CITY OF Marshall Michigan

MARSHALL CITY COUNCIL AGENDA

TUESDAY – 7:00 P.M.

SEPTEMBER 6, 2011

1) **CALL TO ORDER**

2) **ROLL CALL**

3) **INVOCATION** – Mike Donahue, Four Winds Christian Fellowship

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. Set PH Hearing – Tenneco IFT

City Council will consider the recommendation to schedule a public hearing for September 19, 2011 to hear public comment on the proposed application for an Industrial Facilities Tax Exemption Certificate for Tenneco Marshall.

B. Set PH Hearing – MKD IFT

City Council will consider the recommendation to schedule a public hearing for September 19, 2011 to hear public comment on the proposed application for an Industrial Facilities Tax Exemption Certificate for Michigan Kitchen Distributors.

C. Third Party Administrator for Rental Rehab Grant

City Council will consider the recommendation to enter into negotiations with Revitalize, LLC to serve as Third Party Administrator for a Rental Rehabilitation Program grant through the Michigan State Housing Development Authority and authorize the Clerk-Treasurer to execute and sign a Third Party Administrator Agreement upon conclusion of successful negotiations.

D. Water Design Engineer

City Council will consider the recommendation to accept the proposal from Stantec Consulting for the design of the 2012 Water Main Infrastructure Upgrade for the not to exceed cost of $29,500 and approve the resolution stating intent to reimburse expenditures from the bond proceeds for the improvement to the water distribution facilities.

E. Street Bids

City Council will consider the recommendation to accept the low bid from Quality Asphalt of Homer, MI for the amount of $65,595 for the North Sycamore Street Rehabilitation project.

F. Lions Club Annual Candy Day Sale

City Council will consider the request from the Marshall Lions Club to hold their Annual Candy Day Sales on Friday, September 16 and Saturday, September 17, 2011.

Mayor:

James Dyer

Council Members:

Ward 1 - Wayne Booton

Ward 2 - Nick Metzger

Ward 3 - Brent Williams

Ward 4 - VACANT

Ward 5 - Jody Mankerian

At-Large - Kathy Miller

CITY OF Marshall Michigan

G. **City Council Minutes**

Work Session.....Monday, August 15, 2011

Regular Session.....Monday, August 15, 2011

H. **City Bills**

Regular Purchases	$ 262,274.85
Purchased Power	$800,531.65
Weekly Purchases – 8/12/11	$9,643.35
Weekly Purchases –8/19/11	$37,673.12
Weekly Purchases –8/26/11	$136,028.08
Total	**$ 1,246,151.05**

8) **PRESENTATIONS AND RECOGNITIONS**

9) **INFORMATIONAL ITEMS**

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

A. **Public Hearing – Medical Marihuana Ordinance**

City Council will hear public comment regarding the adoption of the Medical Marihuana Ordinance for the City of Marshall.

11) **OLD BUSINESS**

A. **Parking Ordinance**

City Council will consider the recommendation to approve proposed Ordinance §73.19 for Overnight Parking Permits Allowed Under Certain Circumstances.

12) **REPORTS AND RECOMMENDATIONS**

A. **Bid Award – Liability and Property Insurance**

City Council will consider the recommendation to accept the bid from Hub International Midwest, Ltd. of Battle Creek, MI for the amount of $192,123 for a term of three (3) consecutive years beginning with the policy period of November 1, 2011 and ending October 31, 2014, with two (2) one-year renewals.

B. **Joseph Campbell IFT Clawback**

City Council will consider the recommendation to adopt the resolution calling for the revocation of the IFT certificates issued to Campbell Soup Company for real and personal property improvements and 100% tax recapture for both real and personal property.

C. **Mainstreet Recommendation**

City Council will consider the Mayor's recommendation to continue in the Michigan Main Street program through the end of 2012 and the recommendation to transfer supervision of the Main Street Manager from the Main Street Board to the City Manager.

D. **Lake Allegan/Kalamazoo River Watershed Cooperative Agreement**

City Council will consider the recommendation to authorize the Clerk-Treasurer to sign the Lake Allegan/Kalamazoo River Watershed Cooperative Agreement for the reduction of phosphorus loading.

CITY OF Marshall Michigan

13) APPOINTMENTS / ELECTIONS

A. Airport Board Appointments

City Council will consider the recommendation to appoint Morris Arvoy to the Airport Board with a term expiring October 1, 2014 and the reappointment of Desmond Kirkland with a term expiring October 1, 2014.

B. City Council Vacancy – Ward 4

City Council will discuss the vacancy of the 4th Ward City Council Seat.

14) PUBLIC COMMENT ON NON-AGENDA ITEMS

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

15) COUNCIL AND MANAGER COMMUNICATIONS

16) ADJOURNMENT

Respectfully submitted,

Tom Tarkiewicz
City Manager

CITY OF Marshall Michigan

ADMINISTRATIVE REPORT
September 6, 2011 - CITY COUNCIL MEETING

TO: Honorable Mayor and City Council

FROM: Tom Tarkiewicz, City Manager
Mike Hindenach, Manager, Marshall Economic Development

SUBJECT: Tenneco Marshall, 820-904 Industrial Road, Marshall, MI
Industrial Facility Exemption Certificate Application

BACKGROUND: The City of Marshall has received a request from Tenneco Marshall for an Industrial Facilities Tax Exemption Certificate. The requested abatement is to consider $6,603,110.69.00 in personal property.

RECOMMENDATION: It is recommended that the Council schedule a Public Hearing for September 19, 2011 as required by the Industrial Facilities Tax Exemption Certificate process for Tenneco Marshall's application.

FISCAL EFFECTS: The anticipated tax revenue savings over the life of the certificate is approximately $446,000 for Tenneco Marshall, while the City of Marshall will forego approximately $173,000.

ALTERNATIVES: As suggested by Council.

Respectfully submitted,

Tom Tarkiewicz
City Manager

Michael D. Hindenach
Manager, Marshall Economic Development

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CITY OF Marshall Michigan

ADMINISTRATIVE REPORT
September 6, 2011 - CITY COUNCIL MEETING

TO: Honorable Mayor and City Council

FROM: Tom Tarkiewicz, City Manager
Mike Hindenach, Manager, Marshall Economic Development

SUBJECT: Michigan Kitchen Distributors
106 E. Oliver Street, IDD#23
Industrial Facility Exemption Certificate Application

BACKGROUND: The City of Marshall has received a request from Michigan Kitchen Distributors for an Industrial Facilities Tax Exemption Certificate. Michigan Kitchen Distributors is located in the Local Development Finance Authority (LDFA) district. The requested abatement is to consider $323,800.00 in personal property.

RECOMMENDATION: It is recommended that the Council establish a Public Hearing for September 19, 2011 as required by the Industrial Facilities Tax Exemption Certificate process for Michigan Kitchen Distributors' application.

FISCAL EFFECTS: The anticipated tax revenue savings over the life of the certificate is approximately $21,800 for Michigan Kitchen Distributors, while the LDFA will forego approximately $8,473.

ALTERNATIVES: As suggested by Council.

Respectfully submitted,

Tom Tarkiewicz
City Manager

Michael D. Hindenach
Manager, Marshall Economic Development

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CITY OF Marshall Michigan

ADMINISTRATIVE REPORT
September 6, 2011 - CITY COUNCIL MEETING

TO: Honorable Mayor and City Council

FROM: Tom Tarkiewicz, City Manager
Diane Larkin, Marshall Main Street Manager

SUBJECT: Third Party Administrator for Rental Rehab Grant

BACKGROUND: Cronin Development, LLC, is requesting the use of Michigan State Housing Development Authority (MSHDA) Rental Rehabilitation Program grant funds for development of six (6) residential living units on the upper floors of the Cronin building. The City of Marshall would serve as the Grantee for this program, with any and all funds awarded to be designated for use on the Cronin Building. A future grant could be pursued for other building owners seeking to use Rental Rehab Program funds for upper floor residential development.

To facilitate city staff in administrating this grant, a Request for Qualifications (RFQ) was published, seeking a Third Party Administrator for this project.

One applicant responded to the published notice – Revitalize, LLC.

Upon reviewing credentials and references, it appears Revitalize, LLC is well qualified to serve as the Third Party Administrator for the City of Marshall in the application and administration process for a Rental Rehab Program grant for the Cronin Building. This company is experienced with MSHDA projects, and is currently serving as the Third Party Administrator for a similar project in the City of Williamston.

RECOMMENDATION: City staff is recommending City Council take action as follows:

(1) Enter into negotiations with Revitalize, LLC to serve as Third Party Administrator for a Rental Rehabilitation Program grant through the Michigan State Housing Development Authority. Negotiations will include the scope of services and division of grant administration fees paid by MSDHA.

(2) Authorize the City Clerk-Treasurer to execute and sign a Third Party Administrator Agreement with Revitalize, LLE, upon conclusion of successful negotiations.

FISCAL EFFECTS: Potential increase in General Fund revenues from grant administration fees to be used to offset staff time on grant writing and monitoring.

ALTERNATIVES: As suggested by Council.

Respectfully submitted,

Tom Tarkiewicz
City Manager

Diane Larkin
Marshall Main Street Manager

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Revitalize, LLC

Community Consultants

443 W. South Street, Mason, MI 48854
revitalization.inc@gmail.com

Lori Ware, Consultant
989-424-1131

Bruce Johnston, President
517-719-7512

Shanda Wrozek, Consultant
517-899-0766

August 8, 2011

City of Marshall
Attention: City Clerk
323 West Michigan Avenue
Marshall, MI 49068

Subject: RFQ for MSHDA Downtown Rental Rehabilitation Grant(s)

Dear City Clerk,

Please accept the enclosed as our application to serve the City of Marshall as indicated above and enclosed. If there are any questions I may answer or can be of service in any way please feel free to contact me at your convenience.

Sincerely,

Bruce E. Johnston
President, Revitalize LLC

CITY
OF MARSHALL
Request for Proposals
THIRD PARTY ADMINISTRATOR
Of MSHDA GRANT FUNDS

It is our pleasure to submit to the City of Marshall the following information. We appreciate your consideration to become the Third Party Administrator of Grant funds from MSHDA for the purpose of establishing a Downtown Rental Rehabilitation Program.

Section II
Information Required from Consultant

II-1. Business Organization

Revitalize LLC
443 W. South St.
Mason, MI 48854

Branch office:
5115 Dale Rd.
Beaverton, MI 48612

Certificate of good standing: State of Michigan

II-2. Project Team

Shanda Wrozek, Owner
Bruce E. Johnston, President
Lori Ware, Consultant
*Resumes attached

II-3. Capacity to Perform Work

Please see the attached Resume's detailing long history of Revitalize LLC team members. As a three (3) person team, we feel it will allow us to address the needs for the City of Marshall and with more efficiency than a single individual.

II-4. Statement of Project and II-5 Management Summary and Work Plan

The project as we understand it is to complete from start to finish as many 2nd and 3rd story Rental Rehabilitation projects as there are commitments from property owners following all MSHDA rules and requirements. Bruce Johnston will be the main contact for all field activities such as building review, blueprint qualifications, design, structural review, specification formulation, etc. Lori Ware will be main contact for application process, environmental review, collection of documentation, financial recording keeping, online system maintenance, preparation and completion of required documentation. Shanda Wrozek is quality control/oversight and will assist in all areas of program. **Starting January 1, 2012 Ms. Wrozek will be permanent part-time devoting 20+ hours each week to our clients.**

We propose to assist the City in all required phases of MSHDA's Rental Rehabilitation Program up to, but not limited to the following:

- The application process
- Perform the environmental review
- Assist the City in the maintenance of financial records to MSHDA requirements
- Help maintain online systems and give MSHDA any information requested/required for successful program completion
- Meet with City property owners and assist them in obtaining funds, solicitation of quality blueprints, design of new apartments, and formulation of specifications for bid
- Comply with all State and Federal rules re: Rental Rehabilitation program
- Supervise bid process and entire construction process with owner
- Monitor entire construction process and approve any request for funds to contractors from City or Owner
- Process all MSDHA required documents including but not limited to: Mortgage, Construction contract, and Mortgage Note.
- Work with City building inspector, City manager, etc. to ensure all phases of the program are complied with
- Participate in any and all MSHDA monitoring of the program until grant closeout
- Work with City of Marshall as a team to assure quality renovations and a win-win-win situation for all involved!

II-6. Prior Experience:

The team members have vast experience in administering MSHDA programming as the attached Resume's indicate. Also, below are projects that have been completed by utilizing MSHDA's Rental Rehabilitation program along with contact information.

City of Mason – 24 completed units with 2 under construction now

- Marty Colburn – City Manager – 517-676-9155
  - Bruce Johnston thru Ingham County

City of Williamston – 6 completed units with 6 under construction now

- Tim Allard – City Manager - 517-655-2774
  - Bruce Johnston thru Ingham County

City of Leslie – 5 completed units in 2011 alone and another 5-7 in the pipeline

- Brian Reed – Village Manager – 517-589-8236
  - Bruce Johnston thru third party agreement with Ingham County

City of Eaton Rapids – 19 completed units.

- Jon Stoppels – City Manager – 517-663-8118 *he is new – no relationship
  - Bruce Johnston thru third party agreement with Ingham County

Marine City – 2 completed units with 3 under construction now and 2 more being applied for.

- John Gabor – City Manager – 810-765-0513
  - Revitalize LLC thru third party agreement with Marine City

Owner costs associated with these projects vary greatly depending on the desire of the individual building owners. ALL units are "gut" rehabilitated with new electrical, mechanical, plumbing, energy efficiency, and fire suppression. Average costs of rehabilitation run between Sixty five and Seventy five dollars per square foot.

