



**CITY COUNCIL
WORK SESSION AGENDA
Monday, October 3, 2011
6:00 PM – 6:45 PM
City Hall**

- A. Annual Streets Report**
- B. Department of Public Services Annual Report**
- C. See Click Fix Presentation**
- D. Establishment of Speed Limits**
- E. Economic Vitality Incentive Program – Citizens Guide and Dashboard**
- F. Other Items**
- G. Future Work Sessions**
 - November 7th – Finalize Goals**
- H. Future topics**

Mayor:

James Dyer

Council Members:

Ward 1 - Wayne Booton

Ward 2 - Nick Metzger

Ward 3 - Brent Williams

Ward 4 - Jack Reed

Ward 5 - Jody Mankerian

At-Large - Kathy Miller



MARSHALL CITY COUNCIL AGENDA

MONDAY – 7:00 P.M.

OCTOBER 3, 2011

- 1) CALL TO ORDER
- 2) ROLL CALL
- 3) INVOCATION – Richard Gerten, Family Bible Church
- 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. Police Vehicle Purchase

City Council will consider the recommendation to approve the purchase of a 2011 Chevrolet Tahoe from Shaheen Chevrolet in the amount not to exceed \$25,462.

B. City Council Minutes

Regular Session..... Monday, September 19, 2011

Work Session..... Monday, September 19, 2011

C. City Bills

Regular Purchases.....\$ 160,506.39

Weekly Purchases – 9/16/11.....\$149,089.35

Weekly Purchases –9/23/11..... \$3,469,701.33

Total \$ 3,779,297.07

- 8) PRESENTATIONS AND RECOGNITIONS
- 9) INFORMATIONAL ITEMS
- 10) PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION
- 11) OLD BUSINESS
- 12) REPORTS AND RECOMMENDATIONS

A. City of Marshall Utilities – Standard Rules and Regulations

City Council will consider the recommendation to adopt the revisions to the City of Marshall – Standard Rules and Regulations.

B. FY 2012 Mid-Year Budget Amendment

City Council will consider the recommendation to adopt the resolution to amend the FY 2012 Adopted Budget for the Byrne Stimulus grant.

Mayor:

James Dyer

Council Members:

Ward 1 - Wayne Booton

Ward 2 - Nick Metzger

Ward 3 - Brent Williams

Ward 4 - Jack Reed

Ward 5 - Jody Mankerian

At-Large - Kathy Miller



13) APPOINTMENTS / ELECTIONS

14) PUBLIC COMMENT ON NON-AGENDA ITEMS

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

15) COUNCIL AND MANAGER COMMUNICATIONS

16) ADJOURNMENT

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tom Tarkiewicz". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Tom Tarkiewicz
City Manager



ADMINISTRATIVE REPORT
October 3, 2011 - CITY COUNCIL MEETING

TO: Honorable Mayor and City Council

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

SUBJECT: Police Vehicle Purchase - 2011 Chevrolet Tahoe 2WD

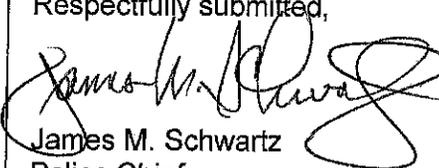
BACKGROUND: The City of Marshall has budgeted \$25,500 for the purchase of a new vehicle for Fiscal Year 2011/2012. Looking at the State Bid the current bid for the Chevrolet Tahoe is \$25,447.00. This vehicle is in stock at Shaheen Chevrolet, Lansing, MI. There is a \$15.00 Title fee added for a total price of \$25,462.00. The State Bid is an acceptable practice as the seal bid for police vehicle purchases and waives the requirement to submit for sealed bids.

RECOMMENDATION: To authorize the budgeted purchase of the 2011 Chevrolet Tahoe from Shaheen Chevrolet in the amount not to exceed \$25,462.00.

FISCAL EFFECTS: To approve and appropriate \$25,462.00 of the Motor Pool Fund Capital Outlay expenditure budget line item 661-898-970.00 for the police vehicle purchase.

ALTERNATIVES: As suggested by Council.

Respectfully submitted,


James M. Schwartz
Police Chief


Tom Tarkiewicz
City Manager

323 W. Michigan Ave.

Marshall, MI 49068

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CALL TO ORDER

IN REGULAR SESSION Monday, September 19, 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, Mayor Dyer, Mankerian, Metzger, Miller, and Williams.

Also Present: City Manager Tarkiewicz.

Absent: None.

INVOCATION/PLEDGE OF ALLEGIANCE

Dennis Croy of Marshall Wesleyan Church gave the invocation and Mayor Dyer led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

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

PUBLIC COMMENT ON AGENDA ITEMS

None.

CONSENT AGENDA

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

- A. Approve minutes of the City Council Regular Session held on Tuesday, September 6, 2011;
- B. Approve city bills in the amount of \$2,503,067.37.

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

PRESENTATIONS AND RECOGNITIONS

None.

INFORMATIONAL ITEMS

- A. **Recreation Department Annual Report**

Moved Metzger, supported Williams, to receive and place on file the FY 2011 Recreation Department Annual Report. On a voice vote – **MOTION CARRIED.**

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. Public Hearing – Tenneco IFT:

Mayor Dyer opened the public hearing to hear public comment regarding the proposed application for an Industrial Facilities Tax Exemption Certificate for Tenneco Marshall.

Randy Rial, Plant Manager of Tenneco, spoke regarding the tax exemption request. The facility is implementing \$6.6 million dollars of capital improvements and creating 135 jobs.

John LaPietra of 386 Boyer Court inquired if there was a possibility of future expansion.

Hearing no further comment the public hearing was closed.

