

CALL TO ORDER

IN REGULAR SESSION Monday, May 16, 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

Richard Gerten of Family Bible Church gave the invocation and Mayor Dyer led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Moved Metzger, supported Williams, to approve the agenda with the addition of Appointments to Hospital Neighborhood Committee as Agenda Item 13. On a voice vote: **MOTION CARRIED.**

PUBLIC COMMENT ON AGENDA ITEMS

None.

CONSENT AGENDA

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

- A. Schedule a public hearing for Monday, June 6, 2011 to hear public comment regarding the proposed addition to Chapter 137 of the Marshall City Code;
- B. Accept and place on file the Third Quarter Financial Report for the City of Marshall;
- C. Approve a resolution appointing Carl Fedders as the MSCPA Alternate Commissioner;
- D. Approve the Federal Transit Administration Drug and Alcohol Policy and authorize the Clerk-Treasurer to sign the policy on behalf of the City;
- E. Adopt the resolutions in support of the submittal of a grant from the Michigan Department of Transportation Local Bridge Program for the Monroe Street Bridge over Rice Creek and Marshall Avenue Bridge over the Kalamazoo River;

- F. Authorize staff to proceed with the application process for grant funding under the Michigan Energy Efficiency & Conservation Community Block Grant Program and to authorize the Clerk-Treasurer and City Manager to sign the related contracts and agreements;
- G. Adopt the resolution authorizing the submittal of a Michigan Municipal League Foundation Shared Public Services Initiative Grant;
- H. Adopt the resolution authorizing the grant application submittal for the Paul Coverdell Forensic Science Improvement Grant;
- I. Approve the purchase of a 17 seat passenger bus through the State of Michigan Extended Purchase Program (MiDeal) from Mobility Transportation Services, Canton, Michigan in the amount of \$61,181.00;
- J. Approve minutes of the City Council Work Session and Regular Session held on Monday, May 2, 2011;
- K. Approve city bills in the amount of \$356,174.02.

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 North Ketchum Park Skate Park Fundraiser.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. FY 2012 Budget Adoption:

Mayor Dyer opened the public hearing to hear public comment regarding the adoption of the FY 2012 Budget and the Property Tax Millage Rates for Fiscal Year 2012.

City Manager Tarkiewicz and Clerk-Treasurer Bird provided background regarding the FY 2012 budget process.

Hearing no further comment the hearing was closed.

Moved Williams, supported Mankerian to approve the adoption of the FY 2012 Budget and the Property Tax Millage Rates for Fiscal Year 2012. On a roll call vote – ayes: Mankerian, Metzger, Miller, Traver, Williams, Booton, and Mayor Dyer; nays: none. **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN
RESOLUTION #2011-18

THE CITY OF MARSHALL
GENERAL APPROPRIATION ACT AND TAX LEVY RESOLUTION
July 1, 2011 – June 30, 2012

THE CITY OF MARSHALL RESOLVES that the expenditures for the fiscal year, commencing July 1, 2011, and ending June 30, 2012, are hereby appropriated on a departmental and fund total basis as follows:

GENERAL FUND REVENUES

Taxes	\$3,294,470
Licenses and Permits	35,850
Intergovernmental Revenues	631,428
Charges for Services	78,750
Fines and Forfeits	57,100
Interest	9,000
Miscellaneous	368,900
Other Financing Sources	990,744
Recreation	403,161
Composting	27,290
Airport	<u>137,388</u>
Total Revenues	\$6,034,081

GENERAL FUND EXPENDITURES

City Council	\$3,777
City Manager	115,410
Assessor	107,008
Attorney	65,000
Human Resources	58,501
Clerk-Treasurer	269,538
City Hall	106,629
Chapel	2,850
Other City Property	37,318
Cemetery	179,809
Non-Departmental	784,173
Police	1,315,506
Crossing Guards	27,784
Dispatch	230,369
Fire	800,668
Inspection	113,353
Planning/Zoning	82,507
Streets	742,218
Engineering	22,646
PSB Operations	94,831

Community Development	40,441
Parks	81,350
Capital Improvements	184,300
Recreation	392,841
Composting	55,766
Airport	<u>137,388</u>
Total Expenditures	\$6,051,981

Fund balance reserves shall be decreased by (-\$17,900) based on the FY 2012 revenues and expenditures for the General Fund budget.

