED FEE SCHEDULE. SEE SEPARATE PRICING LIST LABELED "PLAN REVIEW FEE SCHEDULE".**

PLAN REVIEW FEE SCHEDULE

CORNERSTONE INSPECTION SVCS

107 S. Capital Ave., P.O. Box 190, Athens, MI 49011*Phone:269-729-9244*Fax:269-729-9254

Web Site: www.cornerstonemi.net

RESIDENTIAL

HUD OR PREMANUFACTURED HOME		38.00
<hr/>		
SWIMMING POOL (INGROUND ONLY - No Plan Review on Pre-manufactured)		26.00
NEW HOME, ADDITION, REMODEL, DECK, POLE BARN, GARAGE	UNDER 100 SQ. FT.	NONE REQUIRED
	101 SQ. FT. TO 600 SQ. FT.	26.00
	601 SQ. FT. TO 1000 SQ. FT.	38.00
	1001 SQ. FT. TO 1500 SQ. FT.	53.00
	1501 SQ. FT. TO 2000 SQ. FT.	68.00
	2001 SQ. FT. TO 2500 SQ. FT.	83.00
	2501 SQ. FT. TO 3500 SQ. FT.	98.00
	3501 SQ. FT. AND OVER	.03/SQ. FT.

3501 SQ. FT. AND UP OF OCCUPIABLE SPACE REQUIRES A FULL SET OF STRUCTURAL, ELECTRICAL, PLUMBING, AND MECHANICAL PRINTS SIGNED AND SEALED BY AN ARCHITECT OR ENGINEER, LICENSED IN THE STATE OF MICHIGAN

COMMERCIAL

FEES ARE BASED UPON SIZE AND SCOPE OF WORK. SQUARE FOOTAGE OF PROJECT X PRICE PER SQ. FT. BELOW.

BUILDING	UNDER 600 SQ. FT.	\$26.00
	601 TO 1000 SQ. FT.	.055/SQ. FT.
	1001 TO 2000 SQ. FT.	.040/SQ. FT.
	2001 TO 3000 SQ. FT.	.030/SQ. FT.
	3001 TO 4000 SQ. FT.	.025/SQ. FT.
	4001 TO 5000 SQ. FT.	.022/SQ. FT.
	5001 TO 7500 SQ. FT.	.019/SQ. FT.
	7501 TO 10000 SQ. FT.	.017/SQ. FT.
	10001 AND MORE	.015/SQ. FT.
*BARRIER FREE	.012 X TOTAL SQ. FT. OF BLDG. PROJECT	
*FIRE PROTECTION	.25 X TOTAL SQ. FT. OF BLDG. PROJECT	
*PUBLIC SWIMMING POOL	.01 X TOTAL SQ. FT. OF POOL	

*MINIMUM OF \$38.00

**Cornerstone's
Contractor Registration**

CONTRACTOR REGISTRATION FORM

EPH 2:20

CORNERSTONE INSPECTION SVCS

REG

107 S. Capital Ave., P.O. Box 190, Athens, MI 49011*Phone:269-729-9244*Fax:269-729-9254

Web Site: www.cornerstonemi.net

BUSINESS NAME: _____ EIN OR SS# _____

ADDRESS: _____
Number Street Name City State Zip

PHONE: _____ FAX: _____ CELL: _____

EMAIL: _____ OWNER'S NAME: _____ SIGNATURE: _____

Printed

THE FOLLOWING TRADE LICENSES ARE THE LEGAL LICENSES ASSOCIATED WITH ABOVE-REFERENCED BUSINESS AND ARE ISSUED THROUGH THE STATE OF MICHIGAN TO BE UTILIZED FOR THE PURPOSES OF PROCUREMENT OF PERMITS FOR CONSTRUCTION AND/OR INSTALLATION