Moved Booton, supported Mankerian, to approve the application for an Industrial Facilities Tax Exemption Certificate for Tenneco Marshall. On a roll call vote – ayes: Mayor Dyer, Mankerian, Metzger, Miller, Williams, and Booton; nays: none. **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION #2011-39**

**RESOLUTION TO APPROVE APPLICATION OF
TENNECO MARSHALL
820-904 INDUSTRIAL ROAD
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR PERSONAL
PROPERTY COSTS**

WHEREAS, pursuant to P.A. 198 of 1974, MCL 211.551 et seq., after a duly noticed public hearing held on April 16, 1984 the Council by Resolution established Industrial Development District No. 12, August 25, 1981 established Industrial Development District No. D-9, and July 17, 1996 established Industrial Development District No. D-25 as requested; and

WHEREAS, Tenneco Marshall has filed an application for an Industrial Facilities Exemption Certificate with respect to personal property improvements and the acquisition and installation of new machinery and equipment within Industrial Development District 12, 9, 25; and

WHEREAS, in accordance with Act 334, P.A. 1993 amending Act 198, P.A. 1974, a written agreement shall be executed between the applicant and the City of Marshall allowing, under specific circumstances, the reduction and/or revocation of the certificate and recapture of the taxes abated; and

WHEREAS, before acting on said application, the City of Marshall held a hearing on September 19th, 2011 in the Council Chambers of Town Hall, located at 323 West Michigan Avenue, Marshall, Michigan, at 7:00 p.m. at which hearing the applicant, public, Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, the facility upgrades, did not begin earlier than six (6) months before August 15, 2011, the date of acceptance of the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, the acquisition of the upgrades is calculated to and will, at the time of issuance of the certificate, have the reasonable likelihood to retain, create or prevent the loss of employment in the City of Marshall; and

WHEREAS, the granting of said certificate shall not have the effect of substantially impeding the operation of the City of Marshall, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Marshall; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Marshall, after granting this certificate, will exceed 5% of an amount equal to the sum of the SEV of the local unit, plus the SEV of personal and real property thus exempted.

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

1. The City Council find and determine that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974, shall not have the effect of substantially impeding the operation of the City of Marshall, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Marshall.

2. The application of Tenneco Marshall, for an Industrial Facilities Exemption Certificate, with respect to real and personal property improvements described as purchase and install new production equipment to be acquired and installed within the Industrial Development District No. 12, 9, 25 is hereby approved.
3. That and IFEC Letter of Agreement, attached, be signed and submitted by Tenneco Marshall to the City of Marshall.
4. The Industrial Facilities Exemption Certificate, when issued, shall be and remain in force and effect for a period of twelve (12) years under the rules and regulations of Act 198 of Public Acts of 1974, as amended, for the new equipment from the date of approval by the State Tax Commission.

AYES: Booton, Mayor Dyer, Mankerian, Metzger, Miller and Williams.

NAYS: None.

Sandra Bird, Clerk-Treasurer

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Council of the City of Marshall, County of Calhoun, Michigan at a regular meeting held on September 19th, 2011.

Sandra Bird, Clerk-Treasurer

B. Public Hearing – Michigan Kitchen Distributors IFT

Economic Development Manager Mike Hindenach explained that the facility is adding \$323,800 in capital improvements and creating a minimum of 5 jobs.

Mayor Dyer opened the public hearing to hear public comment regarding the proposed application for an Industrial Facilities Tax Exemption Certificate for Michigan Kitchen Distributors.

Hearing no further comment the public hearing was closed.

Moved Miller, supported Mankerian, to approve the application for an Industrial Facilities Tax Exemption Certificate for Michigan Kitchen Distributors. On a roll call vote – ayes: Mankerian, Metzger, Miller, Williams, Booton, and Mayor Dyer; nays: none. **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION #2011-40**

**RESOLUTION TO APPROVE APPLICATION OF
MICHIGAN KITCHEN DISTRIBUTORS
106 E OLIVER STREET
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR PERSONAL
PROPERTY COSTS**

WHEREAS, pursuant to P.A. 198 of 1974, MCL 211.551 et seq., after a duly noticed public hearing held on August 4, 1992 the Council by Resolution established Industrial Development District No. 23 as requested; and

WHEREAS, Michigan Kitchen Distributors has filed an application for an Industrial Facilities Exemption Certificate with respect to personal property improvements and the acquisition and installation of new machinery and equipment within Industrial Development District 23; and

WHEREAS, in accordance with Act 334, P.A. 1993 amending Act 198, P.A. 1974, a written agreement shall be executed between the applicant and the City of Marshall allowing, under specific circumstances, the reduction and/or revocation of the certificate and recapture of the taxes abated; and

WHEREAS, before acting on said application, the City of Marshall held a hearing on September 19th, 2011 in the Council Chambers of Town Hall, located at 323 West Michigan Avenue, Marshall, Michigan, at 7:00 p.m. at which hearing the applicant, public, Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, the facility upgrades, did not begin earlier than six (6) months before August 25, 2011, the date of acceptance of the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, the acquisition of the upgrades is calculated to and will, at the time of issuance of the certificate, have the reasonable likelihood to retain, create or prevent the loss of employment in the City of Marshall; and

WHEREAS, the granting of said certificate shall not have the effect of substantially impeding the operation of the City of Marshall, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Marshall; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Marshall, after granting this certificate, will exceed 5% of an amount equal to the sum of the SEV of the local unit, plus the SEV of personal and real property thus exempted.