*Owner contact information is available if desired.

II-7. Authorized Negotiators

For the purpose of this endeavor, Bruce Johnston and Lori Ware will be the authorized negotiators.

II-8. Additional Information

As is our custom, if selected, Revitalize LLC will look to become part of your community. We will listen to City manager, DDA members, political leaders, and community members, and seek to help in any way possible. Some such ways are by investigation of funding thru other grants or sources. Also, we will bring back knowledge to community from throughout the state due to our vast affiliation with housing resources statewide. We truly are passionate about the revitalization of small and mid sized downtowns in Michigan. If we can help with yours, we would be honored!

President
ReUtilize L.L.C.

5115 W. Dale Rd., Beaverton, MI 48612•989-435-4348, 989-424-1131•ware.lori@gmail.com

Lori Ware

EXPERIENCE

Nov. 2008- Present

Executive Director Clare County Senior Services

As a consultant for Clare County, I created a Senior Services/ Council on Aging organization developing by-laws, program policies, fiscal management component, a governance and personnel policy and establishing an Advisory Council. I created this organization as an arm of the county with the County Commissioners as the board of directors for greater governance and accountability of tax payer dollars. Upon organization creation I successfully wrote for the Area Agency supplemental dollars, set up an organizational chart hiring over 40 employees, 37 volunteers, five meal sites and an administration office. Within three months as a new organization Clare County Senior Services now serves over 800 meals daily, providing personal care, respite care, homemaking services, medical transportation, congregate and home delivered meals.

April 2010-Present

Co-Owner Revitalize, LLC.

I am the co-owner of a consulting firm that assists and guides communities in the State of Michigan in the administration of grant funded programs to achieve better economic and community growth and development.

Work History

Nov. 2007-Nov. 2008 Gladwin County Housing Commission Gladwin, MI

Program and Development Director

- Administration and oversight of the Council on Aging Program for Clare and Gladwin Counties.
- Oversight of a 74 person staff in 12 different locations
- Coordination of personal care, respite care, homemaking and home delivered meals of over 800 clients
- Responsible for community development activities including downtown revitalization, homeowner rehabilitation, and rental development
- Responsible for contracting crews
- Responsible for all grant writing and development of new programming

August, 2007-Present WareHouse Enterprises Beaverton, MI

Consultant

- Providing technical assistance for the Michigan State Housing Development Authority (MSHDA) consisting of training communities to develop and administer community development programs.
- Developed model documents for MSHDA for state use for the Office of Community Development.

May, 2004-Nov. 2007 Mid Michigan Community Action Agency Clare, MI

989-435-4348, 989-424-1131•ware.lori@gmail.com

Lori Ware

Housing Services Director

- Administration and responsibility of program personnel
- Oversight of housing program development and new funding, grant writing and preparation
- Oversight of program services in a seven county service area.
- Managed multiple contracting crews
- Fiscal reporting
- Housing inspections, code enforcement for housing standards
- Federal, State, and local reporting requirements.
- Wrote three children's books pertaining to the education of young children with energy conservation
- Responsible for external relations and growth.

Nov. 2002-May 2007 Mid Michigan Community Action Agency Clare, MI

Housing Program Manager

- Conducting all financial management/economic literacy, and energy education classes for a six county service area
- Responsible for presentations Responsible for review and referral system for over 400 families for the family self sufficiency program
- Preparation of legal documents

Education

June 1994 Davenport University Lansing, MI

Bachelors of Science

- Major in Business Management

May 1997	Central Michigan University	Mt.Pleasant, MI

Masters in Business Administration

- Major in Business Management

Volunteer Activities

Board of Education, Beaverton Rural Schools
Member/ Trustee/Secretary
Rotary Club
Member
Gladwin County Leadership Program
Steering Committee

References

Available upon request

Bruce Johnston resume:

Worked for Ingham County Housing Commission since 1980. Executive Director of organization since 1985, responsible for administration of Public Housing, Section 8, and Community Development programs for Ingham County. A partner with Ingham County Land Bank since its inception helping provide rehabilitation guidance for all programs including the Neighborhood Stabilization Program (NSP). Have been designated a HIGH PERFORMING Housing Commission by HUD for more than 10 years.

Was honored in 2011 by being elected President of MI NAHRO, National Association of Housing and Redevelopment Officials.

As a private consultant, providing technical assistance for the Michigan State Housing Development Authority for more than five (5) years, have taught Home Owner and Rental Rehabilitation programs throughout the state to nearly all MSHDA grantees.

With MSHDA Downtown Rehabilitation Program funding, have successfully rehabilitated over 50 vacant spaces in downtowns throughout Michigan into vibrant, income producing, high quality, rentals that any City/Village would be proud to call their own.

Responsible for the rehabilitation of more than 120 homes throughout Ingham County utilizing MSHDA's Homeowner Rehabilitation Program since 2000.

Along with Lori Ware, and Shanda Wrozek formed Revitalize LLC. Currently working with Marine City, MI since 2010 and have obtained funds for the rehabilitation of three (3) downtown apartments (under construction) and recently were awarded funding for a Targeted Neighborhood Homeowner Rehabilitation program that is attached to the designated downtown. Overall, more than $290,000 in grant funding has been awarded in less than 12 months as a "team" in Marine City.

Shanda Wrozek – Resume

Executive Director of the Bronson Housing Commission from March 1999 to December 2006. I was responsible for the administration of Public Housing for family and the elderly housing facilities. In addition, I served as a Board Member of the Branch County Rehabilitation Commission for several years.

Deputy Director of Ingham County Housing Commission from December 2006 to the present. At the Ingham County Housing Commission I am responsible for the oversight of all Public Housing and Section 8 Housing Choice Voucher programs day to day activities. Since the summer of 2010 I have worked with the Ingham County Land Bank as the coordinator for the demolition of 165 homes by February of 2013 with NSP2 funding.

Executive Director of Potterville Housing Commission from June 2008 to the present. The Potterville Housing Commission contracts with the Ingham County Housing Commission for the complete administration of all facets of Public Housing and Section 8 Housing Choice Voucher programs.

Owner of Revitalize LLC. As a partner with Lori Ware and Bruce Johnston I have helped organize the day to day activities and provide information on grant activities and opportunities that may exist, meeting with clients and provide quality control oversight. **Starting January 1, 2012 I will be working 20+ hours per week as a permanent part time representative of the organization. This will enable me to spend dedicated time each and every day with the clients we serve.**

CITY OF Marshall Michigan

ADMINISTRATIVE REPORT
September 6, 2011 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council

FROM: Carl Fedders, Director of Public Services
Aaron Ambler, Water Superintendent
Tom Tarkiewicz, City Manager

SUBJECT: Design Services – 2012 Water Main Infrastructure Upgrade

BACKGROUND: In 2008, the City of Marshall received the final draft of the water system master plan from Stantec Consulting. The report recommended a number of projects to resolve a wide range of issues within the system that included areas that have low water quality, areas of low pressure, and areas that have experienced a high number of breaks. In 2009 and 2010, the City of Marshall was able to correct some of these issues with projects funded by a limited tax general obligation bond in the amount of $1,345,000.

In March of 2011 water rates were adjusted based upon a rate study conducted by Utility Financial Solutions, LLC. The rates that were recommended and approved were based on the moving ahead five years of capital improvement projects and selling a limited tax general obligation bond to fund the projects.

Due to the city staff reorganization, a request for proposals were sent to ten different engineering firms for design services for the replacement of the water main located in five different locations throughout the system. The locations are:

1. Greenfield Blvd from Michigan Avenue (I-94 BL) to Verona Road.
2. W. Mansion Street from Kalamazoo Avenue to Plum Street.
3. Michigan Avenue (I-94 BL) from Kalamazoo Avenue to Plum Street.
4. Marshall Avenue from Michigan Avenue (I-94 BL) to Forest Street.
5. Linden Street from Industrial Road (M-227) to Hanover Street.

The firms and proposal fees are list below:

Hurley Stewart	Kalamazoo	$26,250
Civil Engineers Inc.	Battle Creek	$27,360
Stantec Consulting, Inc.	Ann Arbor	$29,500
DLZ	Lansing	$30,200
KEBS, Inc.	Marshall	$31,480
Fleis and Vanderbrink	Grand Rapids	$37,500
Fishbeck, Thomas, Carr, and Huber	Grand Rapids	$39,485
Wightman and Associates, Inc.	Benton Harbor	$42,500
C2AE	Lansing	$42,970

The preliminary engineer's estimate to improve the proposed section of water main is $1,200,000. Typically, engineering fees have been approximately 10% of the construction cost.

The proposals were reviewed by the Director of Public Services and the Water Superintendent based on the following criteria:

- Fee
- Project understanding and proposal quality
- Number of projects in the last five years dealing with railroad right of way

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- Experience with MDOT's small urban program.
- Construction engineering rates
- Familiarity with water distribution system
- Prior work experience with the City of Marshall

After reviewing the proposals, it is recommended that the proposal from Stantec Consulting be approved.

The project is anticipated to begin in April of 2012 and be completed by July of 2012.

RECOMMENDATION: It is recommended that the City Council accept the proposal from Stantec Consulting for the design of the 2012 Water Main Infrastructure Upgrade for the not to exceed cost of $29,500. Also, to approve the resolution stating intent to reimburse expenditures from the bond proceeds for the improvement to the water distribution facilities.

FISCAL EFFECTS: To appropriate $29,500 from the Water Fund Capital Outlay expenditure budget line item 591-900-970.00 for the proposed engineering services of Stantec Consulting for the design of the 2012 Water Main Infrastructure Upgrade project. These costs could be reimbursed from the bond proceeds for the improvement to the water distribution facilities.

ALTERNATIVES: As suggested by the Council.

Respectfully submitted,

Carl Fedders
Director of Public Services

Aaron Ambler
Water Superintendent

Tom Tarkiewicz
City Manager

CITY OF MARSHALL, MICHIGAN
RESOLUTION #2011-_____

RESOLUTION STATING INTENT TO REIMBURSE EXPENDITURES FROM BOND PROCEEDS FOR IMPROVEMENT TO THE WATER DISTRIBUTION FACILITIES

A RESOLUTION TO PROVIDE FOR:

Statement of Intent to reimburse expenditures from bond proceeds required by Internal Revenue Code for tax-exempt debt.

WHEREAS, the City of Marshall, County of Calhoun, State of Michigan (the "City") is developing a plan to improve various infrastructure in the water distribution system (the "Project"); and

WHEREAS, the City may receive a limited tax obligation bond to finance the Project.

WHEREAS, the Internal Revenue Service has issued Treasury Regulation § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended, governing proceeds of debt used for reimbursement, pursuant to which the City must declare official intent to reimburse expenditures with proceeds of such debt before making the expenditures.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City hereby makes the following declaration of official intent for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

(1) As of the date of this resolution the City reasonably expects to reimburse itself for the expenditures described in (2) below with proceeds of debt to be incurred by the City.

(2) The expenditures described in this paragraph (2) are to pay certain costs associated with the Project which were or will be paid subsequent to sixty (60) days prior to the date hereof or which will be paid prior to the issuance of the debt from the general funds or capital fund of the City.

(3) As of the date hereof, the maximum principal amount of debt expected to be issued for reimbursement purposes, including reimbursement of debt issuance costs, One Million Three Hundred Thousand Dollars ($1,300,000) which debt may be issued in one or more series and/or together with debt for other purposes.

(4) A reimbursement allocation of the expenditures described in paragraph (2) above with the proceeds of the borrowing described herein will occur not later than 18 months after the later of (i) the date on which the

expenditure is paid, or (ii) the date the Project are placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the debt to be issued for the Project to reimburse the City for a capital expenditure made pursuant to this Resolution.

(5) The expenditures for the Project are "capital expenditures" as defined in Treas. Reg. § 1.150-1(b), which are any costs of a type which are properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of "placed in service" under Treas. Reg. § 1.150-2(c)) under general Federal income tax principles (as determined at the time the expenditure is paid).

(6) No proceeds of the borrowing paid to the City in reimbursement pursuant to this Resolution will be used in a manner described in Treas. Reg. § 1.150-2(h) with respect to abusive uses of such proceeds, including, but not limited to, using funds corresponding to the proceeds of the borrowing in a manner that results in the creation of replacement proceeds (within Treas. Reg. § 1.148-1) within one year of the reimbursement allocation described in paragraph (4) above.

2. This declaration is executed to indicate the intent of the City only, and does **NOT** bind the City to acquire and construct any improvements or to issue any bonds or other obligations of the City.

3. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

_____
Sandra Bird, Clerk-Treasurer

I hereby certify that the foregoing is a true and complete copy of a resolution duly adopted by the City Council of the City of Marshall, County of Calhoun, State of Michigan, at a Regular meeting held on September 6, 2011 at 7:00 o'clock p.m., prevailing Eastern Time, 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 as required by said Act 267.

_____
Sandra Bird, Clerk-Treasurer

CITY OF Marshall Michigan

ADMINISTRATIVE REPORT
September 6, 2011 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council

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

SUBJECT: Bid Award – 2011.04 N. Sycamore Street Rehabilitation

BACKGROUND: Bids were received for the Rehabilitation of N. Sycamore Street on August 30, 2011. The project will include repaving N. Sycamore Street from Michigan Avenue to Union Street. Also included in the project will be updated sidewalk ramps at the intersection of W. Prospect Street and Sycamore Street.

This project is consistent with the plan set out by the 2010 Road Report and will utilize the Casino Revenue Sharing funds designated by City Council at the last meeting.

