

CALL TO ORDER

IN REGULAR SESSION Monday, June 20, 2011 at 7:00 P.M. in Council Chambers of Town Hall, 323 West Michigan Avenue, Marshall, MI, the Marshall City Council was called to order by Mayor Dyer.

ROLL CALL

Roll was called:

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

Also Present: City Manager Tarkiewicz.

Absent: None.

INVOCATION/PLEDGE OF ALLEGIANCE

Mayor Dyer led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Moved Metzger, supported Williams, to approve the agenda as presented. On a voice vote: **MOTION CARRIED.**

PUBLIC COMMENT ON AGENDA ITEMS

None.

CONSENT AGENDA

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

- A. Approve the fireworks events scheduled for 2011;
- B. Schedule a public hearing for Monday, July 18, 2011 to hear public comments on the proposed amended LDFA Development/TIF Plan;
- C. Schedule a public hearing for Monday, July 18, 2011 to hear public comments on the proposed expansion of the LDFA/TIF expansion;
- D. Authorize the Clerk-Treasurer to sign the agreement with Mead hunt for the Parallel Taxiway Rehabilitation project at Brooks Field;
- E. Approve the request from the American Legion Post #79 to hold their annual poppy sales on July 8 and 9, 2011;
- F. Approve minutes of the City Council Regular Session held on Monday, June 6, 2011;
- G. Approve city bills in the amount of \$877,885.64.

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

PRESENTATIONS AND RECOGNITIONS

None.

INFORMATIONAL ITEMS

Director of Public Services Fedders provided information regarding the Pastrami Joe's Reuben Eating Contest.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. SRF Project Plan:

Mayor Dyer opened the public hearing to hear public comment regarding the resolution adopting the proposed final project plan for wastewater treatment and collection system improvements and designating an authorized project representative.

Dima S. El-Gamal of Stantec Consulting Michigan, Inc. provided a power point presentation regarding the requirements of the State Revolving Fund for the purpose of project planning.

Hearing no further comment the hearing was closed.

Moved Metzger, supported Mankerian to approve the resolution adopting the proposed final project plan for wastewater treatment and collection system improvements and designating an authorized project representative. On a roll call vote – ayes: Mayor Dyer, Mankerian, Metzger, Miller, Traver, Williams, and Booton; nays: none. **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION # 2011-21**

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

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

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

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

addressed;

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

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

Yeas: Booton, Mayor Dyer, Mankerian, Metzger, Miller, Traver, and Williams.

Nays: None.

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

BY: Sandra Bird, City Clerk-Treasurer
Name and Title

Signature

Date

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. Inspection Services:

Moved Williams, supported Metzger, to approve and authorize the Clerk/Treasurer to sign an agreement with Cornerstone Inspection Services, adopt the resolution appointing Glenn Lindsey as Building Inspector/Official, and approve the fee schedule associated with the building permits. On a roll call vote – ayes: Mankerian, Metzger, Miller, Traver, Williams, Booton, and Mayor Dyer; nays: none. **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION # 2011-22**

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

THE CITY OF MARSHALL ORDAINS:

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

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

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

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

This Resolution is declared to be effective immediately upon publication.

Adopted and signed this 20th day of June, 2011.

James L Dyer, MAYOR

Sandra Bird, CLERK-TREASURER

I, Sandra Bird, being duly sworn as the Clerk-Treasurer for the City of Marshall, hereby certify that the foregoing is a true and complete copy of an ordinance approved by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on June 20, 2011, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available by said Act.

Sandra Bird, CLERK-TREASURER

B. FY 2011 Year End Budget Amendments:

Moved Miller, supported Mankerian to adopt the resolution to amend the FY 2011 Adopted Budget. On a roll call vote – ayes: Metzger, Miller, Traver, Williams, Booton, Mayor Dyer, and Mankerian; nays: none. **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN
RESOLUTION #2011-23