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

1. The City Council find and determine that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974, shall not have the effect of substantially impeding the operation of the City of Marshall, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Marshall.
2. The application of Michigan Kitchen Distributors, for an Industrial Facilities Exemption Certificate, with respect to real and personal property improvements described as purchase and install new production equipment to be acquired and installed within the Industrial Development District No. 23 is hereby approved.
3. That the IFTEC Letter of Agreement and the Affidavit of Fees, attached, be signed and submitted by Michigan Kitchen Distributors to the City of Marshall.
4. The Industrial Facilities Exemption Certificate, when issued, shall be and remain in force and effect for a period of twelve (12) years under the rules and regulations of Act 198 of Public Acts of 1974, as amended, for the new equipment from the date of approval by the State Tax Commission.

AYES: Booton, Mayor Dyer, Mankerian, Metzger, Miller and Williams.

NAYS: None.

Sandra Bird, Clerk-Treasurer

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Council of the City of Marshall, County of Calhoun, Michigan at a regular meeting held on September 19th, 2011.

Sandra Bird, Clerk-Treasurer

OLD BUSINESS

A. Parking Ordinance:

Moved Williams, supported Mankerian, to approve the proposed ordinance §73.19 for Overnight Parking Permits Allowed Under Certain Circumstances. On a roll call vote – ayes: Metzger, Miller, Williams, Booton, Mayor Dyer, and Mankerian; nays: none. **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN ORDINANCE #2011-13

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 <u>or less</u>	Paid after <u>Seven days</u>	Paid after <u>30 days</u>
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 September 19, 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

REPORTS AND RECOMMENDATIONS

A. Wastewater Project Design Engineering Award:

Moved Miller, supported Metzger, to approve the resolution authorizing the S2 Grant Agreement. On a roll call vote – ayes: Miller, Williams, Booton, Mayor Dyer, Mankerian, and Metzger; nays: none. **MOTION CARRIED.**

Moved Booton, supported Mankerian, to approve the resolution to accept the proposal from Stantec Consulting for the 2012 wastewater improvements design for the not to exceed cost of \$149,000. On a roll call vote – ayes: Williams, Booton, Mayor Dyer, Mankerian, Metzger, and Miller; nays: none. **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN RESOLUTION #2011-37

A RESOLUTION AUTHORIZING EXECUTION OF THE CONTRACT WITH STANTEC CONSULTING INC. FOR THE WASTEWATER TREATMENT AND COLLECTION SYSTEMS IMPROVEMENTS

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

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, the City of Marshall will submit an application to receive the S2 grant.

WHEREAS, said grant will cover 90% of the project planning and design cost and the City of Marshall will be responsible for the remaining 10%.

WHEREAS, Stantec has submitted a contract for the design services for said project with a not to exceed amount of \$149,000 and execution of said contract will be contingent on the receipt of the said grant.

WHEREAS, Stantec has submitted a contract for the design services for said project with a not to exceed amount of \$149,000 and execution of said contract will be contingent on the receipt of the said grant.

WHEREAS, Chapter 32.07 (B) of the Code of Ordinances allows city council to enter into a contract for the employment of engineering services without a competitive bidding process.

NOW THEREFORE BE IT RESOLVED, that the City of Marshall authorizes the execution of said contract.

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

Nays: None.

I certify that the above Resolution was adopted by the City of Marshall Council on September 19, 2011.

BY: Sandra Bird, City Clerk
Name and Title

Signature

Date

B. Acceptance of the Byrne Stimulus Grant:

Moved Metzger, supported Mankerian, to accept the Byrne Stimulus Grant administered through the Michigan State Police with a budget amendment being brought back to Council at a later date. On a roll call vote – ayes: Booton, Mayor Dyer, Mankerian, Metzger, Miller, and Williams; nays: none. **MOTION CARRIED.**

APPOINTMENTS / ELECTIONS

A. City Council Vacancy – Ward 4:

Moved Miller, supported Mankerian, to appoint Jack Reed to fill the remainder of the term for the 4th Ward City Council Seat. On a roll call vote – ayes: Mankerian, Metzger, Miller, Williams, Booton, and Mayor Dyer; nays: none. **MOTION CARRIED.**

PUBLIC COMMENT ON NON-AGENDA ITEMS

Dave Fhaner of 354 North Marshall Avenue reminded everyone of the Annual River Clean Up.

John LaPietra of 386 Boyer Court inquired of Medical Marihuana permits.

John Ryan of 818 River Road stated his Presidential Exploratory committee is very fruitful and glad to see Council accepting Federal grant funds.

COUNCIL AND MANAGER COMMUNICATIONS

None.

ADJOURNMENT

The meeting was adjourned at 8:25 p.m.

James L. Dyer, Mayor

Sandra Bird, Clerk-Treasurer

IN A WORK SESSION Monday, September 19, 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: Booton, Mayor Dyer, Mankerian, Metzger, Miller, and Williams.

Also Present: City Manager Tarkiewicz.

Absent: None.

A. City Manager Tarkiewicz presented Council with a report outlining some possible charter revisions and the process of revising the charter.