The following bids were received:

Quality Asphalt Paving Inc.	Homer	$65,595
American Asphalt Inc	Lansing	$67,612
Michigan Paving and Material	Kalamazoo	$72,467

Quality Asphalt Inc has worked for the city last year on the rehabilitation of Sam Hill Road and E. Green Street.

The project is tentatively scheduled to begin on September 19, 2011 and be completed by October 7, 2011.

Civil Engineers Inc. was selected to perform the construction management for this project at a cost of $3,500.

RECOMMENDATION: It is recommended that the City Council accept the low bid from Quality Asphalt of Homer, Michigan for the amount of $65,595 for the N. Sycamore Street Rehabilitation project. The project was not included in the FY 2012 budget but will utilize funds designated for road improvements from Casino Revenue Sharing and funds designated for sidewalk ramp installation.

FISCAL EFFECTS: To increase the funding and amend the FY 2012 MVH Local Fund Capital Outlay expenditure budget line item 203-900-970.00 by $69,095 for the total project costs. The source of funding will come from three (3) sources; $60,000 Casino Revenue Sharing funds transferred in from the General Fund, authorized at the August 15, 2011 Council meeting; $5,000 transferred in from the General Fund Capital Outlay Sidewalk Ramp Installation project; $4,095 from the use of prior year MVH Local Streets Fund balance reserves.

ALTERNATIVES: As suggested by the Council.

Respectfully submitted,

Carl Fedders
Director of Public Services

Tom Tarkiewicz
City Manager

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cityofmarshall.com

MARSHALL LIONS CLUB

1030 LOWE DR.

MARSHALL, MI 49014

AUGUST 22, 2011

MAYOR DYER:

THE MARSHALL LIONS CLUB WILL BE CONDUCTING OUR ANNUAL CANDY DAY SALES IN SEPTEMBER. THE PROPOSED DATES ARE FRIDAY SEPTEMBER 16TH. AND SATURDAY SEPTEMBER 17TH.

ALL PROFITS DERIVED FROM THE SALE ARE USED FOR THE VARIOUS DONATIONS WE MAKE TO LOCAL, STATE AND INTERNATIONAL PROJECTS OF LIONS INTERNATIONAL. ONE OF THE CHIEF BENEFACTORS OF THOSE FUNDS OVER THE PAST SEVERAL YEARS HAS BEEN THE FOUNTAIN CLINIC. NO MONIES RAISED FROM THE PUBLIC ARE USED TO DEFRAY THE ADMINISTRATIVE EXPENSES OF THE MARSHALL LIONS CLUB.

WE LOOK FORWARD TO THE ENDORSEMENT OF THE MARSHALL CITY COMMISSION TO GO FORWARD WITH THIS SALE .

LION RON QUADA

PROJECT CHAIRMAN

RQUADA@AOL.COM

269-979-7679

IN A WORK SESSION Monday, August 15, 2011 at 7:00 P.M. in the Council Chambers of Town Hall, 323 West Michigan Avenue, Marshall, MI, the Marshall City Council was called to order by Mayor Dyer.

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

Also Present: City Manager Tarkiewicz.

Absent: Council Member Booton.

A. Council discussed the City Visioning, Goals, Objectives and Tasks and how to proceed with the plan.

B. Council discussed possible funding allocations for the Firekeeper's Local Revenue Sharing funds.

The meeting was adjourned at 6:50 p.m.

James L. Dyer, Mayor

Sandra Bird, Clerk-Treasurer

CALL TO ORDER

IN REGULAR SESSION Monday, August 15, 2011 at 7:00 P.M. in the Council Chambers of Town Hall, 323 West Michigan Avenue, Marshall, MI, the Marshall City Council was called to order by Mayor Dyer.

ROLL CALL

Roll was called:

Present:	Council Members: Booton (arrived at 7:05 p.m.), Mankerian, Mayor Dyer, 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.

Council Member Traver read his letter of resignation.

APPROVAL OF THE AGENDA

Moved Miller, supported Mankerian, to approve the agenda with the addition of the MERS Annual Meeting delegate as item 7G and add the amount of $46,370.58 to the resolution on item 7D. On a voice vote: **MOTION CARRIED.**

PUBLIC COMMENT ON AGENDA ITEMS

None.

CONSENT AGENDA

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

A. Approve the Blanket Signature Resolution to allow the Clerk-Treasurer and/or Director of Community Services to sign future project and project revisions with MDOT;
B. Adopt the resolution authorizing the Clerk-Treasurer to sign the contract with the Michigan Department of Transportation for the Development of engineering plans for the east section of the parallel taxiway;
C. Accept the bid from Power Line Supply for the purchase of 500 MCM Underground Copper Primary Wire in the of $30,000;
D. Approve the resolution to be eligible for storm damage

reimbursement from the State grant fund;

E. Approve minutes of the City Council Regular Session and Work Session held on Monday, August 1, 2011 and the Work Session held on August 8, 2011;

F. Approve city bills in the amount of $231,043.09

G. Approve the appointment of Tracy Hall as Officer Delegate for the MERS 2011 Annual Meeting.

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

PRESENTATIONS AND RECOGNITIONS

Steve Eyke of Cronin Development, LLC presented an update on the redevelopment plan for the Cronin Building.

Moved Williams, supported Metzger to authorize the Clerk-Treasurer to sign the Amendment to Agreement for Lease, Improvement, and Purchase of Real Estate with Cronin Development, LLC. On a roll call vote – ayes: Mayor Dyer, Mankerian, Metzger, Miller, Williams, and Booton; nays: none. **MOTION CARRIED.**

INFORMATIONAL ITEMS

Event Reports were provided for the following events in the City of Marshall:

- Madison Green Art Faire
- Civil War Ball

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. Public Hearing – Overnight Parking Ordinance:

Mayor Dyer opened the public hearing to hear public comment regarding the proposed changes to Ordinance §73.19 for Overnight Parking Permits.

City Manager Tarkiewicz provided background on the ordinance and the proposed rules.

Hearing no further comment the public hearing was closed.

Moved Booton, supported Miller to table the motion to approve the Ordinance. On a voice vote – **MOTION CARRIED**.

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. Bogar Theatre Liquor License Transfer Request:

Moved Booton, supported Metzger, to approve the resolution to transfer the Class C Liquor License to the Bogar theatre. On a roll call vote – ayes: Mankerian, Metzger, Miller, Williams, and Mayor Dyer; nays: Booton. **MOTION CARRIED.**

B. Print and Web Design Consultant Contract:

Moved Williams, supported Miller to excuse Mayor Dyer from voting on this matter because of a possible conflict of interest. On a voice vote – **MOTION CARRIED.**

Moved Metzger, supported Mankerian to approve retaining ILS Web Design to complete the Byways funded Print and Web Design work for $21,500 and authorize the Clerk-Treasurer to execute the agreement for services. On a roll call vote – ayes: Metzger, Miller, Williams, Booton, Mayor Dyer, and Mankerian; nays: none. **MOTION CARRIED.**

C. Michigan Medical Marihuana Act Moratorium:

Moved Williams, supported Booton to the table the Medical Marihuana Ordinance and direct the City Attorney to make the necessary changes and present at a public hearing at the next City Council Meeting on September 6, 2011. On a voice vote – **MOTION CARRIED.**

Moved Booton, supported Miller to extend the Medical Marihuana Moratorium until September 30, 2011. On a voice vote – **MOTION CARRIED.**

D. Firekeeper's Local Revenue Sharing Board Allocation:

Moved Williams, supported Metzger to allocate the proceeds from the Firekeeper's Local Revenue Sharing Board as follows: $60,000 to Local Street Improvements, $20,000 to Brooks Fountain Capital Improvements, $12,000 to Parks signage, and the remaining $19,232.58 to the General Fund. On a roll call vote – ayes: Miller, Williams, Booton, Mayor Dyer; Mankerian, and Metzger; nays: None. **MOTION CARRIED.**

E. City Visioning, Goals, Objectives and Tasks:

Direction was given to staff to schedule two (2) public input forums for the City Visioning, Goals, Objectives and Tasks, and to make copies available for public viewing at the library, on the city's website and place an ad in the Advisor-Chronicle.

F. Powerhouse Capital:

Moved Booton, supported Metzger to approve the proposal submitted by Primary Integration Encorp LLC for $205,000 which includes the installation of two (2) new exciters and the controls necessary to upgrade engine #2 to allow interface with the new switchgear. On a roll call vote – ayes: Williams, Booton, Mayor Dyer, Mankerian, Metger, and Miller; nays: none. **MOTION CARRIED.**

G. Bid Award – River/Maple Road Rehabilitation:

Moved Booton, supported Metzger to accept the low bid from Michigan Paving and Materials Co. of Kalamazoo for the amount of $141,781.91 for River/Maple Road Rehabilitation. On a roll call vote – ayes: Booton, Mayor Dyer, Mankerian, Metzger, Miller, and Williams; nays: none. **MOTION CARRIED**

APPOINTMENTS / ELECTIONS
None.

PUBLIC COMMENT ON NON-AGENDA ITEMS
None.

COUNCIL AND MANAGER COMMUNICATIONS
None.

ADJOURNMENT
The meeting was adjourned at 8:48 p.m.

James L. Dyer, Mayor

Sandra Bird, Clerk-Treasurer

VENDOR APPROVAL SUMMARY REPORT

CITY OF MARSHALL

Date: 08/31/2011
Time: 2:29pm
Page: 1

Vendor Name	Vendor Number	Description	Check Amount	Hand Check Amount
A & D LIGHTING SUPPLY	7002	LIGHTS	16.30	0.00
A - Z KEY SHOP	400331	STREET GARAGE	278.90	0.00
AIRGAS GREAT LAKES	4982	CYLINDER RENTAL	75.40	0.00
ALBION PUBLIC SAFETY	21341	SURVEILLANCE CAMERA	700.00	0.00
ALEXANDER CHEMICAL CORPORATION	7024	DEPOSIT REFUND	1,848.00	0.00
AMERICAN PUBLIC POWER ASSOC	400342	FCC POLE ATTACHMENT ORDER	959.00	0.00
APPLIED IMAGING	2538	RICOH/AF2018D CONTRACT	257.25	0.00
ARROW UNIFORM	6839	CUST #010198-03	866.07	0.00
ARTHUR W CROOKS PLUMBING	7267	1110 VERONA SEWER BREAK	2,678.44	0.00
AUTO VALUE MARSHALL	21340	SILICONE SPRAY	3,777.51	0.00
BAKER TOOL RENTAL & STORAGE	9733	UPS CHARGES	39.17	0.00
BATTERIES PLUS	6532	BATTERIES - DART 12	809.50	0.00
BEARDSLEE LAW OFFICES	3471	JULY CHARGES	2,581.25	0.00
BIRCHLER ARROYO ASSOCIATES	9497	HOSPITAL OVERLAY DIST - REVS	500.00	0.00
BLU FISH CONSULTING, LLC	4473	2011 BLUES FEST BANNERS	987.00	0.00
BONNIE'S TAILORING	2257	ALTERATIONS	12.00	0.00
BOSHEARS FORD SALES INC	7117	2006 CROWN VIC	663.43	0.00
BROWN WOOD PRESERVING CO INC	8764	POLES	11,498.00	0.00
C.E.M. SUPPLY INC	7200	REPAIR GEARMOTOR	555.00	0.00
CARR BROTHERS & SONS	7192	22A PROCESSED GRAVEL	280.00	0.00
CB HALL ELECTRIC COMPANY	3387	CHANGE BALLAST @ PSB	1,392.90	0.00
CITY OF JACKSON	300296	SPRING 2011 35% OF MCOLES LED	459.57	0.00
CIVIL ENGINEERS INC	9216	2011.03 Local Road Rehab - Eng	4,484.70	0.00
COGITATE INC	8443	SOFTWARE MAINTENANCE	140.00	0.00
CRT, INC	6541	INTERNET ACCESS FOR CAMERA	1,744.00	0.00
D C BYERS COMPANY	7158	HERITAGE ROUTE MUSEUM PROJECT	17,295.00	0.00
DARLING ACE HARDWARE	7281	MULCH	993.47	0.00
DEFOREST BROTHERS CONSTRUCTION	7288	CURB REPLACEMENT	735.00	0.00
DETROIT PUMP & MFG CO	400344	POLYMER FEED PUMP	797.25	0.00
DOUGLASS SAFETY SYSTEMS LLC	5012	ANNUAL MAINTENANCE	2,862.63	0.00
ED'S DECORATING	9873	APT #115 & #309	350.00	0.00
ERIC DALE HEATING & AIR COND	21467	AIR CONDITIONER REPAIR	636.00	0.00
ETNA SUPPLY	7343	MANSION ST SAN. REPAIR	75.05	0.00
FASTENAL COMPANY	5789	WIPES	255.47	0.00
FIVE STAR SPRINKLERS	300485	START UP SPRINKLER SYSTEM	455.00	0.00
GANNETT MICHIGAN NEWSPAPERS	9632	BLUES FEST WOW ADVERTISING	540.00	0.00
GRAINGER	3644	WIRELESS LCD MONITOR	367.25	0.00
GRAND RIVER BUILDERS	400229	GAR HALL, CAPITAL SCHOOL	30,000.00	0.00
GREAT AMERICAN BUSINESS PROD	300131	MAINT WORK ORDER BOOK	48.00	0.00
GRIFFIN PEST SOLUTIONS	400246	1ST HALF MONTHLY SERVICE	94.00	0.00
HD SUPPLY FACILITIES MAINT	9781	SUPPLIES	439.88	0.00
HERMANS MARSHALL HARDWARE	7446	BATTERIES, SOCKET	14.79	0.00
HIGLEY'S TREE SERVICE	6215	REMOVE & TRIM TREES	660.00	0.00
HOLLAND BUS COMPANY	5874	DART 11 INTERIOR DOOR SWITCH	33.91	0.00
HUB INTERNATIONAL MIDWEST	4472	11/12 SOLID WASTE BOND RENWL	320.00	0.00
HUNTER PRELL COMPANY	7460	ANNUAL BACKFLOW INSPECTIONS	5,485.00	0.00
ILS WEB DESIGN	400330	BYWAYS FUNDED WEB DESIGN	10,750.00	0.00
IPROMOTEU	400321	FIRE HANGING CALENDARS	1,844.72	0.00
ISAAC & SONS	7484	MH - APTS #309 & 403	1,635.00	0.00
J & K PLUMBING SUPPLY	3351	6" CLAY X 6" PVC	104.79	0.00
JACK DOHENY SUPPLIES	7309	SUPPLIES FOR VACTOR	2,950.20	0.00
JACKSON TRUCK SERVICE	7495	#319 ALTERNATOR	186.19	0.00
JOHN D BRUNDAGE &	6437	JULY SERVICES	2,640.00	0.00
JS BUXTON	8962	BULK LIME	1,134.77	0.00
JUSTICE FENCE	7498	VINYL CHAIN LINK FABRIC	52.00	0.00
K & H CONCRETE CUTTING INC	5202	MANSION ST SAN REPAIR	402.80	0.00
KAR LABORATORIES INC	8817	MERCURY ANALYSIS	1,060.00	0.00
KECK CONSULTING SERVICES	8207	ADJOINING PARCELS	1,800.00	0.00
KELLOGG'S REPAIR GARAGE	5869	#710 MULCH KIT	378.89	0.00
LAKELAND ASPHALT CORPORATION	7526	BITUMINOUS AGGREGATES	414.92	0.00
DIANE LARKIN	9373	QRTRLY MS CONFERENCE	1,408.91	0.00
LARRY'S FLOOR COVERING	7530	CARPET, VINYL & SUPPLIES	2,250.42	0.00
LAWSON-FISHER ASSOCIATES PC	2291	Licensing Acitvities, Disolved	2,630.50	0.00
LESLIE O'DELL	9124	SERVICE CALL	100.00	0.00
LEWEY'S SHOE REPAIR	7538	PHILPOTT BOOT ALLOWANCE	279.95	0.00
MARSHALL LUMBERTOWN	7569	PLYWOOD, SCREW DRIVER	1,249.16	0.00
MARSHALL MEDICAL ASSOCIATES	7571	PARKS	575.00	0.00