The City Council does hereby levy a tax of 15.4629 mills, for the period of July 1, 2011, through June 30, 2012 on all real and personal taxable property in the City of Marshall, according to the valuation of the same. This tax is levied for the purpose of defraying the general expense and liability of the City of Marshall and is levied pursuant to Section 8.01, Article 8 of the Charter of the City of Marshall.

The City Council does hereby levy a tax of .4840 mills for the period of July 1, 2011, through June 30, 2012, on all real and personal taxable property in the City of Marshall, according to the valuation of the same. This tax is levied to operate the Dial-A-Ride Transportation System in the City of Marshall as authorized by a vote of the citizens on August 5, 1975.

The City Council does hereby levy a tax of .9393 mills for the period of July 1, 2011, through June 30, 2012, on all real and personal taxable property in the City of Marshall, according to the valuation of the same. This tax is levied for the purpose of defraying the expense of operating the Recreation Department of the City of Marshall as authorized by a vote of the citizens on April 4, 1959.

The City Council does hereby levy a tax of 1.6129 mills for the period of July 1, 2011, through June 30, 2012, on all real and personal taxable property in the City of Marshall, according to the valuation of the same in a district known as the Downtown Development District. This tax is levied for the purpose of defraying the cost of the Downtown Development Authority.

	<u>PROPOSED</u> <u>FY 2012</u>	<u>ACTUAL</u> <u>FY 2011</u>	<u>DIFFERENCE</u>
General Operating	15.4629	15.4629	0.0000
Recreation	.9393	.9393	0.0000
Dial-A-Ride	.4840	.4840	0.0000
Downtown Development Authority	<u>1.6129</u>	<u>1.6129</u>	<u>0.0000</u>
TOTAL	18.4991	18.4991	0.0000

The City Manager is authorized to make budgetary transfers within the appropriation centers established through this budget, and that all transfers between appropriations may be made by the City Manager in an amount not to exceed \$10,000 per year without prior Council approval pursuant to Section 19.2 of the provisions of the Michigan Uniform Accounting and Budgeting Act.

The City Council establishes the budget for the period of July 1, 2011, through June 30, 2012 for the following funds in the amounts set forth below:

ALL FUNDS REVENUES

General Fund	\$6,034,081
MVH-Major & Trunkline	382,078
MVH-Local	255,350
Local Development Finance	506,035
Downtown Development	295,706
Special Projects	5,400
Marshall House	614,500
Electric	12,478,174
Dial-a-Ride	486,806
Wastewater	2,189,250
Water	2,688,702
Data Processing	126,136
Motorpool	933,729
Safety	<u>338</u>
Total Revenues	\$26,996,285

ALL FUNDS EXPENDITURES

General Fund	\$6,051,982
MVH-Major & Trunkline	379,422
MVH-Local	285,437
Local Development Finance	907,761
Downtown Development	321,063
Special Projects	40,206
Marshall House	653,638
Electric	12,590,392
Dial-a-Ride	531,718
Wastewater	2,778,974
Water	3,052,004
Data Processing	184,385
Motorpool	1,209,992
Safety	<u>7,105</u>
Total Expenditures	\$28,994,079

Fund balance reserves shall be decreased by (-\$1,997,794) based on the FY 2012 revenues and expenditures for All Funds.

Budget Amendment 1 - Increase the Funding for the General Fund Sister Cities Delegation

Increase the General Fund, Non-Departmental expenditure budget by \$3,000 to provide additional funding for the Sister Cities Delegation, with a revenue source of General Fund operations.