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

James L. Dyer, Mayor

Sandra Bird, Clerk-Treasurer

VENDOR APPROVAL SUMMARY REPORT

Date: 09/28/2011

Time: 3:49pm

Page: 1

CITY OF MARSHALL

Vendor Name	Vendor Number	Description	Check Amount	Hand Check Amount
ABLE HEATING & COOLING	3722	BOILER REPORTS & INSPECTIONS	250.00	0.00
APWA-SOUTHWEST BRANCH	3685	GENERAL MEMBERSHIP MEETING	24.00	0.00
ARROW UNIFORM	6839	CUST #010198-03	577.38	0.00
AUSTIN-BATTERIES PLUS	6532	BATTERY BACKUPS-LIFT STATIONS	143.98	0.00
AUTO VALUE MARSHALL	21340	FILTERS, VALVE, TAPE, OIL, ETC	1,319.19	0.00
AUSTIN-BATTERIES PLUS	6532	BATTERIES	44.00	0.00
BLU FISH CONSULTING, LLC	4473	MEDIA EXPENSES	1,560.00	0.00
BOSHEARS FORD SALES INC	7117	M-4 2010 CROWN VIC	939.47	0.00
BUD'S WRECKER SERVICE	400226	#108 FORD TAURUS	579.00	0.00
C & C LANDFILL	110	LANDFILL CHARGES	124.68	0.00
CAMERA SHOP	400367	PRO-RL60 LED RING LIGHT	557.95	0.00
CB HALL ELECTRIC COMPANY	3387	POLICE DEPT LIGHTS	1,036.00	0.00
CHEMCO PRODUCTS INC	7217	Polymer	18,700.00	0.00
CMP DISTRIBUTORS, INC.	21379	US TARGET TCQ-95-07, EARMUFFS	184.85	0.00
COGITATE INC	8443	MMS STATE TRONKLINE SUPPORT	155.00	0.00
COLE CHRYSLER DODGE JEEP	2996	BOLT	5.00	0.00
CONSTRUCTION ACCESSORIES INC	400383	EXTRACTOR 29"	425.00	0.00
CRYSTAL FLASH ENERGY	6176	FUEL	3,760.16	0.00
D & D MAINTENANCE SUPPLY	7271	JANITORIAL SUPPLIES	256.46	0.00
DARLING ACE HARDWARE	7281	CHAINSAW BAR	260.33	0.00
DAVIS & STANTON	8526	COMMENDATION BARS	16.00	0.00
ERIC DEVOLDER	2820	STUMP GRINDING	985.50	0.00
EMERGENCY VEHICLE SERVICES INC	3896	REPAIRS	799.22	0.00
ENMET CORPORATION	7339	GAS METER RECALIBRATED	103.85	0.00
ERIC DALE HEATING & AIR COND	21467	FURNACE CHECK	69.00	0.00
FAIRBANKS MORSE	3880	#3 ENGINE PART	170.71	0.00
FASTENAL COMPANY	5789	RETURN SS KNOT CUB B	4.58	0.00
FUG	400384	T-SHIRTS	411.00	0.00
GRAINGER	3644	CUT OFF TOOL, WHEELS	95.33	0.00
GRAND RIVER BUILDERS	400229	GAR HALL, CAPITAL SCHOOL	23,000.00	0.00
GRAPHIC CONTROLS	7405	VOLTAGE CHARTS	388.19	0.00
DARWIN GWIN	9716	BROOKS NATURE ARBA MAINT	100.00	0.00
THE HARVESTER FLOWER SHOP	5989	JEAN LIBRECHT	147.00	0.00
HD SUPPLY FACILITIES MAINT	9781	STENCILS	59.98	0.00
HERMANS MARSHALL HARDWARE	7446	KEYS	35.53	0.00
ISAAC & SONS	7484	APT #221	70.00	0.00
J & K PLUMBING SUPPLY	3351	DUMBELL WRENCH	133.23	0.00
J. J. KELLER & ASSOCIATES	6496	DVIR, VEHICLE SIZE & WGT HNDK	604.03	0.00
JACKSON TRUCK SERVICE	7495	#308 ALTERNATOR & RETURN	686.19	0.00
JS BUXTON	8962	BULK LIME	1,152.75	0.00
KAR LABORATORIES INC	8817	MERCURY ANALYSIS	360.00	0.00
KELLOGG'S REPAIR GARAGE	5869	FUEL TANK, CYL ASSY, BLADES	502.98	0.00
LAKELAND ASPHALT CORPORATION	7526	Asphalt Patches	5,000.00	0.00
LAWSON PRODUCTS	6497	SCREWS	149.25	0.00
LAWSON-FISHER ASSOCIATES PC	2291	Licensing Acitivities, Disolved	12,552.20	0.00
MAILFINANCE INC	300149	LEASE 7/12/11--10/11/11	608.97	0.00
MARSHALL HIGH SCHOOL	3748	SWIMS AT HIGH SCHOOL POOL	2,216.00	0.00
MARSHALL LUMBERTOWN	7569	WOOD STAKES	260.61	0.00
MARSHALL TIRE	3771	DART - VALVE STEMS	135.00	0.00
NAHRO	400386	MEMBERSHIP DUES	123.75	0.00
NAPA OF MARSHALL	2939	ADAPTER	11.74	0.00
NATIONAL LAW ENFORCEMENT SUPPL	217839	INVESTIGATIVE SUPPLIES	326.26	0.00
NORTH CENTRAL LABORATORIES	7727	LAB SUPPLIES	287.53	0.00
NYE UNIFORM COMPANY	7733	FLASHLIGHT RING	484.07	0.00
MARTIN OVERHISER	5181	LINSEED OIL, PAINT	546.45	0.00
PHYSIO CONTRL	21794	DT EXPRESS, ADAPTER W/USB PORT	420.75	0.00
POWER LINE SUPPLY	7821	CEL - EO	10,335.44	0.00
PRECISION LAWN CARE	300237	MOW & TRIM - AUGUST	750.00	0.00
PRESCRIPTION SOILS, LLC	9701	MCCLOSKEY 512R SCREEN RENTAL	3,560.00	0.00
PRIMARY INTEGRATION ENCORP LLC	5897	Hydro Excitation System & #2 D	14,100.00	0.00
PUBLIC SAFETY CENTER	2759	BATTERIES	180.46	0.00
QUALITY ENGRAVING SERVICE	7800	UPS CHARGE	123.99	0.00
RATHCO SAFETY SUPPLY INC	7814	TRUSS HD BOLTS, BRKAWY NUTS	6,061.78	0.00
DAVID REED	400334	GAR HALL FRONT STEPS	2,462.00	0.00
ROE-COMM., INC	8198	#320 SPKR PA 15W 80 HM	90.25	0.00
SGS	300420	ANNUAL FUEL ANALYSIS	165.00	0.00
SHRED CORP	21735	SHREDDING SERVICES	381.00	0.00