Vendor Name	Vendor Number	Description	Check Amount	Hand Check Amount
MARSHALL PUBLIC SCHOOLS	7573	CAMP KITCHI KIPI	1,160.41	0.00
MARSHALL TIRE	3771	#319, REPAIRS	93.00	0.00
MEDLER ELECTRIC COMPANY	7604	3" 90 DEG ELBOWS	2,745.09	0.00
MICHIGAN MUNICIPAL LEAGUE	4494	WEBSITE CLASSIFIED ADS	76.90	0.00
MICHIGAN SOUTH CENTRAL	7614	NATURAL GAS - JULY	21,470.67	0.00
MSC INDUSTRIAL SUPPLY CO	6831	AIR DIE GRINDER, RUBBER BANDS	439.86	0.00
MUNICIPAL SUPPLY CO.	7701	4" OMNI GASKET & GLAND	52.17	0.00
MWEA	2006	COLLECTIONS SEMINAR	278.00	0.00
NAPA OF MARSHALL	2939	#108 POWER BRAKE BOOSTER	108.29	0.00
NEOPOST USA	400273	INK CARTRIDGES	379.00	0.00
NYE UNIFORM COMPANY	7733	PANTS	1,228.36	0.00
O'LEARY WATER CONDITIONING	6995	SALT	381.77	0.00
OERTHERS	21127	GRASS SEED	92.25	0.00
POWER LINE SUPPLY	7821	SOUTH SUB PIPE	4,317.20	0.00
PRECISION LAWN CARE	300237	MOW & TRIM - JULY	300.00	0.00
PVS NOLWOOD CHEMICALS INC	5898	POTASSIUM PERMANGANATE	2,878.80	0.00
PVS TECHNOLOGIES	7797	CHEMICALS	4,159.05	0.00
QUALITY LAWN CARE	8838	LAWN CARE - AIRPORT	1,035.00	0.00
RADIO COMMUNICATIONS	7810	SERVICE CALL - POLICE CAMERA	87.50	0.00
DAVID REED	400334	GAR HALL FRONT STEPS	1,530.00	0.00
SEECLICKFIX	400332	SCF PLUS MONTHLY LICENSE	1,200.00	0.00
SHAFER REDI-MIX INC	7867	LIMESTONE	959.72	0.00
SOLOMON CORPORATION	6144	Emergency repairs to transform	23,450.00	0.00
SPECIALTY ANSWERING SERVICE	400341	ANSWERING SERVICE	74.30	0.00
STANLEY LAWN & GARDEN	7905	CHAINSAW BAR	82.25	0.00
STATE OF MICHIGAN	300238	IDENTITY THEFT TRAINING	25.00	0.00
STATE OF MICHIGAN	400343	NSPCTN #T9381-312077506	900.00	0.00
STATE OF MICHIGAN	4021	BOILER INSPECTION 2008	80.00	0.00
STATE OF MICHIGAN	4299	ABOVE GRND STORAGE TANK FEE	246.00	0.00
SUMMIT POINTE	5891	CONTRACT MOWING	600.00	0.00
SUNTRUST EQUIP FINANCE &	9678	MOTOROLA COMM SYSTEM	29,319.78	0.00
SURVALENT TECHNOLOGY CORP	6205	Maintenance agreement for SCAD	5,099.99	0.00
TOTAL CARE CLEANING LLC	400234	FLOOR CARE & RECOAT	325.00	0.00
TRI-COUNTY INTERNATIONAL TRUCK	8034	#304 U-JOINT	86.86	0.00
URS CORPORATION	5893	TRAFFIC STUDY	4,939.82	0.00
USA BLUEBOOK	2460	PARTS FOR POLYMER PUMP	135.95	0.00
UTILITIES INSTRUMENTATION SVC	9204	TRANSFORMER TROUBLESHOOT	1,532.66	0.00
VESCO OIL CORPORATION	7510	Lubricating Oil	1,158.00	0.00
WAGNER ENTERPRISE, INC	8892	Stabilized Sludge Mixer	10,674.00	0.00
WALKER PARKING CONSULTANTS	8003	MARSHALL/OAKLAWN HOSPITAL	500.00	0.00
WALKER'S FLOOR INSTALLATION	400333	CARPET & VINYL - #106	1,574.32	0.00
WALTERS-DIMMICK PETROLEUM	8007	OMALA HD 220	198.52	0.00
WEST MICHIGAN LAWN SERVICES	3205	SPRINKLER SERVICE CALL	270.05	0.00
WIL-MAC SALES AND SERVICE	8029	TUB/SHOWER UNIT - #111	1,200.00	0.00
YOU R SPECIAL, LLC	21522	JULY CLEANING SERVICES	920.00	0.00
		Grand Total:	262,274.85	0.00

CHECK NUMBER SERIES AS OF FRIDAY, 08/26/11			
	Beginning #	Ending #	Dated
PAYROLL-ACH	71233	71247	08/06/11-09/02/11
A/P & P/R-OTHER	88593	88817	08/06/11-09/02/11

MICHIGAN SOUTH CENTRAL POWER AGENCY

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

ORIGINAL INVOICE

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

Invoice Date: 15-Aug-11
Due Date: 31-Aug-11

Service From: 01-Jul-11
To: 31-Jul-11

Peak Demand	25,626	kw
Total Energy Received	11,606,010	kWh
Hydro Generation	120,177	kWh
Net Billing kWh's	11,485,833	kWh

Area	Entitlement %	Operating and Maintenance Costs	Debt Service	Total
PROJECT 1-ENDICOTT	24.0%	316,451.07	-	316,451.07
PROJECT 2	18.0%	37,622.16	-	37,622.16
PROJECT 3	20.2%	6,924.25	-	6,924.25
PURCHASED POWER	19.5%	496,600.78		496,600.78
TRANSMISSION	26.0%	(44,482.40)	-	(44,482.40)
MISO	20.4%	(15,401.53)		(15,401.53)
SUBSTATION	34.4%	-	-	-
ADMINISTRATION	20.4%	28,538.16		28,538.16
MEMBER	12.9%	25,115.20		25,115.20
MEMBER HYDRO	0.0%	-		-
CAPACITY	12.9%	-		-
RATE STABILIZATION		-		-
TOTAL COST	$	851,367.68	-	851,367.68
	$/kWh	0.07412	0.00000	0.07412
CREDITS	$	(50,836.04)	-	(50,836.04)
	$/kWh	(0.00443)	0.00000	(0.00443)
NET COST	$	800,531.65	-	800,531.65
	$/kWh	0.06970	0.00000	0.06970

Pay this amount $ 800,531.65

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: 08/12/2011
Time: 12:11pm
Page: 1

CITY OF MARSHALL

Vendor Name	Vendor Number	Description	Check Amount	Hand Check Amount
A T & T	3176	269 781-6351 933 3	1,895.53	0.00
JANET BALLIINGER	400318	REFUND UTILITY DEPOSIT	30.38	0.00
BROADSTRIPE	3293	ACCT #198-040788	1,918.49	0.00
CALHOUN COUNTY TREASURER	7177	TRAILER FEES - JULY	80.00	0.00
COMMERCIAL OFFICE PRODUCTS	9769	ENVS,CLIPS,PAPER, INDEX,PADS	88.79	0.00
CULLIGAN	736	ACCT #1155180	34.00	0.00
DONALD DAMON	8338	CDL LICENSE RENEWAL	47.00	0.00
EATON CORPORATION	9538	PRKNG LOT LEASE #840414-1101 W	100.00	0.00
EATON COUNTY HUMANE SOCIETY	400316	2011 SUMMER FUN DONATION	600.00	0.00
JAMES FLATT	400319	REFUND UTILITY DEPOSIT	40.61	0.00
GRIFFIN PEST SOLUTIONS	400246	900 S MARSHALL	42.00	0.00
IPMA-HR	400315	TRACY HALL - CONFERENCE	375.00	0.00
LOWES BUSINESS ACCOUNT	4837	821 3023 105909 5	47.46	0.00
NEOFUNDS BY NEOPOST	400232	ACCT #7900 0440 5582 9307	3,000.00	0.00
MEGAN O'CONNOR	400317	REFUND UTILITY DEPOSIT	56.37	0.00
SPARTAN STORES	9656	JULY CHARGES	424.45	0.00
STAPLES	8291	7972 3200 0007 4618	696.67	0.00
CAROL VOSSEN	400314	REFUND DEPOSIT	105.00	0.00
		Grand Total:	9,581.75	0.00

PRESCRIPTION REIMBURSEMENT 61.60

TOTAL CASH DISBURSEMENTS $9,643.35

VENDOR APPROVAL SUMMARY REPORT

CITY OF MARSHALL

Date: 08/19/2011
Time: 10:48am
Page: 1

Vendor Name	Vendor Number	Description	Check Amount	Hand Check Amount
AMERICAN MESSAGING	6657	ACCT #Z1-406436	4.91	0.00
MORRIS ARVOY	400157	MARKETING CONSULTANT	3,000.00	0.00
AT&T MOBILITY	400292	ACCT #287238047810	43.63	0.00
CALHOUN COUNTY TREASURER	7177	PUBLIC USE PURCHASE	3,019.23	0.00
ERIC CHARD	400329	REFUND UTILITY OVERPAYMENT	5.97	0.00
COMMERCIAL OFFICE PRODUCTS	9769	SUPPLIES	390.25	0.00
DEAN TRAILWAYS OF MICHIGAN	2343	Motorcoach Charter for Mackina	2,304.00	0.00
LARRY DEESE	400322	REPAIR PLASTER @ GAR HALL	300.00	0.00
JOE DELAPAS	6084	MEAL	10.00	0.00
CODY DRUMM	25123	SCHOOL LUNCH	12.73	0.00
ANGELINA FAGGION	400305	REFUND UTILITY OVERPAYMENT	26.14	0.00
CARL FEDDERS	6811	OPTICAL REIMBURSEMENT	235.00	0.00
JAMES FLATT	400319	REFUND UTILITY OVERPAYMENT	45.78	0.00
NATHANIEL GIRVAN	400324	REFUND UTILITY DEPOSIT	32.74	0.00
GRAND HOTEL	8211	MRPA Grand Hotel Trip Sept 27	19,639.00	0.00
STACY HAHN-ADAMS	400325	REFUND UTILITY OVERPAYMENT	15.09	0.00
TRACY HALL	6028	ADOBE VOLUME LICENSING	1,742.00	0.00
HAYEN ENTERPRISES INC	400290	REFUND 2ND OVERPAYMENT	28.05	0.00
MELISSA HEADLEY	400326	REFUND UTILITY OVERPAYMENT	15.35	0.00
K-MART	7501	JULY CHARGES	689.37	0.00
MARSHALL COMMUNITY CU	7558	4570 - FEDDERS	2,770.24	0.00
MCCLELLAN APARTMENTS III, LLC	2029	REFUND UTILITY OVERPAYMENT	35.47	0.00
MGFOA	300128	2012 MEMBERSHIP RENEWAL	75.00	0.00
DAVID MILTENBERGER	5933	REFUND UTILITY OVERPAYMENT	59.47	0.00
MISSION POINT RESORT	4364	MICHELLE MASTEJ	160.00	0.00
MMTA	2461	FALL CONF - MICHELLE MASTEJ	295.00	0.00
MEGAN O'CONNOR	400317	REFUND UTILITY OVERPAYMENT	23.80	0.00
ONE COMMUNICATIONS	2729	ACCT #7018274	2,175.94	0.00
KELLY PETROFF	400327	REFUND UTILITY OVERPAYMENT	45.01	0.00
JASON PIERCE	400328	REFUND UTILITY OVERPAYMENT	203.07	0.00
CINDY PORTER	9799	RECORD & PREPARE MINUTES	60.00	0.00
TOM TARKIEWICZ	6019	REIMBURSEMENT FOR HOTEL	80.00	0.00
LUCAS TICE	300431	SCHOOL LUNCH	12.73	0.00
TERI TRUDEAU	6010	PLAYGROUND SUPPLIES	55.50	0.00
VERIZON WIRELESS	217862	ACCT #683169426-00001	57.65	0.00
		Grand Total:	37,668.12	0.00