⇒ **ELECTRICAL CONTRACTOR LICENSE #** _____ **EXPIRES** _____ **MASTER#** _____ **EXPIRES** _____

LICENSEE SIGNATURE _____ LICENSEE PRINTED NAME _____

⇒ **PLUMBING CONTRACTOR LICENSE #** _____ **EXPIRES** _____ **MASTER** _____ **EXPIRES** _____

LICENSEE SIGNATURE _____ LICENSEE PRINTED NAME _____

⇒ **MECHANICAL CONTRACTOR LICENSE #** _____ **EXPIRES** _____

LICENSEE SIGNATURE _____ LICENSEE PRINTED NAME _____

⇒ **BOILER INSTALL CONTRACTOR LICENSE #** _____ **EXPIRES** _____

LICENSEE SIGNATURE _____ LICENSEE PRINTED NAME _____

⇒ **INSTALLER CONTRACTOR LICENSE #** _____ **EXPIRES** _____

LICENSEE SIGNATURE _____ LICENSEE PRINTED NAME _____

⇒ **RESIDENTIAL BLDG LICENSE #** _____ **EXPIRES** _____

LICENSEE SIGNATURE _____ LICENSEE PRINTED NAME _____

⇒ **MAINTENANCE/ALTERATION LICENSE#** _____ **EXPIRES** _____

LICENSEE SIGNATURE _____ LICENSEE PRINTED NAME _____

CATEGORIES: _____
_____ House Wrecking _____ Insulation Work _____ Masonry
_____ Painting/Decorating _____ Roofing _____ Screen/Sash Install
_____ Siding/Gutters Install _____ Swimming Pool Install _____ Tile/Marble Work
_____ Waterproofing Basements

PLEASE COMPLETE THIS FORM AND RETURN IT WITH A COPY OF YOUR CONTRACTOR LICENSE(S) AND DRIVER'S LICENSE. YOUR CONTRACTOR LICENSE(S) MUST HAVE YOUR COMPANY NAME LISTED IN ORDER FOR US TO ISSUE YOU A PERMIT. YOU MAY FAX OR MAIL TO THE CONTACT INFORMATION LISTED ABOVE.

City of Marshall

323 West Michigan Avenue • Marshall, MI 49068-1578 • Phone (269) 781-5183 • FAX (269) 781-3835



ADMINISTRATIVE REPORT June 20, 2011 – CITY COUNCIL MEETING

TO: Honorable Mayor and City Council

FROM: Sandra Bird, Clerk-Treasurer
Tom Tarkiewicz, City Manager

SUBJECT: FY 2011 Year-End Budget Amendments

BACKGROUND: Public Act 2 of 1968, better known as the Uniform Budgeting and Accounting Act, requires an amendment to the adopted budget when it can be determined that the budget projections will be different than originally anticipated. Each June, the staff reviews the revenues and expenditures in order to develop an amended budget resolution to more closely reflect the actual operational costs and the use of cash reserves. The following is a summary of the recommended budget amendments:

General Fund

- Taxes are lower than projected by (1%). The Assessor forecast was (4.3%) decline in property values, and the actuals reported a decline of (5.3%).
- Licenses and permits are higher than projected due to the Oaklawn expansion project.
- Intergovernmental revenues are lower due to lower than anticipated federal award and contributions from local units.
- Fines and forfeitures are higher than projected due to higher receipts of police ordinance fines.
- Interest Income is lower than projected due to lower than anticipated yielding instruments.
- Miscellaneous Revenues increased from the sale of City owned land - High Street Lot, and from reimbursements received by Enbridge Oil for security services provided by the City's Public Safety.
- City Council education and training expenditures were reduced.
- Assessor services were reduced for uncompleted reappraisal services.
- City Attorney professional services were increased for higher than anticipated labor relations costs.
- Human Resources expenditures were reduced for lower than anticipated expenditures for supplies, dues and educational costs.
- Other City Property expenditures increased for the Cronin building HVAC replacement (source of funding is use of prior year's fund balance reserves).
- Non-departmental expenditures were higher than anticipated due to unplanned Michigan Tax Tribunal Tax Appeals paid during the fiscal year.
- Police, Crossing Guard and Dispatch departments combined have a net zero budget adjustment. Retirement costs were reclassified and transferred from the police department budget to the dispatch budget.