VENDOR APPROVAL SUMMARY REPORT

Date: 09/28/2011

Time: 3:49pm

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CITY OF MARSHALL

Vendor Name	Vendor Number	Description	Check Amount	Hand Check Amount
SLC METER SERVICE INC	7841	3" METER	2,172.52	0.00
SOLOMON CORPORATION	6144	TRANSFORMERS	23,255.00	0.00
STANDARD PRINTING & OFFICE	7903	WINDOW ENVS	194.94	0.00
STATE OF MICHIGAN - MDOT	4521	AIRPORT LICENSE FEE	50.00	0.00
SYNAGRO CENTRAL, LLC	4903	SLUDGE HAULING	10,591.68	0.00
TECHNOLOGY SOLUTIONS	400368	SERVICE CALL--LDAP	24.75	0.00
TELEDYNE ISCO, INC	9574	3710 SAMPLER CONTROLLER	474.64	0.00
TMI COMPRESSED AIR SYSTEMS	400385	COPPER TUBING & FITTINGS	20.80	0.00
WALKER PARKING CONSULTANTS	8003	OAKLAWN HOSPITAL STUDY-FINAL	1,481.95	0.00
WELLS EQUIPMENT	8017	#420 WATER PUMP	110.09	0.00
Grand Total:			160,506.39	0.00

CHECK NUMBER SERIES AS OF FRIDAY, 09/30/11

	Beginning #	Ending #	Dated
PAYROLL-ACH	71253	71256	09/16/11-09/30/11
A/P & P/R-OTHER	88998	89171	09/16/11-09/30/11

VENDOR APPROVAL SUMMARY REPORT

Date: 09/16/2011

Time: 11:01am

Page: 1

CITY OF MARSHALL

Vendor Name	Vendor Number	Description	Check Amount	Hand Check Amount
A T & T	3176	269 789-2806 635 7	1,885.26	0.00
AT&T MOBILITY	400292	ACCT #287238047810	37.31	0.00
ELIZABETH BENNETT	400365	REFUND UTILITY DEPOSIT	12.40	0.00
BLUE CROSS BLUE SHIELD OF MI	9621	GROUP #17902-003	1,750.91	0.00
BLUE CROSS BLUE SHIELD OF MI	9629	GROUP #17902-012	79,964.93	0.00
BLUE CROSS BLUE SHIELD OF MI	9681	GROUP #17902-902	42,533.00	0.00
CHICAGO MARRIOTT DOWNTOWN	400363	CONF #83858536 - TRACY HALL	218.09	0.00
COMMERCIAL OFFICE PRODUCTS	9769	LABELS, MARKERS, STAPLER, ETC	69.27	0.00
CRIME PREVENTION ASSOCIATION	300323	REGISTRATION--DREW GROENEVELD	325.00	0.00
PHIL DAMON	261	BOOT ALLOWANCE	120.25	0.00
GRAND TRAVERSE RESORT	7403	CONF #6LJKP - STEWART WEBB	732.60	0.00
GRIFFIN PEST SOLUTIONS	400246	619 HOMER RD	31.00	0.00
JOHN HUEPENBECKER	21180	BOOT ALLOWANCE	137.80	0.00
ROBERT KIESSLING	6013	BANNER FOR 9/11	70.76	0.00
LEXISNEXIS RISK DATA MNGMNT	400109	JULY 2011	135.50	0.00
STEPHEN LINE	400366	REFUND UTILITY OVERPAYMENT	50.58	0.00
MASA	2072	FALL TEAM REGISTRATIONS	360.00	0.00
MILES PETROLEUM INC	300243	90 OCTANE FUEL	14,061.07	0.00
MISSION CAR WASH	217915	AUGUST SERVICES	74.00	0.00
NEOFUNDS BY NEOPOST	400232	ACCT #7900 0440 5582 9307	3,000.00	0.00
ONE COMMUNICATIONS	2729	ACCT # 7018274	2,211.97	0.00
MATTHEW POTTER	300322	GUN CLEANING GEAR	71.08	0.00
SIGNWORLD CONCEPTS	7471	50% DOWN ON SIGN ORDER	931.50	0.00
KENNETH THURSTON	400364	REFUND UTILITY DEPOSIT	77.59	0.00
VERIZON WIRELESS	217862	ACCT #683169426-00001	83.48	0.00