PRESCRIPTION REIMBURSEMENT 5.00

TOTAL CASH DISBURSEMENTS $37,673.12

VENDOR APPROVAL SUMMARY REPORT

CITY OF MARSHALL

Date: 08/26/2011
Time: 12:03pm
Page: 1

Vendor Name	Vendor Number	Description	Check Amount	Hand Check Amount
ALLSTATE WORKPLACE DIVISION	3431	POLICY #ALLMI550	737.56	0.00
BLUE CROSS BLUE SHIELD OF MI	9621	GROUP #17902-003	1,728.85	0.00
BLUE CROSS BLUE SHIELD OF MI	9629	PPO GROUP #17902-012	81,137.66	0.00
BLUE CROSS BLUE SHIELD OF MI	9681	GROUP #17902-902	41,697.90	0.00
BROADSTRIPE	3293	ACCT #198-040293	140.01	0.00
CONSUMERS ENERGY	8560	1000 0759 3765	192.81	0.00
DELTA DENTAL PLAN OF MICHIGAN	7294	CUST #MI022820001	4,819.56	0.00
MARTIN EDISON	400339	REFUND UTILITY DEPOSIT	3.96	0.00
GANNETT MICHIGAN NEWSPAPERS	9632	AD FOR DART	296.70	0.00
GFOA	400335	SANDRA BIRD - REGISTRATION	135.00	0.00
HUB INTERNATIONAL MIDWEST	4472	ADD 2011 FORD CROWN VIC	220.00	0.00
PATRICK KELLER	400337	REFUND UTILITY DEPOSIT	75.95	0.00
JUSTIN KIEFER	400340	REFUND UTILITY DEPOSIT	67.39	0.00
ROBERT KIESSLING	6013	COFFEE SUPPLIES	21.48	0.00
MARSHALL AREA	4674	COMMUNITY BREAKFAST	70.00	0.00
MARSHALL COMMUNITY CU	7558	3960 - SCHWARTZ	2,407.74	0.00
OAKLAWN HOSPITAL	400338	ENERGY OPTIMIZATION-RELAMP	832.50	0.00
MARTIN OVERHISER	5181	GAR HALL SUPPLIES	399.20	0.00
CINDY PORTER	9799	RECORD & PREPARE MINUTES	30.00	0.00
STATE OF MICHIGAN	400336	WATER SAMPLE TESTS AT DNRE	100.00	0.00
U S POSTMASTER	7883	STAMPS	44.00	0.00
SHERI ZIENERT	5152	COFFEE & TRAINING	106.21	0.00
ZURICH	6976	COMM STOR TANK	714.00	0.00
		Grand Total:	135,978.48	0.00

PRESCRIPTION REIMBURSEMENTS 49.60

TOTAL CASH DISBURSEMENTS $136,028.08

CITY OF Marshall Michigan

ADMINISTRATIVE REPORT
September 6, 2011 – City Council Meeting

TO: Honorable Mayor and City Council

FROM: Tom Tarkiewicz, City Manager

SUBJECT: Medical Marihuana Ordinance

BACKGROUND: Over the past year, the Council has discussed an ordinance concerning Medical Marijuana. The Michigan voters approved the Act in November of 2008 and the law took effect on December 4, 2008. The City Attorney has drafted the attached Ordinance and a public hearing was established.

RECOMMENDATION: It is recommended after hearing comments at the public hearing, that the Council adopt the Medical Marihuana Ordinance.

FISCAL EFFECTS: None at this time.

Respectfully submitted,

Tom Tarkiewicz
City Manager

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CITY OF MARSHALL

MEDICAL MARIHUANA ORDINANCE

AN ORDINANCE PROHIBITING THE OPERATION OF A MEDICAL MARIHUANA DISPENSARY IN THE CITY OF MARSHALL, MICHIGAN.

THE CITY OF MARSHALL ORDAINS:

137.20 Findings.

The City of Marshall adopts this Ordinance based on the following findings of fact:

A. In November, 2008 the people of the State of Michigan adopted an initiative which lead to the enactment of the Michigan Medical Marihuana Act (MMMA) at MCL 333.26421 *et. seq.*
B. The MMMA creates a procedure by which a "qualifying patient" may obtain a certification from a physician and a "registry identification card" from the State Department of Community Health which prohibit prosecution and other penalties for cultivating a limited number of marihuana plants.
C. The MMMA also authorizes a "primary caregiver" to obtain a "registry identification card" authorizing such person to lawfully cultivate and distribute marihuana to a limited number of "qualifying patients".
D. Notwithstanding all of the above, Michigan law continues to make the manufacture, possession and use of marihuana serious criminal offenses. Michigan's Public Health Code provides penalties ranging from a misdemeanor for possession of a small amount of marijuana to life imprisonment for "habitual" manufacturers and distributors.
E. Likewise, the Federal Controlled Substances Act (21 USC 801 *et. seq.*) makes the following unlawful:

The manufacture, distribution or possession with intent to distribute marihuana;

The leasing, renting, maintaining or using of property for the manufacturing, storing or distributing of controlled substances;

The distribution or manufacture of marihuana within 1,000 feet of schools and playgrounds, and within 100 feet of youth centers or video arcade facilities.

The use of any communication device to commit a felony violation of the Controlled Substances Act

F. As of the time of the adoption of this Ordinance, (August, 2011) the interpretation of the MMMA is unsettled. Various trial courts throughout Michigan have addressed questions regarding the interpretation of the MMMA and its' application. The MMMA has been addressed in only five reported decisions from the Court of Appeals and no decisions of the Michigan Supreme Court. Further, the Michigan legislature has not acted to clarify the state of the law.

G. The MMMA defines the "Medical use" of marihuana as "the acquisition, possession, cultivation, manufacture, use, internal possession, delivery, transfer, or transportation of marihuana or paraphernalia relating to the administration of marihuana to treat or alleviate a registered qualifying patient's debilitating medical condition or symptoms associated with the debilitating medical condition". (MCL 333.24623(e)) This definition does not include the sale of marihuana as a Medical use.

H. The MMMA provides "(a) registered primary caregiver may receive *compensation for costs* associated with assisting a registered patient in the medical use of marihuana. Any such compensation shall not constitute the sale of controlled substances". (MCL 333.24624(e)) Emphasis added.

I. The drafters of the initiative adopted by voters in 2008 did not intend to authorize cooperative marihuana growing operations or dispensaries. See People v. Redden, 290 Mich. App. 65 (2010), citing *Satyanarayana, Is Marijuana Good Medicine?* Detroit Free Press, October 25, 2008, **http://www.freep.com/article/20081025/NEWS15/810250341/Is-marijuana-good-medicine-** (accessed August 8, 2011).

137.21: Purpose.

It is the purpose of this Ordinance to regulate the conduct of activity pursuant to the Michigan Medical Marihuana Act ("MMMA") MCL 333.26421 *et. seq.,* and to regulate the conduct of activity pursuant thereto in the City of Marshall, Michigan so as to protect the health, safety and welfare of the general public. This ordinance shall be interpreted with reference to the changing state of the law as it relates to the MMMA in Michigan; it is not the intent of the Marshall City Council to authorize any person to engage in any activity that is otherwise prohibited by state or federal law, nor, except as expressly provided herein, is it the intent of the Marshall City Council to prohibit conduct allowed under the MMMA.

137.22 Definitions.

Any term used in this Ordinance which is defined in the Michigan Medical Marihuana Act (MCL 333.26421 *et. seq.*) shall have the meaning given it by the Michigan Medical Marihuana Act.

A. **"Lot of Record"** – a lot, the dimension and configuration of which are shown on a map recorded in the office of the County Register of Deeds, or a lot or parcel described by metes and bounds, the accuracy of which is attested to by a professional engineer or land surveyor (registered and licensed in the state and likewise recorded on a file with the county.)

B. **"Marihuana Dispensary"**. – a use of a lot of record by more than two individuals for the acquisition, possession, cultivation, manufacture, delivery, transfer, or transportation of marihuana or paraphernalia relating to the administration of marihuana to treat or alleviate a registered qualifying patient's debilitating medical condition or symptoms associated with the debilitating medical condition.

137.23 Dispensaries prohibited.

The use of any lot of record as a Marihuana Dispensary is prohibited.

137.24 Severability.

If sections of this ordinance shall be deemed to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be invalid.

137.25 Penalty.

Notwithstanding the provisions of Section 137.99, any person, firm, or corporation in violation of any provisions of this Ordinance shall be deemed responsible of violating a municipal civil infraction and shall, upon finding thereof, be subject to a fine of not more than One Hundred and 00/100 ($100.00) Dollars, plus Court costs and the cost of prosecution not to exceed Five Hundred and 00/100 ($500.00) Dollars. Each day that a violation occurs shall be considered a separate offense. The City of Marshall may, in addition, seek injunctive relief.

Effective Date.

This Ordinance shall become effective upon its publication in a newspaper of general circulation in Marshall, Michigan.

Adopted by the City Council of the City of Marshall, Michigan on the _____ day of September, 2011.

CITY OF Marshall Michigan

ADMINISTRATIVE REPORT
September 6, 2011 - CITY COUNCIL MEETING

TO: Honorable Mayor and City Council

FROM: James M. Schwartz, Police Chief
Tom Tarkiewicz, City Manager

SUBJECT: Proposed Ordinance 73.19 for Overnight Parking Permits Allowed Under Certain Circumstances

BACKGROUND: The City of Marshall currently has an ordinance which prohibits any parking on any roadway within the City of Marshall between 2:00am - 6:00am. There are several residential owners that have contacted the City of Marshall requesting direction on an appeal process to allow parking on the roadway during these times. Reasons for appeal would be because of parking restriction and liabilities on their property.

To allow on street parking during prohibited times would need guidelines and rules to be effective. The property owner would need to provide proof of need to allow parking on the roadway. This would include no approved parking area acceptable to current codes and restrictions, limited parking ability due to limited lot size and possibly medical or life quality needs.

What this ordinance would not allow is parking on the roadway for convenience. The City Attorney reviewed the tape of the last meeting, 08/15/2011, and took into consideration of all suggestions raised by City Council reference this ordinance. There were no comments made from the public at this meeting. As a result the attached ordinance was drafted for approval.

The fees shall be consistent with those charged for parking permits in city owned parking lots. Currently they are $5.00 per year. By applying and filling out the application, this will allow city staff to notify the vehicle owner(s) to remove their vehicle(s) in cases of emergency or scheduled roadway work.

RECOMMENDATION: As the Police Chief and Traffic Engineer for the City of Marshall, it is the recommendation that the Council approve the ordinance as presented.

FISCAL EFFECTS: The fees will be placed in the general fund.

ALTERNATIVES: As suggested by Council.

Respectfully submitted,

James M. Schwartz
Police Chief

Tom Tarkiewicz
City Manager

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An Ordinance to Amend City of Marshall Code, Chapter 73: Parking Regulations

The City of Marshall Ordains:

1. That Section 73.19 is hereby amended to read as follows:

§73.19 PARKING LIMITED BETWEEN 2:00 A.M. AND 6:00 A.M.

(A) Except as provided in this section, It shall be unlawful for any person to park, allow to be parked or allow to remain parked, any motor vehicle on any paved surface of any public street of the city between the hours of 2:00 a.m. and 6:00 a.m.

(B) The Traffic Engineer shall erect signs giving notice of the on-street parking prohibition contained in division (A).

(C) Specific blocks of specific streets may be permitted as exceptions to the foregoing general provisions in division (A), when so designated by the Traffic Engineer with the consent of the City Council.

(D) Parking on any public street in the City between the hours of 2:00 a.m. and 6:00 a.m. may be permitted for a period of up to three (3) days upon notification to, and approval of, the Marshall Police Department.

(E) Parking between 2:00 a.m. and 6:00 a.m. may be permitted under the following circumstances:

(i) Two permits for parking on the street shall be issued if the Traffic Engineer finds that no vehicles may be legally parked on a lot of record, as defined by §156.003, and that the specific characteristics of the lot of record, including size, shape and placement of structures prevent any area from being reasonably adapted for the legal parking of vehicles.

(ii) One permit for parking on the street shall be issued if the Traffic Engineer finds that no more than one vehicle may be legally parked on a lot of record, as defined by §156.003, and that the specific characteristics of the lot of record, including size, shape and placement of structures prevent any area from being reasonably adapted for the legal parking of additional vehicles.

(iii) When issued, a permit for parking on the street shall be valid for a period of time not to exceed one year. Parking permits issued under this subsection shall be issued to the registered owner of a vehicle. Permits shall not be transferrable. Each permit shall be affixed to the front windshield of the vehicle in a location readily visible. There will

be an annual fee in the amount established by resolution for each permit issued. All permits will expire each December 31, and must be renewed prior to such date.