- Inspection contracted services increased due to increased inspections for expired permits.
- Street expenditures are higher than projected due to storm clean-up and tree/stump removal services (source of funding is use of prior year's fund balance reserves).
- PSB Operations were reduced for the reduction of environmental testing expenditures.
- Parks expenditures are higher than projected resulting from a forecast error, which was reported to Council in the FY 2011 2nd and 3rd quarter financial reports. The savings from the PSB Operations department was earmarked to offset this department's budget overage.
- Capital Outlay expenditures were increased for City Hall painting (planned use of prior year fund balance reserves).
- Beginning in FY 2011, the Recreation, Composting and Airport Funds' activities are now combined with the General Fund due to recent GASB changes.
- Recreation: Program Fees and Investment Income were reduced. Program operating supplies were reduced to off-set projected revenue reductions. A reorganization of personnel, reducing one full-time employee to a part-time basis, decreased on-going operating expenditures to a level which now meets the current level of revenues.
- Composting: Contributions from General Fund were reduced with a planned use of the prior year's Composting fund balance reserves.
- Airport: Revenues and expenditures were increased due to higher fuel sales volume. The General Fund subsidy was increased by approximately \$6,000 for the rental airport renovations.

MVH-Major and Trunkline and MVH-Local

Operational expenditures were lower than anticipated due to lower winter costs compared to the previous fiscal year.

Drug Law Enforcement

To establish a budget for the investment income received during the fiscal year and the expenditures for drug enforcement equipment and supplies.

Local Development Finance Authority

Revenues increased for higher than anticipated property taxes. Interest Income decreased due to lower than anticipated yielding instruments, and expenditures increased for unanticipated tax refunds due to an industrial parcel and Michigan Tax Tribunal appeals.

Downtown Development Authority

Revenues increased for higher than anticipated property taxes. Expenditures decreased due to lower than anticipated community promotion costs delayed to the next fiscal year and operating supplies.

Special Projects

Revenues and expenditures increased due to higher than anticipated grant awards.

Marshall House

Revenues decreased for decreased Federal Section 8 Grant assistance, and expenditures were reduced to off-set the decrease in revenues.

Electric

Revenues increased due to higher than projected revenues in industrial sales. Expenditures decreased due to the carry-over of (\$332,000) capital expenditures to FY 2012 and the carry-over of (\$36,852) energy optimization costs to FY 2012.

Dial-A-Ride

To increase the revenue and expenditure budgets for one bus purchase and reimbursement.

Wastewater

Revenues increased due to increase in connection fees related to the Oaklawn expansion project, and slightly decreased in residential and commercial sales from original projections. Expenditures decreased due to lower than projected insurance and chemical costs.

Water

Revenues decreased due to decline in residential and industrial sales, offset by an increase in connection fees related to the Oaklawn expansion project. Expenditures decreased due to (\$49,123) decrease in capital projects.

Data Processing

Expenditures decreased due to lower than anticipated operating supplies and professional services.

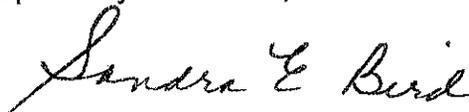
Motor Pool

Revenues decreased due to lower than anticipated local contributions and sale of fixed assets. Expenditures decreased to off-set decrease in revenues.

RECOMMENDATION: To adopt the attached resolution to amend the FY 2011 Adopted Budget.

FISCAL EFFECTS: As detailed by the information included in this Administrative Report.

Respectfully Submitted,



Sandra Bird
Clerk-Treasurer



Tom Tarkiewicz
City Manager

CITY OF MARSHALL, MICHIGAN
RESOLUTION #11-

THE CITY OF MARSHALL
AMENDED GENERAL APPROPRIATION ACT RESOLUTION
July 1, 2010 – June 30, 2011

THE CITY OF MARSHALL RESOLVES that the revenues and expenditures for the fiscal year, commencing July 1, 2010, and ending June 30, 2011, are hereby amended on a departmental and fund total basis as follows:

<u>General Fund Revenues</u>	<u>Adopted</u>	<u>Amended July, 2010</u>	<u>Amended June, 2011</u>	<u>Change</u>
Taxes	3,353,897	3,353,897	3,311,297	-42,600
Licenses and Permits	48,613	48,613	56,313	7,700
Intergovernmental Revenues	682,626	682,626	672,026	-10,600
Charges for Services	72,600	72,600	72,600	
Fines and Forfeits	23,300	23,300	37,500	14,200
Interest	78,031	78,031	8,031	-70,000
Miscellaneous	110,580	110,580	211,880	101,300
Other Financing Sources	1,043,886	1,043,886	1,043,886	
Total Revenues	5,413,533	5,413,533	5,413,533	0
<u>General Fund Expenditures</u>				
City Council	5,488	5,475	2,975	-2,500
City Manager	98,248	96,871	97,521	650
Assessor	114,423	114,212	107,712	-6,500
Attorney	70,000	70,000	85,400	15,400
Human Resources	57,998	56,651	55,401	-1,250
Clerk-Treasurer	298,784	297,943	297,943	
City Hall	98,804	102,486	101,486	-1,000
Chapel	2,850	2,850	2,850	
Other City Property	42,450	42,450	47,025	4,575
Cemetery	171,660	165,641	168,421	2,780
Non-Departmental	816,888	734,897	773,844	38,947
Police	1,345,699	1,332,764	1,323,794	-8,970
Crossing Guards	36,638	36,192	32,962	-3,230
Dispatch	225,000	225,000	237,200	12,200
Fire	802,902	792,205	792,205	
Inspection	101,128	100,231	102,216	1,985
Planning/Zoning	76,400	75,422	75,422	
Streets	672,485	652,370	752,315	99,945
Engineering	23,188	23,831	23,036	-795
Public Svcs. Build Operations	128,375	124,609	114,259	-10,350
Community Development	34,611	34,611	34,611	

	<u>Adopted</u>	<u>Amended July, 2010</u>	<u>Amended June, 2011</u>	<u>Change</u>
Parks	55,610	57,150	89,700	32,550
Capital Improvements	165,820	165,820	211,520	45,700
Total Expenditures	5,445,449	5,309,681	5,529,818	220,137
GF Net Surplus/(Deficit)	-31,916	103,852	-116,285	-220,135

GF - Recreation				
Revenues	403,130	403,130	397,915	-5,215
Expenditures	448,550	441,031	397,915	-43,116
Net Surplus/(Deficit)	-45,420	-37,901	0	37,901

GF - Composting				
Revenues	52,290	52,290	50,290	-2,000
Expenditures	59,331	59,253	53,673	-5,580
Net Surplus/(Deficit)	-7,041	-6,963	-3,383	3,580

GF - Airport				
Revenues	130,643	130,643	165,621	34,978
Expenditures	130,827	134,397	165,621	31,224
Net Surplus/(Deficit)	-184	-3,754	0	3,754

MVH-Major & Trunkline				
Revenues	409,936	409,936	409,936	
Expenditures	408,707	406,214	377,014	-29,200
Net Surplus/(Deficit)	1,229	3,722	32,922	29,200

MVH-Local				
Revenues	281,405	281,405	281,405	
Expenditures	298,124	296,006	265,806	-30,200
Net Surplus/(Deficit)	-16,719	-14,601	15,599	30,200

Drug Law Enforcement				
Revenues			50	50
Expenditures			520	520
Net Surplus/(Deficit)	0	0	-470	-470

Local Develop. Finance Auth.				
Revenues	514,925	514,925	522,875	7,950
Expenditures	409,516	409,516	482,116	72,600
Net Surplus/(Deficit)	105,409	105,409	40,459	-64,650

	<u>Adopted</u>	<u>Amended July, 2010</u>	<u>Amended June, 2011</u>	<u>Change</u>
Downtown Develop. Auth.				
Revenues	292,531	292,531	303,031	10,500
Expenditures	292,531	293,635	284,360	-9,275
Net Surplus/(Deficit)	0	-1,104	18,671	19,775

Special Projects				
Revenues	12,650	12,650	512,145	499,495
Expenditures	41,706	41,706	484,962	443,256
Net Surplus/(Deficit)	-29,056	-29,056	27,183	56,239

Marshall House				
Revenues	609,500	609,500	548,800	-60,700
Expenditures	623,844	661,261	600,561	-60,700
Net Surplus/(Deficit)	-14,344	-51,761	-51,761	0

Electric				
Revenues	12,426,300	12,426,300	12,741,854	315,554
Expenditures	13,229,112	13,130,319	12,702,875	-427,444
Net Surplus/(Deficit)	-802,812	-704,019	38,979	742,998

Dial-A-Ride				
Revenues	349,288	349,288	397,148	47,860
Expenditures	404,053	393,626	441,486	47,860
Net Surplus/(Deficit)	-54,765	-44,338	-44,338	0

Wastewater				
Revenues	1,245,800	1,245,800	1,254,362	8,562
Expenditures	1,819,910	1,797,564	1,767,284	-30,280
Net Surplus/(Deficit)	-574,110	-551,764	-512,922	38,842