Grand Total: 148,945.35 0.00

PRESCRIPTION REIMBURSEMENTS 144.00

TOTAL CASH DISBURSEMENTS \$149,089.35

VENDOR APPROVAL SUMMARY REPORT

Date: 09/23/2011

Time: 9:25am

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CITY OF MARSHALL

Vendor Name	Vendor Number	Description	Check Amount	Hand Check Amount
AMERICAN MESSAGING	6657	ACCT #Z1-406436	184.91	0.00
AMY ANDERSON	400372	2011 SUMMER TAX REFUND	1,266.81	0.00
BEARDSLEE LAW OFFICES	3471	SEPTEMBER SERVICES	3,840.75	0.00
CALHOUN COUNTY TREASURER	7177	09/01/11-09/15/11 PERSONAL IFT	1,449,669.90	0.00
CALHOUN INTERMEDIATE	7178	09/01/11-09/15/11 PERSONAL IFT	428,960.39	0.00
MICHAEL & ELIZABETH CHAMBERS	400373	2011 SUMMER TAX REFUND	1,792.74	0.00
COMMERCIAL OFFICE PRODUCTS	9769	PHN REST,PAPER,ERASE BRD, ETC	333.72	0.00
MARK & TERESA COPE	4345	2011 SUMMER TAX REFUND	100.00	0.00
CORNERSTONE INSPECTION SRVCS	300392	INSPECTIONS	325.00	0.00
TRESSA & JUSTIN CROEL	400374	2011 SUMMER TAX REFUND	367.11	0.00
DELTA DENTAL PLAN OF MICHIGAN	7294	CUST #MI022820001	4,899.17	0.00
ROBERT & KATHY DYE	400370	2011 SUMMER TAX REFUND	182.25	0.00
ENBRIDGE MARSHALL COMM CNTR	400378	2011 SUMMER TAX REFUND	2,109.74	0.00
RYAN FOX	400380	REFUND UTILITY DEPOSIT	39.34	0.00
FREDONIA TOWNSHIP	7378	425 AGREEMENT-MOONRAKER	480.87	0.00
GRIFFIN PEST SOLUTIONS	400246	900 S MARSHALL	42.00	0.00
SCOTT & MARGUERITE GRUPKE	400377	2011 SUMMER TAX REFUND	207.92	0.00
PATRICIA JONES	9439	REFUND UTILITY DEPOSIT	53.98	0.00
K-MART	7501	AUGUST CHARGES	46.04	0.00
KELLOGG COMMUNITY COLLEGE	7507	09/01/11-09/15/11 PERSONAL IFT	241,489.39	0.00
ROBERT KIESSLING	6013	COFFEE & SUPPLIES	423.02	0.00
DIANE LARKIN	9373	EXPENSE REIMBURSEMENT	137.11	0.00
DOUG LEACH	6060	BOOT ALLOWANCE	100.00	0.00
VLADISLAVA D MACHALKA	400371	2011 SUMMER TAX REFUND	22.11	0.00
LAURIE MARAVICH	400379	REFUND UTILITY DEPOSIT	72.04	0.00
MARENGO TOWNSHIP	7555	425 AGREEMENT-SUNOCO	3,710.16	0.00
MARSHALL COMMUNITY CU	7558	6187 - RODGERS	1,108.85	0.00
MARSHALL DISTRICT LIBRARY	8065	09/01/11-09/15/11 PERSONAL IFT	217,513.07	0.00
MARSHALL PUBLIC SCHOOLS	7574	09/01/11-09/15/11 PERSONAL IFT	1,005,616.90	0.00
MARSHALL TOWNSHIP	7579	425 AGREEMENT-KEMPF FUNERAL	25,206.53	0.00
MICHELLE MASTEJ	217810	CASH ADVANCE	98.96	0.00
MICHIGAN RURAL WATER ASSOC	7663	AARON AMBLER MEMBERSHIP	500.00	0.00
MISSION POINT RESORT	4364	MICHELLE MASTEJ 10/02/11	311.04	0.00
ROBERT NICKELS	217859	2011 SUMMER TAX REFUND	105.88	0.00
JINDY PORTER	9799	MINUTES OF BOARD MEETING	30.00	0.00
REHMANN ROBSON PC	6455	FY11 AUDIT - PAYMENT #1	12,500.00	0.00
REPUBLIC SERVICES #249	2096	ACCT #3-0249-0089847	185.00	0.00
MICHAEL SHEFFIELD	400381	REFUND UTILITY DEPOSIT	26.70	0.00
STATE OF MICHIGAN	3448	2011 SUMMER PERSONAL IFT	61,457.59	0.00
TYSON & ANNAMARIE STRAND	400375	2011 SUMMER TAX REFUND	2,140.19	0.00
JOHN & GEORGIE TALBERT	400376	2011 SUMMER TAX REFUND	10.00	0.00
CODD & KRISTIN TEKIELE	400369	2011 SUMMER TAX REFUND	1,790.25	0.00
CERI TRUDEAU	6010	CASH ADVANCE FOR MACKINAC	140.00	0.00

Grand Total: 3,469,597.43 0.00

PRESCRIPTION REIMBURSEMENTS 103.90

TOTAL CASH DISBURSEMENTS \$3,469,701.33



ADMINISTRATIVE REPORT
October 3, 2011 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council

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

SUBJECT: City of Marshall Utilities – Standard Rules and Regulations

BACKGROUND: Staff from the Water Department, Electric Department, and the Finance Department met multiple times to review the Standard Rules and Regulations which has not been updated since November 1, 2009. The revised document is attached to this report with a brief definition of the major revisions below:

Rates – The newly adopted utility rates have been included.

Temporary Electrical Services – Multiple sections dealing with temporary services have been combined.

Irrigation Services – Revision allows customers to designate certain water meters as irrigation services which will be exempt from service charges between October 1st through April 30th. Customers can avoid the service charge during non usage months and the inconvenience of scheduling service disconnection. The change will also help staff with performing the service work and provide better tracking.

Billing Corrections – On rare occasions billing errors are discovered by the staff. These errors can either benefit the customer or the City of Marshall. The language that is added by these revisions sets a time period (12 months) that the bill can be corrected regardless of the known length of the error.

Collections – Language has been added to allow the Finance Department to use a third party collection agency to gather unpaid amounts when the customer does not own the property in question. Provisions under Act 94, Public Acts of 1933 have been added which allows delinquent charges to be placed as a lien on the property.

Late Billing Process – Section setting a \$25 threshold on the late billing process has been added. This has been standard practice.

Friday Shutoffs – With the utility billing staff's reorganization and redistribution of duties, and increase in customers involved in the late billing process since 2009 staff has been forced to begin shutting customer off on Fridays.

Returned Checks – Payment for a returned check after notice has been changed from five days to seven days and language added to allow staff the discretion to require an alternate form of payment for the next three payments after a check is returned.

Backflow Preventer – Language has been added to require customers that use a fire hydrant to install the proper backflow device.