(iv) Permit holders parking on any public street between the hours of 2:00 a.m. and 6:00 a.m. shall park the permitted vehicle on that area of a public street within the lot lines of the lot of record for which the permit has been issued and on the same side of the street as the lot of record unless on-street parking is permitted only on the opposite side of the street.

(v) Applications for temporary permits for periods of up to 90 days may be granted for construction, medical services, or other needs, based upon a finding of the Traffic Engineer that a hardship has been sufficiently demonstrated.

(F) Vehicles parked in violation of division (A) shall be subject to immediate impoundment, in addition to being ticketed, if, in the opinion of the Traffic Engineer or his or her designee, the vehicle or vehicles are interfering or will interfere with the performance of necessary street maintenance service, including, but not limited to, street cleaning or snow plowing operations.

(G) Vehicle owners holding a permit issued pursuant to division (E) must, upon notice, immediately remove the vehicle from a public street if, in the opinion of the Traffic Engineer or his or her designee, the vehicle is interfering or will interfere with the performance of necessary street maintenance service, including, but not limited to, street cleaning or snow plowing operations. Vehicles not removed as required in this section shall be subject to immediate impoundment.

(H) The Traffic Engineer is authorized, with the consent of City Council by motion, to establish procedures for the issuance of permits for parking overnight on municipal streets.

2. That Section 73.48 SCHEDULE OF FINES PAYABLE TO PARKING VIOLATIONS BUREAU, is hereby amended to add the following:

	Paid in Seven days or less	Paid after Seven days	Paid after 30 days
Overnight parking Without a valid permit:	$10.00	$20.00	$50.00

3. 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.

4. This Ordinance is declared to be effective immediately upon publication.

Adopted and signed this ____ day of _____, 2011.

James 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 August 15, 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

CITY OF Marshall Michigan

ADMINISTRATIVE REPORT
September 6, 2011 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council

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

SUBJECT: Bid Award – Liability and Property Insurance

BACKGROUND: The City's current liability and property insurance agent is Hub International Midwest Limited. Hub has been the City's insurance agent since FY 2007. For due diligence reasons, the City solicited three (3) agencies in July, 2011. The bids were received on August 5, 2011:

Hub International Midwest Ltd.	Battle Creek	$192,123
MML Liability & Property Pool	Ann Arbor	$203,113
Mich. Municipal Risk Mgt. Auth.	Livonia	$191,790

Please refer to the Coverage Summary analysis attached to review the premium and coverage comparisons, used for this selection process. The reasons why staff is recommending Hub are as follows:

1) Historically, Hub has found ways to reduce insurance costs without reducing the coverage (see attached Coverage Summary – History of Hub Midwest Limited Cost).
2) Though the MMRMA fee is lower than Hub, MMRMA requires a $50,000 member loss fund deposit because MMRMA classifies the City as a self-insured member, and not eligible for the pool membership.
2) Hub deductibles are lower than the required MMRMA stop-loss coverage and member loss fund deposits. Historically, the City has smaller number of claims. In the case where there are fewer claims, Hub's deductibles would be lower than the MMRMA self insured claims.
3) The MMRMA property value coverage is approximately $8.0 million lower than Hub's property value coverage.

RECOMMENDATION: It is recommended that City Council accept the bid from Hub International Midwest Ltd. of Battle Creek, Michigan for the amount of $192,123 for a term of three (3) consecutive years beginning with the policy period November 1, 2011 and ending October 31, 2014, with two (2) one-year renewals, thereafter, if mutually agreed.

FISCAL EFFECTS: The FY 2012 budget includes insurance allocations to the various funds and departments in their respective accounts. No budget amendment is required.

ALTERNATIVES: As suggested by the Council.

Respectfully submitted,

Sandra Bird
Clerk-Treasurer

Tom Tarkiewicz
City Manager

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Coverage Summary

	HUB International Midwest Limited	MML Liability & Property Pool	Michigan Municipal Risk Mgt. Authority
	Premium	Premium	Premium
Property* ($2,500 as of 11-1-09 deductible)	$ 174,516		
Inland Marine	Included		
General Liability	Included		
Employee Benefits Liability	Included		
Police Professional Liability	Included		
Public Official Liability	Included		
Crime	Included		
Excess Crime	$ 598		
Business Automobile	Included		
Pollution-UST/AST (8-28-10/11)	$ 705		
Umbrella ($5M)	Included		
Airport ($15M up until11-13-08. $5M after per Airport Board)	$ 4,200		
Estimated Premium	$ 180,019	$ 191,929	$ 176,141
Other:			
Cronin Building Vacant Property	$ 3,378		
Estimated 5% cost increase for property renewal	$ 8,726		
Airport		$ 4,200 >	$ 4,200 >
Retroactive Coverage - One Time Fee		$ 6,984 +	
Stop-Loss Coverage			$ 11,449 **
Member Loss Fund Deposit			$ 50,000 ***
TOTAL	$ 192,123	$ 203,113	$ 241,790
			(50,000)
			$ 191,790

HUB International Midwest Limited			
Limits		Deductible	
$ 61,492,230		$ 2,500	
$ 1,039,269		$ 1,000	
$ 3,000,000	~		
$ 3,000,000			
$ 1,000,000	~	$ 10,000	
$ 1,000,000	~	$ 10,000	
$ 500,000		$ 1,000	
$ 1,000,000	~	$ 1,000	
$ 5,000,000	~		
$ 5,000,000			
See Other			
$ 450,000		$ 1,500	

MML Liability & Property Pool	
Limits	Deductible
$ 61,272,119	$ 2,500
$ 1,039,269	$ 1,000
$ 5,000,000	
$ 1,000,000	
$ 5,000,000	$ 10,000
$ 5,000,000	$ 10,000
$ 500,000	$ 1,000
$ 5,000,000	$ 1,000
See Other	
Included in Property	
$ 5,000,000	

Michigan Municipal Risk Mgt. Authority		
Limits	Deductible	Self-Ins. Retention
$ 53,560,053	$ 1,000	N/A
Incl. in Property		
$ 10,000,000	$75,000 - Each claim	up to $279,000
$1.0 Million Incl. in Liability		
Incl. in Liability		
Incl. in Liability		
$ 1,000,000	$ 1,000	N/A
Incl. in Crime		
	$ 1,000	$15,000/Vehicle, $30,000/Occurrence
See Other		
Included in Property		
$ 5,000,000		

Notes:
~ Coverage limits also include $5 million umbrella
** $75,000 Self-insured Retention with a Stop Loss at $279,000. Once we hit our stop loss within the policy year, we would not have to pay any more claims within the policy year. In the worse case scenario, we would pay $279,000 and MMRMA would pay the balance. The Stop Loss Coverage is optional and if we choose not to participate, we can subtract $11,449 from the contribution total. For example, in the case of multiple property and/or general liability claims within one year, the City would pay up to $75,000 per incident/claim; however, the City would not pay more than $279,000 in one year.
***The Member Loss Fund is our money to pay claims (compare to deductibles)
+ The Prior Acts Coverage applies to Errors and Omissions Coverage
> Existing carrier will be used through policy term and then renewed with same carrier
All three (3) bids have the same storm or sanitary sewer back-up coverage and employee benefits coverage.

History of Hub Midwest Limited Cost:	
2009 *(Airport coverage limits reduced by Airport board from $15M to $5M)*	$ 195,397
2010 *(Decrease due to change in exposure code for Electric purchase power pass through)*	$ 187,869
2011 *(Decrease due to improved property, gen'l liab. and automobile extension endorsements)*	$ 183,397
2012 Proposed *(Estimated 5% increase in Property insurance)*	$ 192,123

CITY OF Marshall Michigan

ADMINISTRATIVE REPORT
September 6, 2011 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council

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

SUBJECT: Campbell Soup Company – Revocation of Industrial Facilities Exemption Certificates and Recapture of Abated Taxes

BACKGROUND: Under MCL §207.552 *et. seq.* (P.A. 198 of 1974) when an applicant requests an abatement of real or personal property taxes, the applicant and the local unit of government enter into a "Letter of Agreement" with the application for Industrial Facilities Tax Exemption. Typically, a Letter of Agreement allows for the recapture of abated taxes if the company receiving the abatement fails to carry out all of the actions promised at the time of the application.

The City of Marshall entered into multiple Letters of Agreement with Joseph Campbell Company over the past 8 years, IFT certificates listed on the attached resolution. The agreements provide that if Campbell chooses to leave Marshall prior to the expiration of the terms of the IFTs, the City Council may recapture taxes from the Company, up to and including the total amount of the taxes abated by the IFT.

In June, 2011 Campbell Soup Company, successor to Joseph Campbell Company, notified the City that it would be closing the Marshall Campbell facility. The certificates are due to expire on December 30, 2013, 2016 2018 and 2021 meaning that Campbell has failed to comply with its obligations under the IFT and Letters of Agreement. Because Campbell will not be fulfilling its promise of investment and jobs in the community, the City Council has the right to recapture some or all of the taxes that were abated during the life of the certificate.

The proposed resolution calls for the revocation of the IFT certificates issued for the personal property improvements and for the 100% recapture of all taxes abated for these certificates, both real and personal. The attached spreadsheet sets forth the calculations for tax recapture.

City staff has advised Campbell Soup Company World Headquarters, Vice President of Taxes that this action is being considered at this meeting, although we have received no direct response to this proposal regarding repayment options. A Campbell's department manager, Mike Martin, contacted the Clerk-Treasurer to discuss the matter. The Clerk-Treasurer invited Campbell representatives to attend tonight's meeting.

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RECOMMENDATION: Adopt the attached resolution calling for the revocation of the IFT certificates issued to Campbell Soup Company for real and personal property improvements and 100% tax recapture for both real and personal property.

FISCAL EFFECTS: None at this time. Upon filing appropriate forms with the State Treasury and receiving approval from the State, the City will invoice Campbell Soup Company for the tax recapture

ALTERNATIVES: As suggested by the Council.

Respectfully submitted,

Sandra Bird
Clerk-Treasurer

Tom Tarkiewicz
City Manager

CITY OF MARSHALL, MICHIGAN
RESOLUTION #2011-__

WHEREAS, Joseph Campbell Company, pursuant to Public Act 198 of 1974, properly applied for and was issued the following Industrial Facilities Tax (IFT) Exemption Certificates for real and personal property improvements which is presently in effect and which expires by the following due dates; and

Parcel # 500-097-01	Certificate #03-581	Expires 12/30/2016
Parcel # 500-097-00	Certificate #03-581	Expires 12/30/2016
Parcel # 500-101-01	Certificate #06-196	Expires 12/30/2018
Parcel # 500-106-01	Certificate #2009-239	Expires 12/30/2021
Parcel # 500-093-01	Certificate #03-172	Expires 12/30/2013

WHEREAS, Campbell Soup Company, successor to Joseph Campbell Company, has given notice that it intends to permanently close the facility referred to in the IFT exemption certificate; and

WHEREAS, Letters of Agreement were signed for the aforementioned IFT exemption certificate, and

WHEREAS, pursuant to the Letters of Agreement the governing body of the City of Marshall has the right to recapture from the company up to and including the total amount of taxes abated by the IFT exemption certificate; and

WHEREAS, Campbell Soup Company has been notified of this proposed action and has been given an opportunity to be heard.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the city that:

1. Industrial Facilities Exemption Certificates #03-581, #06-196, #2009-239, and #03-172 issued for real and personal property improvements and due to expire December 30, 2016, December 30, 2018, December 30, 2021, and December 30, 2013 respectively are hereby revoked and that such revocation shall take effect in the 2012 assessing/tax year.

2. Campbell Soup Company is herby ordered to repay 100% of the abated taxes for IFT Certificates #03-581, #06-196, #2009-239, and #03-172 for the tax years 2004 through and including 2011 and such repayment of taxes shall be made on or before January 31, 2012.

Sandra Bird
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 September 6, 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
Sandra Bird, CLERK-TREASURER

Campbell's Clawback Summary (2002-2010)

Certificate #	03-172	03-581	06-196	09-239	Total
Parcel #	500-093-01	500-097-01 500-097-00	500-101-01	500-106-01	
LDFA	92,925.54	391,241.09	22,804.20	5,986.03	$ 512,956.86
Calhoun ISD	19,355.03	82,231.75	4,874.53	1,275.58	$ 107,736.89
School Op	38,363.40	187,479.34	4,268.70	-	$ 230,111.44
School Debt	15,147.67	66,107.01	3,899.37	1,438.84	$ 86,592.89
School Sinking Fund	3,180.80	13,427.62	785.48	205.54	$ 17,599.44
Library Debt	1,304.07	5,237.96	302.09	81.19	$ 6,925.31
Total	$ 170,276.51	$ 745,724.77	$ 36,934.37	$ 8,987.18	**$ 961,922.83**

CITY OF Marshall Michigan

MAYORAL REPORT
September 6, 2011 – City Council Meeting

TO: City Council

FROM: James L. Dyer, Mayor

SUBJECT: Economic Development

BACKGROUND: At the May 2011 DDA Main Street Board meeting, the Board voted to recommend to the Council that the City graduate from the Michigan Main Street program. The City has been a Main Street community since 2005. The current Main Street Certification expires in December of 2012.

I am working with a group of community stakeholders to produce a City wide economic development plan which includes the downtown. We are not ready at this time to present the plan.

To assist the current Main Street program, I recommend that the Main Street Manager report to the City Manager instead the Chair of the Board. The Main Street model recommends that the Manager report to the Board Chair. This model is not the best fit for our City. On August 23rd, the Board unanimously voted to transfer supervision of the Manager to the City Manager.