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

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

<u>General Fund Revenues</u>	<u>Adopted</u>	<u>Amended July, 2010</u>	<u>Amended June, 2011</u>	<u>Change</u>
Taxes	3,353,897	3,353,897	3,311,297	-42,600
Licenses and Permits	48,613	48,613	56,313	7,700
Intergovernmental Revenues	682,626	682,626	672,026	-10,600
Charges for Services	72,600	72,600	72,600	
Fines and Forfeits	23,300	23,300	37,500	14,200
Interest	78,031	78,031	8,031	-70,000
Miscellaneous	110,580	110,580	211,880	101,300
Other Financing Sources	1,043,886	1,043,886	1,043,886	
Total Revenues	5,413,533	5,413,533	5,413,533	0
<u>General Fund Expenditures</u>				
City Council	5,488	5,475	2,975	-2,500
City Manager	98,248	96,871	97,521	650
Assessor	114,423	114,212	107,712	-6,500
	<u>Adopted</u>	<u>Amended July, 2010</u>	<u>Amended June, 2011</u>	<u>Change</u>
Attorney	70,000	70,000	85,400	15,400
Human Resources	57,998	56,651	55,401	-1,250
Clerk-Treasurer	298,784	297,943	297,943	

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City Hall	98,804	102,486	101,486	-1,000
Chapel	2,850	2,850	2,850	
Other City Property	42,450	42,450	47,025	4,575
Cemetery	171,660	165,641	168,421	2,780
Non-Departmental	816,888	734,897	773,844	38,947
Police	1,345,699	1,332,764	1,323,794	-8,970
Crossing Guards	36,638	36,192	32,962	-3,230
Dispatch	225,000	225,000	237,200	12,200
Fire	802,902	792,205	792,205	
Inspection	101,128	100,231	102,216	1,985
Planning/Zoning	76,400	75,422	75,422	
Streets	672,485	652,370	752,315	99,945
Engineering	23,188	23,831	23,036	-795
Public Svcs. Build Operations	128,375	124,609	114,259	-10,350
Community Development	34,611	34,611	34,611	
Parks	55,610	57,150	89,700	32,550
Capital Improvements	165,820	165,820	211,520	45,700
Total Expenditures	5,445,449	5,309,681	5,529,818	220,137
GF Net Surplus/(Deficit)	-31,916	103,852	-116,285	-220,135

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

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

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

	<u>Adopted</u>	<u>Amended July, 2010</u>	<u>Amended June, 2011</u>	<u>Change</u>
<u>MVH-Major & Trunkline</u>				
Revenues	409,936	409,936	409,936	
Expenditures	408,707	406,214	377,014	-29,200
Net Surplus/(Deficit)	1,229	3,722	32,922	29,200

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

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

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

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

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

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

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

	<u>Adopted</u>	<u>Amended July, 2010</u>	<u>Amended June, 2011</u>	<u>Change</u>
<u>Dial-A-Ride</u>				
Revenues	349,288	349,288	397,148	47,860
Expenditures	404,053	393,626	441,486	47,860
Net Surplus/(Deficit)	-54,765	-44,338	-44,338	0

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

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

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

Motorpool				
Revenues	606,432	606,432	591,522	-14,910
Expenditures	900,142	1,548,887	1,545,797	-3,090
Net Surplus/(Deficit)	-293,710	-942,455	-954,275	-11,820

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

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

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

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

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

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

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

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

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

Sandra Bird, Clerk-Treasurer

I, Sandra Bird, being duly sworn as the Clerk-Treasurer for the City of Marshall, hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on June 20, 2011 and that said meeting was conducted and that the minutes of said meeting were kept and will be or have been made available.

Sandra Bird, Clerk-Treasurer

C. Police Contract – Patrol Officer’s Division:

Moved Williams, supported Booton to approve a three year contract with the Police Officer Labor Council, Patrol Officer’s Division. On a roll call vote – ayes: Miller, Traver, Williams, Booton, Mayor Dyer, Mankerian, and Metzger; nays: none.

APPOINTMENTS / ELECTIONS

A. Library Board:

Moved Miller, supported Metzger to appoint Donna Danes to serve on the Library Board with a term expiring March 31, 2014. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON NON-AGENDA ITEMS

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None.

COUNCIL AND MANAGER COMMUNICATIONS

None.

CLOSED SESSION

Moved Booton, supported Williams, to enter into closed session under Section 8 (c) of the Michigan Open Meetings Act to discuss collective bargaining. On a roll call vote – ayes: Traver, Williams, Booton, Mayor Dyer, Mankerian, Metzger, and Miller; nays: none. **MOTION CARRIED.**

At 7:58 p.m. moved to closed session.

At 8:35 p.m. moved to open session.

Moved Booton, supported Traver to approve a three year contract with Command Officers Association of Michigan. On a roll call vote – ayes: Booton, Mayor Dyer, Mankerian, Metzger, Miller, Traver, and Williams; nays: none.

ADJOURNMENT

The meeting was adjourned at 8:46 p.m.

James L. Dyer, Mayor

Sandra Bird, Clerk-Treasurer