Non-Emergency Turn off or Restoration Fee – Language has been added that will require a customer to pay a fee of \$20 for a service to be disconnected for non-emergency purposes. This fee covers the typical non emergency turn off or restoration expenses. See the table below for a detailed explanation:

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

f 269.781.3835

cityofmarshall.com

	Hourly Rate (w/ Fringe Benefits)	Estimated amount of time per occurrence	Total
Utility Billing Clerk	\$25.71/hour	7 minutes	\$3.00
Utility Worker	\$35.21/hour	30 minutes	\$17.61
Equipment	\$0.555/ mile	2 miles	\$1.11
Total			\$21.72

RECOMMENDATION: It is recommended that City Council adopt the attached revisions to the City of Marshall – Standard Rules and Regulations.

FISCAL EFFECTS: None.

ALTERNATIVES: As suggested by the Council.

Respectfully submitted,


 Carl Fedders
 Director of Public Services


 Tom Tarkiewicz
 City Manager

City of Marshall Utilities

Rate Classifications

Standard Rules and Regulations

General Shutoff Supplemental Rules

Effective October 3, 2011

Deleted: November 1, 2009

The City of Marshall maintains three separate utilities for financial purposes. This document is an accumulation of all three utility's rates, rate classifications, standard rules and regulations.

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Effective 10/3/2011, Previous Revisions: 11/1/09, 1/20/09, 7/1/07, 7/1/06, 7/1/05, 7/1/04, 7/1/03, 7/1/02, 3/18/02, 2/7/02, 1/2/99, 1/1/98, 11/1/96, 4/1/96, 3/7/88

Residential Service Rate "A"

Availability:

Open to any customer desiring service for domestic and farm use, which includes only those purposes which are usual in individual private family dwellings, or separately metered apartments, and such appurtenant buildings as garages, barns, chicken houses and similar buildings. This rate is not available for commercial, institutional or industrial uses, or for resale purposes. Specifically, it is not applicable to homes or dormitories for groups other than private family units, to apartment buildings, or other multiple dwellings, such as beauty shops, filling stations, laundries, retail stores, dairies, hatcheries, greenhouses, welding shops, frozen storage plants, etc., except under the terms and conditions contained in the City of Marshall Utilities Standard Rules and Regulations.

Nature of Service:

Alternating current, 60 hertz, single phase, 120/240 nominal volts, 200 amp maximum service.

Installation Charge:

See Standard Rules and Regulations.

Rate:

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

Minimum Charge:

The service charge included in the rate.

Delayed Payment Charge:

A delayed payment charge of 5% of the total net bill shall be added to any bill which is not paid on or before the due date shown on the bill.

Special Taxes:

Bills shall be increased to offset any specific tax or excise imposed by any governmental authority upon the Electric Utility's generation or sale of Electrical energy.

Term and Form of Contract:

Written application required.

Deleted: Open order, no w

Deleted: or contract

Rules and Regulations:

Service governed by City of Marshall Utilities Standard Rules and Regulations.

Service for single phase motors may be included under this rate provided the individual capacity of such motors does not exceed 3 HP, nor the aggregate capacity exceed 10 HP, without the specific consent of the Electric Department.

Effective 10/3/2011, Previous Revisions: 11/1/09, 1/20/09, 7/1/07, 7/1/06, 7/1/05, 7/1/04, 7/1/03, 7/1/02, 3/18/02, 2/7/02, 1/2/99, 1/1/98, 11/1/96, 4/1/96, 3/7/88

Residential Rate "A-1"

Availability:

Open to any customer desiring service for domestic and farm uses, which includes only those purposes which are usual in individual private family dwellings or separately metered apartments, and such appurtenant buildings as garages, barns, chicken houses and similar buildings, provided the customer has permanently installed and uses electric heating equipment as the primary source of space heating. This rate is not available for commercial or industrial service, or for resale purposes. Specifically, it is not applicable to homes or dormitories for groups other than private family units, to apartment buildings, or other multiple dwellings, such as beauty shops, filling stations, laundries, retail stores, dairies, hatcheries, greenhouses, welding shops, frozen storage plants, etc., except under the terms and conditions contained in the City of Marshall Utilities Standard Rules and Regulations.

Nature of Service:

Alternating current, 60 cycles, single phase, 120/240 nominal volts.

Installation Charge:

See Standard Rules and Regulations.

Rate:

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

Minimum Charge:

The service charge included in the rate.

Delayed Payment Charge:

A delayed payment charge of 5% of the total net bill shall be added to any bill which is not paid on or before the due date shown on the bill.

Special Taxes:

Bills shall be increased to offset any specific tax or excise imposed by any governmental authority upon the Electric Utility's generation or sale of Electrical energy.

Term and Form of Contract:

Written application required.

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Deleted: or contract

Rules and Regulations:

Service governed by Utilities Standard Rules and Regulations.

Service for single phase motors may be included under this rate, provided the individual capacity of such motors does not exceed 3 HP, nor the aggregate capacity exceed 10 HP, without the specific consent of the Electric Utility.

Effective 10/3/2011, Previous Revisions: 11/1/09, 1/20/09, 7/1/07, 7/1/06, 7/1/05, 7/1/04, 7/1/03, 7/1/02, 3/18/02, 2/7/02, 1/2/99, 1/1/98, 11/1/96, 4/1/96, 3/7/88

Residential Service Rate-Life Support "LS"

Availability:

Open to any residential customer desiring service for domestic and life support system use, which includes only those purposes which are usual in individual private family dwellings, or separately metered apartments, and such appurtenant buildings as garages. This rate is not available for commercial, institutional or industrial uses, or for resale purposes. Specifically, it is not applicable to homes or dormitories for groups other than private family units, to apartment buildings, or other multiple dwellings, such as beauty shops, filling stations, laundries, retail stores, dairies, hatcheries, greenhouses, welding shops, frozen storage plants, etc., except under the terms and conditions contained in the City of Marshall Utilities Standard Rules and Regulations.