RECOMMENDATION: It is recommended that the Council support my recommendation to continue in the Michigan Main Street program through the end of 2012. I am further recommending that the Main Street Manager report to the City Manager.

FISCAL EFFECTS: None at this time.

Respectfully submitted,

James L. Dyer
Mayor

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CITY OF Marshall Michigan

ADMINISTRATIVE REPORT
September 6, 2011 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council

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

SUBJECT: Lake Allegan/Kalamazoo River Watershed Cooperative Agreement for the Reduction of Phosphorus Loading

BACKGROUND: Prior to the passage of the Clean Water Act in the 1970's, the Kalamazoo River, as with many water bodies in the U.S., was degraded by industrial, urban and agricultural discharges and runoff that received little treatment before entering the river. Since that time, pollution reduction programs and policies have greatly improved discharges to the river and water quality improvements can be seen simply in the appearance of the river. Yet increasing urban pressure over the past few decades, along with agricultural land use still contribute to water quality issues and impairments in the watershed.

One of the water quality problems in the Kalamazoo River Watershed is the nutrient enrichment of Lake Allegan. Symptoms include nuisance algal blooms, low oxygen levels, poor water clarity, and a fish community heavily unbalanced, dominated by exotic carp. Due to these impairments, a Total Maximum Daily Load (TMDL) for total phosphorus was set for the Kalamazoo River watershed above Lake Allegan in 2001. Both point source and nonpoint source load limits were set in order to achieve an average in-lake total phosphorus concentration of 60 micrograms per liter in Lake Allegan for the growing season from April-September.

The Lake Allegan/Kalamazoo River TMDL effort has been lead through a community-based, collaborative effort of landowners, industry, government, community organizations and citizens. The group has entered into a Cooperative Agreement where point sources have committed to reduce phosphorus loading in the watershed by providing assistance, resources and coordination of local efforts, especially related to nonpoint source loading. Both point sources and nonpoint sources meet regularly as part of the TMDL Implementation Committee to address water quality issues, education activities for the community, and implementation projects to tackle both urban and agricultural loading issues.

The City of Marshall has been a signatory to this agreement since its inception. Our participation with the TMDL impacts the City in two ways. First, we are being good environmental neighbors to all of our partners in the watershed. Second, MDEQ and the USEPA have included the TMDL Agreement in our NPDES Permit. The agreement allows for an aggregate discharge limit for the entire watershed. Basically, when we report our phosphorus loading in our effluent to the river it is combined with all the permitted dischargers. As long as the group meets the aggregate load then we do not violate our NPDES Permit, even if we go over the set limit. This is important because without the Agreement in place our limit would be lowered to about one-quarter of what it is currently. Meeting a limit that 75% less would require us to use more chemicals or explore plant upgrades that would be very costly.

The agreement contains new language that requires municipals with wastewater treatment plants to develop a plan to reduce phosphorus from storm water using best

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practices. This plan will be developed with the help of all of the signatories. These best practices include making educational material available to the public, inspecting storm water outfalls, and conducting proper storm sewer infrastructure maintenance. The agreement also includes a requirement to minimize phosphorus loading from new development and redevelopment which can be obtained by site plan requirements or a storm water ordinance. Staff has been researching this issue and will be bringing a recommendation to City Council at a later date. The DEQ is requesting this plan within one year of the effective date of the agreement.

RECOMMENDATION: It is recommended that the City Council direct the Clerk to sign the Lake Allegan/Kalamazoo River Watershed Cooperative Agreement for the Reduction of Phosphorus Loading.

FISCAL EFFECTS: Continued lower chemical costs.

ALTERNATIVES: As suggested by the Council.

Respectfully submitted,

Alec Egnatuk,
Wastewater Superintendent

Carl Fedders,
Director of Public Services

Cheryl Vosburg,
Environmental Coordinator

Tom Tarkiewicz,
City Manager

Kalamazoo River/Lake Allegan Watershed Cooperative
Agreement for the Reduction of Phosphorus Loading
August 19, 2011

This agreement is between the Michigan Department of Environmental Quality (MDEQ), Water Resources Division (WRD) and the attached signatories, representing both point source (PS) and nonpoint source (NPS) stakeholders in the Kalamazoo River/Lake Allegan watershed. The primary purpose of the agreement is to continue to implement the process to cooperatively reduce phosphorus loading in the Kalamazoo River/Lake Allegan watershed to meet the goals of the Total Maximum Daily Load.

We the undersigned acknowledge the importance of the Kalamazoo River/Lake Allegan as valuable water resources for the residents, aquatic life, and wildlife in the watershed and agree to the following:

1. As identified in the document titled "Total Maximum Daily Load for Phosphorus in Lake Allegan" (TMDL) published March 2001 by the MDEQ, NPS phosphorus loading accounts for a substantial amount of the present phosphorus load to Lake Allegan. In the 1998 growing season, NPS loads accounted for 65 percent of the total phosphorus load. In 2010, the NPS load accounted for 83 percent of the total phosphorus load. The reduction of phosphorus in the watershed to date has largely come from PS entities.

2. To improve water quality in Lake Allegan and achieve attainment of the goals of the TMDL, NPS reductions must occur on a wide-scale basis.

3. NPS discharges of phosphorus occur from a variety of rural and urban land uses in the Kalamazoo River/Lake Allegan watershed. Many stakeholders are pursuing a significant reduction in NPS discharges of phosphorus in the watershed. Efforts to reduce NPS of phosphorus should focus on controlling runoff from the sources listed below: Rural sources of phosphorus include uncontrolled animal access to waterbodies, inadequate nutrient/manure management, erosion from farm fields due to the lack of buffer strips along waterways, and conventional tillage in environmentally sensitive areas; urban sources of phosphorous include the runoff of storm water to waterbodies due to historic developments and current non-existing/inadequate storm water ordinances, lack of proper planning and zoning to protect sensitive areas, and over-application of phosphorus-containing fertilizers; sources of phosphorus that may occur in both rural and urban settings including improper soil erosion and sedimentation controls at construction sites, and runoff from transportation infrastructure, including improperly designed road/stream crossings, gravel roads that are not properly maintained, and paved roads without adequate space allotted for storm water infiltration; and in-stream sources of phosphorus include unstable stream banks resulting from the removal of native vegetation, and stream bank scouring due to flashy flows from highly impervious areas.

4. The signatories to this cooperative agreement agree to facilitate NPS reductions in total phosphorus by providing assistance, resources, and the coordination of local efforts to reduce NPS of phosphorus indicated above by 2020 to meet the Load Allocation of the TMDL. If it is determined that commitments under the cooperative agreement are not met, and taking into account the findings in further study described in #10 below, NPDES permits for entities in the Lake Allegan watershed will be modified to include facility-specific WLAs and seasonal

aggregate WLAs for total phosphorus. Specific requirements for addressing NPS pollution are as follows:

A. Industrial Point Sources. The industrial (non-municipal) point sources shall collectively develop and implement a public education plan and/or coordinate with their local stormwater municipal separate storm sewer system (MS4) to reach their employees, customers and general public. The plan shall be designed to accomplish the education of the public about 1) their responsibility and stewardship in their watershed and, 2) the connection of MS4 catch basins, storm drains, and ditches to area waterways, and the potential impacts these could have on the surface waters of the state. This public education plan shall be submitted to MDEQ within **one year** of the effective date of this agreement. Implementation shall begin immediately upon submittal.

B. Municipal Wastewater Treatment Plants located in municipalities without a National Pollutant Discharge Elimination System (NPDES) MS4 permit: except when the municipality is located in a county or township that implements the following activities or their equivalents (for example, in a drain commission or building permit program), the municipality in which the wastewater treatment plant is located shall develop a plan to implement activities that reduce phosphorus to the Lake Allegan watershed. This shall include but is not limited to making storm water public education materials available to the public, routinely inspecting storm water outfalls to surface water to determine if illicit connections exist, and developing procedures for correcting problems, developing pollution prevention and good housekeeping protocols that minimize phosphorus from entering surface waters, and developing mechanisms to control storm water quality and quantity from new development and redevelopment. The plan shall be submitted to MDEQ within one year of the effective date of this agreement and implemented upon submittal.

C. Municipal Wastewater Treatment Plants located in municipalities covered by an NPDES MS4 permit: these municipalities shall provide technical assistance to municipalities within the Kalamazoo River/Lake Allegan TMDL Area that are not covered by an MS4 permit. Technical assistance may involve the following: sharing of public education materials, illicit discharge elimination plan methodology and technical assistance, post-construction storm water ordinances, and training on pollution prevention and good housekeeping activities for municipal operations.

D. All municipalities shall publicize the statewide restriction on applying phosphate-containing fertilizer to turf (in Part 85 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451) or any applicable local ordinance on applying phosphate-containing fertilizer beginning January 1, 2012. In addition, the PS shall continue to provide soil testing to homeowners throughout the watershed through an annual, educational event to evaluate the need for phosphorus application to soils.

5. The signatories also agree to update the 3-Year TMDL Strategy (November 7, 2008) which updates the "Water Quality Improvement (Implementation) Plan for the Kalamazoo River Watershed and Lake Allegan through a Phosphorus Total Maximum Daily Load (TMDL) Process", dated July, 2002.

The permittees have met the aggregate waste load allocation (WLA) of 8,700 pounds of phosphorus per month from April through June, and 6,700 pounds per month from July through September as identified in the TMDL. The Implementation Plan shall contain a strategy to insure that the PS continue to meet the aggregate WLA identified in the TMDL, and seek continued improvement through collaboration and sharing of resources. If these commitments are not met under this cooperative agreement, facility specific WLAs and seasonal aggregate WLAs will be included in NPDES permits. The permittees listed in #6 below agree to put forth reasonable best efforts to reduce phosphorus discharges and continue to meet the individual phosphorus loading goals set forth in the Implementation Plan (i.e., twenty three percent phosphorus reduction from 1998 PS loads during the period July through September). Nothing in this agreement shall be construed to require the use of Best Available Control Technology or any other particular level of treatment technology.

The update to the 3-Year TMDL Strategy (November 7, 2008) shall be submitted to the MDEQ, WRD, Kalamazoo District Supervisor, within **one year** of the effective date of this agreement.

The MDEQ agrees, subject to United States Environmental Protection Agency approval and public comment, to include the existing NPDES permit limitations and/or monitoring requirements for phosphorus in the following permits for five years from the effective date of this agreement:

FACILITY NAME	PERMIT NUMBER
A M Todd Company	MI0038407
Albion Industries Inc	MIS110478
Albion WWTP	MI0022161
Allegan WWTP	MI0020532
Allegan Water Treatment Plant	MI0058703
Andersons Albion Ethanol Plant	MIS120601
Battle Creek WWTP	MI0022276
Battle Creek-DPW WTP	MIG640215
Bellevue WWTP	MIG570051
Brookfield Twp-Narrow Lk WWSL	MIG580401
Charlotte WWTP	MI0020788
Clarence Twp-Duck Lake WWSL	MIG580402
Concord WWSL	MIG580003
Evergreen Packaging - Kalamazoo	MIG250129
Food City Pickle, Inc	MI0056197
Guardian Ind-Albion Plt	MIS110637
Georgia-Pac-Willow Blvd-OU2-SF	MIU990030
Glassmaster Control – Kalamazoo	MIG250001
Gun Lake Sewer Authority	MI0042501
Homer WWSL	MI0021407
International Paper-Emerald Dr	MIS110726
JBS – Plainwell, Inc.	MI0050628
Joseph Campbell Company – Marshall	MI0045268
Kalamazoo WWTP	MI0023299
Kellogg Company	MIS111243
Marshall WWTP	MI0023540
Olivet College	MIG760003
Olivet WWSL	MIG580267

Otsego Paper, Incorporated	MI0003824
Otsego WWTP	MIG570224
Parker Hannifin Corporation- Brass Products Division	MI0054038
Parker Hannifin Corporation- Pump Motor Division	MIS111495
Parma WWSL	MIG580005
Perrigo Company-Plant No. 1	MI0039306
Perrigo Company-Plant Nos. 4 and 5	MI0039314
Plainwell WWTP	MI0020494
Rock-Tenn Company-Battle Creek	MI0029386
Springport WWSL	MIG580281

In 2016, the PS NPDES permit limits for phosphorus will be evaluated taking into account the findings of further study described in #9 below, and may need to be revised to include facility specific WLAs and a seasonal aggregate WLA pursuant to applicable laws and regulations depending on the efficacy of the agreement in meeting the TMDL goals. Revisions to NPDES permits may include both the facility-specific WLA, and aggregate WLA for phosphorus. The facility specific WLA would be equal to the 1998 actual PS loads for the period April through June, and a twenty three percent phosphorus reduction from 1998 PS loads for the period July through September.

6. The signatories agree to meet semiannually in the spring and fall to: a) discuss overall and individual performance and activity directed towards meeting the goals identified in the TMDL; b) review the PS and NPS Reduction Implementation Plans for the Kalamazoo River Watershed and Lake Allegan, and the current Kalamazoo River Watershed Plan, and recommend modifications for improving implementation; and c) review data and information developed through the continued studies to be conducted pursuant to paragraphs #8 and #9 below.

7. An annual report shall be submitted by the signatories on or before March 1 of each year to the MDEQ, WRD, Kalamazoo District Supervisor, summarizing progress made towards meeting the goals identified in the TMDL to include the following:

   i. Summaries from the semiannual meetings.
   ii. Progress made on each item identified in the implementation plans.
   iii. Changes in the implementation plans in response to new challenges.
   iv. Local successes in phosphorus control.
   v. Summary of the PS phosphorus effluent data and control methods.
   vi. Summary of any locally derived watershed monitoring data, including trend data, as implementation proceeds.