Budget Amendment 2 – Remove the Funding for the Downtown Development Authority Fund for the Mansion Street/North Alley Capital Project

Decrease the Downtown Development Authority expenditure budget by (\$50,000) to remove the funding for the Mansion Street/North Alley capital project.

Budget Amendment 3 - Decrease the General Fund, Streets Department Budget for Part-time, Overtime and Social Security Expenditures and Transfer the Funding to the Streets Department Budget, Motor Pool Equipment Rental Expenditure for Appropriate Classification of Expenditures

The General Fund, Streets Department expenditure budget will have a net effect of zero following the transfer of \$41,752 funds between line items within the department budget.

Budget Amendment 4 - Increase the Motor Pool Revenues for the Increase in Rents Received by the General Fund, Streets Department

Increase the Motor Pool Rents revenue by \$41,752 for the increase in rents received by the General Fund, Streets Department due to Budget Amendment #3.

The City Council of the City of Marshall did give notice of the time and place when a public hearing on adoption of the budget would be held in accordance with Public Act 43 of 1963, proof of publication of the Notice of Public Hearing is now on file, and which Public Hearing was duly held pursuant to said notice and in conformity therewith. A copy of the budget proposal was on file with the Clerk-Treasurer and available for public inspection for at least one week prior to adoption of the budget; and

Further, the City Council of the City of Marshall did give notice of the time and

place when a public hearing would be held in conformity with the provisions of Public Act 5 of 1982 authorizing a tax rate in excess of the present authorized tax rate for General Operating, Recreation, Dial-A-Ride and Downtown Development Authority tax levies, proof of publication of Notice of Public Hearing is now on file, and which Public Hearing was duly held pursuant to said notice and in conformity therewith; and

This Resolution shall take effect July 1, 2011.

Dated: 05/16/11
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 May 16, 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

B. Electric Rate Ordinance Amendment:

Mayor Dyer opened the public hearing to hear comment regarding the amendment to the Electric Rate Ordinance.

Hearing no further comment the public hearing was closed.

Moved Miller, seconded Metzger to approve amendment to the Electric Rate Ordinance. On a roll call vote – ayes: Metzger, Miller, Traver, Williams, Booton, Mayor Dyer, and Mankerian; nays: none. **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN
ORDINANCE # 2011-10

THE CITY OF MARSHALL ORDAINS

An Ordinance to amend Section 9 of Electric Ordinance 4.5(a) and Section 5 of Electric Ordinance 4.6

Residential Service Rate “A”

Service Charge: \$7.00 per customer per month, plus,
Energy Charge: \$0.106 per kWh plus Power Supply Cost
Adjustment

Residential Rate "A-1"

Service Charge \$7.00 per customer per month, plus
Energy Charge:
 Winter: \$0.106 per kWh plus Power Supply Cost
 Adjustment for the first 600 kWh (October through
 May)
 \$0.066 per kWh plus Power Supply Cost
 Adjustment for all over 600 kWh per month
 (October through May)
 Summer: \$0.106 per kWh plus Power Supply Cost
 Adjustment for all kWh (June through September)

Residential Rate-Life Support "LS"

Service Charge: \$4.00 per customer per month, plus,
Energy Charge: \$0.096 per kWh plus Power Supply Cost
Adjustment

Commercial/Industrial Secondary Service "B"

Service Charge: \$ 15.00 per customer per month, plus
Energy Charge: \$ 0.107 per kWh plus Power Supply Cost
Adjustment for all kWh used per month

Commercial/Industrial Secondary Service "B1"

Service Charge: \$ 15.00 per customer per month, plus
Energy Charge:
 Winter \$ 0.067 per kWh plus Power Supply Cost
 Adjustment
 Summer \$ 0.107 per kWh plus Power Supply Cost
 Adjustment

Commercial/Industrial Secondary Service "C"

Service Charge: \$ 15.00 per customer per month, plus
Capacity Charge: \$10.35 per kW for all billing demand per month, plus
Energy Charge: \$0.064 per kWh plus Power Supply Cost
Adjustment