Water				
Revenues	1,364,100	1,364,100	1,243,700	-120,400
Expenditures	1,820,071	2,219,709	2,167,006	-52,703
Net Surplus/(Deficit)	-455,971	-855,609	-923,306	-67,697

Data Processing				
Revenues	124,867	124,867	124,117	-750
Expenditures	172,604	172,419	142,519	-29,900
Net Surplus/(Deficit)	-47,737	-47,552	-18,402	29,150

	<u>Adopted</u>	<u>Amended July, 2010</u>	<u>Amended June, 2011</u>	<u>Change</u>
Motorpool				
Revenues	606,432	606,432	591,522	-14,910
Expenditures	900,142	1,548,887	1,545,797	-3,090
Net Surplus/(Deficit)	-293,710	-942,455	-954,275	-11,820

Safety				
Revenues	338	338	338	
Expenditures	6,876	6,921	6,921	
Net Surplus/(Deficit)	-6,538	-6,583	-6,583	0

WHEREAS, During FY 2011, Council approved the following General Fund expenditures, with authorized source of funding from the use of prior year's fund balance reserves:

Stulberg Land Purchase -	\$45,000
Budget carried forward to FY 2012	-45,000
City Hall Painting	45,700
Cronin Building HVAC Unit	9,953
Downtown Parking Study	10,000
Tree and Stump Removal	<u>53,874</u>
Total	\$119,527

WHEREAS, During May, 2011, \$42,000 storm clean-up costs were funded by the General Fund reserves. It is unknown if reimbursement will be awarded by FEMA/ State grants:

RESOLVED, the use of prior year's fund balance 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 reserves;

RESOLVED, approximately \$45,000 of the General Fund- Capital Outlay for the Stulberg land purchase was delayed due to environmental testing and will not be expended by the end of FY 2011, and that the budget be appropriated and may be carried forward to FY 2012;

RESOVLED, approximately \$36,852 of the Electric Fund-Energy Optimization funding will not be expended by the end of FY 2011, and that the budget be appropriated and may be carried forward to FY 2012;

RESOLVED, approximately \$332,000 of the Electric Fund-Capital Outlay projects will not be expended by the end of FY 2011, and that the budget be appropriated and may be carried forward to FY 2012;

This Resolution shall take effect upon adoption.
Dated June 20, 2011

Sandra Bird, Clerk-Treasurer

I, Sandra Bird, being duly sworn as the Clerk-Treasurer 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, 2011 and that said meeting was conducted and that the minutes of said meeting were kept and will be or have been made available.

Sandra Bird, Clerk-Treasurer



ADMINISTRATIVE REPORT
June 20, 2011 – City Council Meeting

TO: Honorable Mayor and City Council

FROM: Tom Tarkiewicz, City Manager
Tracy Hall, Human Resources Coordinator

SUBJECT: Patrol Union Agreement
Police Officers Labor Council, Patrol Officer's Division

BACKGROUND: The City of Marshall has completed negotiations with the Police Officer Labor Council, Patrol Officer's Division. We have reached mutual agreement on the collective bargaining agreement. Attached is a Fact Sheet summarizing the major changes made to the Agreement.

The bargaining unit has ratified the contract. The three-year agreement will expire June 30, 2014.

RECOMMENDATION: We respectfully request that City Council approve the Contract as presented.

FISCAL EFFECTS: The costs associated with implementation of contract provisions.

ALTERNATIVES: As suggested by City Council.

Respectfully submitted,


Tom Tarkiewicz
City Manager


Tracy Hall
HR Coordinator

323 W. Michigan Ave.
Marshall, MI 49068
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2011 Patrol Contract

Summary of Changes

- 3 Year contract
- 1% wage increase each year of the contract
- Change to 12 hours shifts (84 hours each pay period) for at least a 6 month trial period.
- All employees will be on the VSP Optical plan. We will no longer offer an internal reimbursement for optical expenses.
- Offer only the new PPO health plan
- Employees hired after July 1, 2011 pay 20% of the monthly health insurance premium.
- Replace FMLA language with a reference to the FMLA section of the Personnel Manual.
- Add language regarding Command Officer's right to return to the Patrol Unit with his/her prior Patrol seniority.
- Per unions request, add language regarding Emergency Financial Manager
"An emergency financial manager appointed under the local government and school district fiscal accountability act may reject, modify, or terminate the collective bargaining agreement as provided in the local government and school district fiscal accountability act."