8. The MDEQ agrees to continue monitoring the water quality in Lake Allegan and the Kalamazoo River, as resources allow. Monitoring will be conducted at M-89 (inlet) to evaluate the water quality as it enters Lake Allegan, and at the Lake Allegan dam (outlet). The exact monitoring locations for the inlet, outlet, and Lake Allegan samples are identified in the MDEQ staff report number MI/DEQ/SWQ-99/125. The minimum monitoring frequency will be monthly from April through September each year at each site in Lake Allegan and the Kalamazoo River as resources allow. The MDEQ will submit the annual sampling results by **March 1** of each year. The results will be posted on the internet at www.kalamazooriver.net for access by the signatories of this agreement.

9. The signatories agree that further study may demonstrate designated use attainment in the watershed even if phosphorus levels are not reduced as identified in the TMDL. The signatories agree to discuss the continuing study of the water quality parameters and endpoints for the phosphorus reduction program. The study may include, but need not be limited to, the following:

    i. Continued monitoring of ambient phosphorus levels.
    ii. Verify the established baselines and endpoints for relevant warm water fish species and other indigenous aquatic life and wildlife.
    iii. Study and quantify phosphorus contributions sediments.
    iv. Evaluate other causes of water quality impairment.
    v. Establish relationship between phosphorus reduction and water quality improvements.

10. Any signatory may terminate its involvement in this agreement at any time for any reason. Notice of such termination shall be given in writing to all other signatories prior to the effective date of termination.

11. This agreement shall expire on **March 1, 2016**. The signatories may agree to renew the agreement.

12. No signatory makes any admission of fact or law, or waives any claim, right, or argument against anyone or any entity by becoming a signatory to this agreement or by acting under it. Nothing in this agreement shall create any claim, right, or argument in any third party.

13. The signatories below shall represent either of the following:

    i. For a municipal, state, or other public facility, or a not-for-profit entity, a principal executive officer or ranking elected official (such as the mayor, village president, city or village manager or clerk).
    ii. For an organization, company, corporation or authority, a principal executive officer, vice president or their designated representative.
    iii. For a partnership, a general partner.
    iv. For a sole proprietor, the proprietor.
    v. For a local unit of government, a county, city, village, or township official, or an agency of a county, city, village, or township.

By Michigan Department of Environmental Quality:

_____ _____

Name and Title Date

By Michigan Department of Natural Resources:

_____ _____

Name and Title Date

By Michigan Department of Transportation:

_____ _____

Name and Title Date

By Michigan Department of Veteran Affairs, Fort Custer:

_____ _____

Name and Title

By A M Todd Company:

_____ _____

Name and Title Date

By City of Albion:

_____ _____

Name and Title Date

By Albion Industries:

_____ _____

Name and Title Date

Name and Title Date

By City of Allegan:

Name and Title Date

By Allegan County Conservation District:

Name and Title Date

By Allegan County Drain Commission:

Name and Title Date

By Allegan County Road Commission:

Name and Title Date

By Anderson Albion Ethanol Plant:

Name and Title Date

By Barry County Drain Commission:

Name and Title Date

By Barry County Road Commission:

Name and Title _____ Date _____

By City of Battle Creek:

Name and Title _____ Date _____

By City of Bellevue:

Name and Title _____ Date _____

By Brookfiled Twp- Narrow Lake WWSL

Name and Title _____ Date _____

By Calhoun County Conservation District:

Name and Title _____ Date _____

By Calhoun County Drain Commission:

Name and Title _____ _____

By Calhoun County Road Commission:

Name and Title _____ _____

By City of Charlotte:

_____ _____

Name and Title Date

By Clarence Township- Duck Lake WWSL:

_____ _____

Name and Title Date

By City of Concord:

_____ _____

Name and Title Date

By Eaton County Drain Commission:

_____ _____

Name and Title Date

By Eaton County Road Commission:

_____ _____

Name and Title Date

By Evergreen Packaging- Kalamazoo:

_____ _____

Name and Title Date

By Food City Pickle, Inc:

_____ _____

Name and Title Date

By Guardian Industries- Albion Plant

_____ _____

Name and Title Date

By Georgia-Pac-Willow Blvd-OU2-SF:

Name and Title

By Glassmaster Controls - Kalamazoo:

Name and Title

Date

By Gun Lake Sewer Authority:

Name and Title

Date

By The Gun Lake Tribe:

Name and Title

Date

By Hillsdale County Drain Commission:

Name and Title

Date

By Hillsdale County Road Commission:

Name and Title

Date

By City of Homer:

Name and Title

Date

By International Paper - Emerald Dr:

_____ _____

Name and Title Date

By Jackson County Drain Commission:

_____ _____

Name and Title Date

By Jackson County Road Commission:

_____ _____

Name and Title Date

By JBS Plainwell, Inc:

_____ _____

Name and Title Date

By Joseph Campbell Company - Marshall:

_____ _____

Name and Title Date

By City of Kalamazoo:

_____ _____

Name and Title Date

By The Kalamazoo County Conservation District:

_____ _____

Name and Title Date

By The Kalamazoo County Drain Commission:

_____ _____

Name and Title Date

By The Kalamazoo County Road Commission:

_____ _____

Name and Title

By Jackson County Drain Commission:

Name and Title _____ Date _____

By Jackson County Road Commission:

Name and Title _____ Date _____

By Kellogg Company:

Name and Title _____ Date _____

By City of Marshall:

Name and Title _____ Date _____

By Olivet College:

Name and Title _____ Date _____

By Otsego Paper Incorporated:

Name and Title _____ _____

By City of Olivet:

Name and Title _____ Date _____

By City of Otsego:

Name and Title _____ Date _____

By Parker Hannifin Corporation-Brass Products Division:

Name and Title _____ Date _____

By Parker Hannifin Corporation-Pump/Motor Division:

Name and Title _____ Date _____

By City of Parma:

Name and Title _____ Date _____

By Perrigo Company-Plant No. 1:

Name and Title _____ Date _____

By Perrigo Company-Plants No. 4 and 5:

Name and Title _____ Date _____

By Plainwell, Incorporated:

Name and Title _____ Date _____

By City of Plainwell:

Name and Title _____ Date _____

By Rock-Tenn Company:

_____ _____

Name and Title Date

By City of Springport:

_____ _____

Name and Title

CITY OF Marshall Michigan

ADMINISTRATIVE REPORT
September 6, 2011 - CITY COUNCIL MEETING

TO: City Council

FROM: Mayor James L. Dyer

SUBJECT: Appointments to the Airport Board

BACKGROUND: The terms of Matt Davis and Desmond Kirkland will expire on October 1, 2011. Mr. Kirkland has expressed his desire for reappointment and Mr. Davis wishes to not be reappointed.

RECOMMENDATION: It is recommended that Morris Arvoy be appointed and Desmond Kirkland be reappointed to the Airport Board with terms expiring October 1, 2014.

FISCAL EFFECTS: None.

ALTERNATIVES: As suggested by City Council.

Respectfully submitted,

James L. Dyer
Mayor

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cityofmarshall.com

CITY OF MARSHALL
BOARDS & COMMISSIONS
APPLICATION

Your interest and willingness to serve the City of Marshall is appreciated. The purpose of this application is to provide the Mayor and Council with basic reference data and information pertaining to residents being considered for appointment to a City board or commission. The information supplied on this form will be available for the Mayor and Council and may be used for their deliberation concerning such appointments.

Date: 25 August 2011

Please type or print –

Name: Morris Arvoy

Address: 417 Elizabeth Street, Albion, Michigan 49224

Home Phone: 517-499-2599 **Work Phone:** 269-781-8544

Fax Number ______________________ **E-Mail Address:** morrisarvoy@yahoo.com

How long have you lived in the City of Marshall? 3 years, 2000-2004

Education: BA, Albion College

Primary Personal Interest: Marshall Historical Society (employer), history, Marshall tourism, Marshall theatre. (Resume attached.)

Please feel free to attach, for example, a resume, brief bio, hobbies, former committee work, etc.

* *

Please indicate your choice(s) –

If you are interested in more than one, designate first choice (1), second choice (2), etc. (Please see reverse for information regarding each board and commission).

__X__ Airport Board (3 yrs)

_____ Board of Review (2 yrs)

_____ District Library Board (3 yrs)

_____ Downtown Development Authority (4 yrs)

_____ Local Development Finance Authority (3 yrs)

_____ Parks & Rec Advisory Board (3 yrs)

_____ Planning Commission (4 yrs)

_____ Sister City Committee (3 yrs)

_____ Zoning Board of Appeals (3 yrs)

Morris Arvoy

417 Elizabeth Street, Albion, Michigan 49224

Tel: 517-499-2599 Email: morrisarvoy@yahoo.com

PROFILE

Communications and media relations expert with 20 years of experience in communications and development. Creative thinker and effective communicator who excels at collaboration with colleagues at all organizational levels. Outstanding people skills with strong team-working ability. Hands-on experience with media relations and public relations; media plans and strategies; social media and networking; and writing, editing and content development for print and Web.

EXPERIENCE

Marketing Director, Marshall Historical Society, Marshall, Michigan **2011-**

Responsible for all marketing and promotional campaigns for a well established tourism and historical preservation organization. The Marshall Historical Society owns three museums in Marshall: the Honolulu House Museum, the Grand Army of the Republic Memorial Hall, and the Capitol Hill School. In addition, the Society runs two of the region's most anticipated and successful events of the year: the Historic Marshall Home Tour and the Candlelight Walk. Major responsibilities include increasing museum admissions, event tickets sales and bus tours; raising awareness of the activities and purpose of the Society; and advising on fundraising and membership strategies.

Communications Consulting, Freelance **2009-**

Specialize in all aspects of communications and media relations, including media strategies, persuasive writing, long- and short-term strategic planning, motivational speaking, communications consulting, marketing plans, press releases, social media and networking, media placement, speech writing, voice-over work, grant writing, proof reading, and copy editing. Clients include the City of Marshall, Thiel College, and the American Red Cross (Jackson, Michigan).

Director of Media Relations, Albion College, Albion, Michigan **2000-2009**

Directed the news, public relations, and marketing operations of Albion College, including the news Web site, social networking, and emerging media. Strategized short- and long-term marketing and communications plans and greatly increased local, regional, and national recognition of the college. Developed faculty, staff, and student "experts" who commented on a wide range of topics in local and national media. Tracked, measured, and reported on electronic media exposure and effectiveness. Managed advertising planning and media buying.

Conceived and wrote persuasive pieces for fundraising, advertising, speeches, letters from the president and other administrators, and talking points for important events. Wrote, edited, distributed, and followed-up on press releases. Developed ideas, researched, interviewed, wrote copy, and planned photos and graphics for news and feature articles in *Io Triumphe!* alumni magazine. Developed, edited, and wrote a popular bi-weekly email and Web-based news digest of unique news, features, and upcoming events. Acted as the spokesperson for the college, coordinating media responses to events, news, and crises. Strategized and directed shoots by professional photographers and film production companies and took photographs for news coverage, special requests, and archival purposes.

Represented the college at local and national fundraising and recruitment events. Served as "The Voice of Albion College" for video, audio, and telephonic communication, including Web presentations, radio interviews, sports play-by-play, and for 15 years as the marching band announcer.

Senior Editor, H.O. Zimman for the U.S. Tennis Association, Lynn, Massachusetts **1994-2000**

Conceived themes and edited articles for a wide range of publications, working closely with vendors, authors, and production staff to ensure top-quality results. Wrote, edited and fact checked copy for publications including the official souvenir programs for the U.S. Tennis Open, Davis Cup, Fed Cup, and Harvard University athletics, as well as the U.S. Tennis Association's 400-page Tennis Yearbook and 350-page Tennis Almanac. Developed, assigned and edited stories, working with writers, editors, and design teams.

John F. Kennedy School of Government, Harvard University, Cambridge, Massachusetts **1990-1994**
Edited and managed the publication of books, pamphlets, and position papers, wrote press releases, and organized conferences for the Institute for the Kennedy School of Government's Institute for Social and Economic Policy in the Middle East, a think tank actively involved in the Middle East peace process. Maintained close relationships with all parties involved in the progress toward peace, including international academics, government officials, students, medical doctors, business people, and the media from the United States and foreign countries.

SKILLS

Writing and editing anything from short headlines to long features and persuasive literature / One-on-one and group interaction / Vocus and other media database and management and tracking tools / Photography and photo editing / Public speaking / AP style / PC and Mac platforms / Web-based media / Schmoozing

LEADERSHIP POSITIONS AND ACTIVITIES

Community: Parent volunteer, Walters Elementary School, Marshall, MI / Marshall Rotary / Franke Center for the Arts / Marshall Civic Players / Great Escape Stage Company / American Red Cross of South Central Michigan / Public Relations Society of America / Past: Albion Community Foundation trustee / Albion Health Care Alliance Task Force member / Greater Albion Alliance member / Men Who Cook

Professional: Tourism Council of the Marshall Area Chamber of Commerce / Marshall Main Street Marketing and Promotions Committee / Franke Center for the Arts Marketing Committee (founding member) / Byways Marshall Heritage Tourism Steering Committee / Past: British Eighth marching band announcer / Albion College Media Board chair / Crisis Response Team / First-Year Experience Program staff mentor / Smooth Transitions mentor / Holocaust Studies Service-Learning Program committee / Daoud Family Lectureship in Middle Eastern Studies committee / Isaac Research Symposium committee / Stoffer Lecture committee / Phi Mu Alpha Sinfonia men's music fraternity / Kappa Kappa Psi band fraternity

EDUCATION

Albion College, Albion, Michigan
Bachelor of Arts in English, concentration in journalism