Industrial Primary Service "D"

Service Charge: \$ 100.00 per customer per month, plus
Capacity Charge: \$9.15 per kW for all billing demand per month
(Minimum 25 kW), plus

Energy Charge: \$0.076 per kWh plus Power Supply Cost Adjustment

Industrial Primary Service Rate "D-2"

Service Charge: \$ 100.00 per customer per month, plus
Capacity Charge: \$ 9.15 per kW for all billing demand per month
(Minimum 1000 kW), plus
Energy Charge: \$0.076 per kWh plus Power Supply Cost Adjustment

Economic Development Rate "E"

Capacity Charge: To be determined under special contract.
Energy Charge: To be determined under special contract.

Monthly Security Light Rental Rate

7000 Lumen (175W) Mercury Vapor Lamp	\$9.00 per month per fixture
Suburbanair Fixture	
19100 Lumen (400W) Mercury Vapor Lamp	\$15.00 per month per fixture
47200 Lumen (1000W) Mercury Vapor Lamp	\$18.00 per month per fixture

Temporary Electric Service:

Service connection charge will be a minimum \$35.00

Minimum monthly charge for kWh consumed, as determined by General Secondary Rate B, and no case less than \$9.00, as determined by Watt-hour meter installed on the job. For single phase temporary service connection of more than 100 amps, there will be a charge of \$1.50 per amp. Michigan Sales Tax will be added to all bills when applicable. The rules, regulations and billing procedures shall be those in effect in the City on the effective day of this Ordinance. This Ordinance is adopted under the provisions of Public Acts of Michigan, 1933 as amended.

This Ordinance amendment shall be published in full in the Ad-visor & Chronicle, a newspaper of general circulation in the City of Marshall qualified under state law to publish legal notices, within ten days after its adoption. This ordinance shall be recorded in the ordinance book and such recording shall be authenticated by the signature of the Mayor and City Clerk.

This ordinance is declared to take effect on May 17, 2011.

Adopted and Passed by the Marshall City Council this 16th day of May, 2011.

James Dyer
MAYOR

Sandra Bird
CLERK-TREASURER

CERTIFICATE

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 May 16, 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

None.

REPORTS AND RECOMMENDATIONS

A. AMP Fremont Energy Center Power Sales Contract:

Moved Metzger, supported Booton, to adopt the resolution to approve the Power Sales Contract and the Supplement to the Power Sales Contract and authorize the Clerk-Treasurer to sign the agreement for 6,100 kW of energy from the AMP Fremont Energy Center. On a roll call vote – ayes: Miller, Traver, Williams, Booton, Mayor Dyer, Mankerian, and Miller; nays: none. **MOTION CARRIED.**

B. Annual Compensation of Administrative Officials, Department Heads, and Salaried Personnel:

Moved Miller, supported Williams to approve the proposed FY 2012 wages for the administrative officials, department heads, and salaried personnel as presented. On a roll call vote – ayes: Mankerian, Metzger, Miller, Traver, Williams, Booton, and Mayor Dyer; nays: none. **MOTION CARRIED.**

APPOINTMENTS / ELECTIONS

A. Appointment to the Hospital Neighborhood Committee:

Moved Booton, supported Miller to appoint two people to serve on the Hospital Neighborhood Committee who have no relation to the hospital to serve on the committee until it is disbanded. On a roll call vote – ayes:

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Monday, May 16, 2011

Booton; nays: Williams, Mayor Dyer, Mankerian, Metzger, Miller and Traver.
MOTION DEFEATED.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Brian Munger of 120 S. Grand Street expressed disappointed with the hostility expressed at the council meeting.

Vince Trudell of 1212 Comstock expressed more concerns with Pratt Park.

COUNCIL AND MANAGER COMMUNICATIONS

None.

ADJOURNMENT

The meeting was adjourned at 8:38 p.m.

James L. Dyer, Mayor

Sandra Bird, Clerk-Treasurer