A signed certificate must be provided by a licensed physician stating that a member of the household is dependent on electric energy for the operation of a life support device. For application of this rate, life support systems are considered to be such devices as a respirator, iron lung or kidney dialysis machine. This certificate must be renewed every 12 months to continue eligibility for this rate.

Nature of Service:

Alternating current, 60 hertz, single phase, 120/240 nominal volts, 200 amp maximum service.

Installation Charge:

See Standard Rules and Regulations.

Rate:

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

Minimum Charge:

The service charge included in the rate.

Delayed Payment Charge:

A delayed payment charge of 5% of the total net bill shall be added to any bill which is not paid on or before the due date shown on the bill.

Special Taxes:

Bills shall be increased to offset any specific tax or excise imposed by any governmental authority upon the Electric Utility's generation or sale of Electrical energy.

Term and Form of Contract:

Written application required.

Deleted: Open order, no w

Deleted: or contract

Rules and Regulations:

Service governed by City of Marshall Utilities Standard Rules and Regulations.

Service for single phase motors may be included under this rate provided the individual capacity of such motors does not exceed 3 HP, nor the aggregate capacity exceed 10 HP, without the specific consent of the Electric Department.

Effective 10/3/2011, Previous Revisions: 11/1/09, 1/20/09, 7/1/07, 7/1/06, 7/1/05, 7/1/04, 7/1/03, 7/1/02, 3/18/02, 2/7/02, 1/2/99, 1/1/98, 11/1/96, 4/1/96, 3/7/88

City of Marshall Utilities Rate Classifications and Standard Rules and Regulations

Commercial/Industrial Secondary Service "B"

Availability:

Open to any customer desiring lighting and/or secondary power service for any usual commercial, institutional or industrial use. It is also available for temporary use and for seasonal use in resort areas under special terms and conditions contained in the Utilities Standard Rules and Regulations. Not available for auxiliary or stand-by service.

Nature of Service:

Alternating current, 60 cycles and, at the Electric Department's option either:

Three phase, 3-wire, 240 or 480 nominal volts, or

Three phase, 4-wire, 120/240 delta or 240/480 delta or 120/208 wye or 277/480 wye, or

Single phase, 120/240 nominal volts.

Installation Charge:

See Standard Rules and Regulations.

Rate:

Service Charge: \$15.00 per customer per month, plus

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

Minimum Charge:

The service charge included in the rate.

Delayed Payment Charge:

A delayed payment charge of 5% of the total net bill shall be added to any bill which is not paid on or before the due date shown on the bill.

Special Taxes:

Bills shall be increased to offset any specific tax or excise imposed by any governmental authority upon the Electric Utility's generation or sale of Electrical energy.

Term and Form of Contract:

Written application required. See Standard Rules and Regulations.

Rules and Regulations:

Service governed by City Utilities Standard Rules and Regulations.

Where service is combined on one meter and the supply is single phase, the individual motor capacity shall not exceed 3 HP, or the aggregate capacity exceed 10 HP, without the specific consent of the City Electric Department. If the supply is three phase, 3 wire; incidental lighting may be included, provided the customer furnishes all transformation facilities required for such purpose, and so arranges the lighting circuits as to avoid excessive unbalance of the three phase load, and further provided the connected load in lighting equipment does not exceed 30% of the connected load in power equipment without the specific consent of the City Electric Department.

The City Electric Department, at its option, may require the customer to provide space, suitable to the City Electric Department, for the installation and operation of transformers.

Effective 10/3/2011, Previous Revisions: 11/1/09, 1/20/09, 7/1/07, 7/1/06, 7/1/05, 7/1/04, 7/1/03, 7/1/02, 3/18/02, 2/7/02, 1/2/99, 1/1/98, 11/1/96, 4/1/96, 3/7/88

Commercial/Industrial Secondary Service "C"

Availability:

Open to any customer desiring lighting and/or secondary power service for 5 kW or more. This rate is not available for street lighting service or for resale purposes.

Nature of Service:

Alternating current, 60 cycles and, at the Electric Department's option either:

- Three phase, 3-wire, 240 or 480 nominal volts, or
- Three phase, 4-wire, 120/240 delta or 120/208 wye, or
- Single phase, 120/240 nominal volts.

Installation Charge:

See Standard Rules and Regulations.

Rate:

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

Minimum Charge:

The capacity charge included in the rate.

Delayed Payment Charge:

A delayed payment charge of 5% of the total net bill shall be added to any bill which is not paid on or before the due date shown on the bill.

Special Taxes:

Bills shall be increased to offset any specific tax or excise imposed by any governmental authority upon the Electric Utility's generation or sale of Electrical energy.

Determination of Maximum Demand:

The maximum demand, or rate of use of Electric energy, for each month shall be the greatest average load in kilowatts during any 15-minute period of such month, as registered on suitable instruments installed by the City Electric Department to make such determination.

Adjustment of Maximum Demand:

The City Electric Department may measure or test the power factor of the customer's load during periods of maximum energy use, and if the power factor is so found to be less than 85% lagging, the maximum kW demand shall be increased by the ratio that 85% bears to the power factor of the customer's load.

Determination of Billing Demand:

Effective 10/3/2011, Previous Revisions: 11/1/09, 1/20/09, 7/1/07, 7/1/06, 7/1/05, 7/1/04, 7/1/03, 7/1/02, 3/18/02, 2/7/02, 1/2/99, 1/1/98, 11/1/96, 4/1/96, 3/7/88

City of Marshall Utilities Rate Classifications and Standard Rules and Regulations

The billing demand shall be the maximum demand for each month (after power factor adjustment and valley hour exclusions, if any), but not less than 60% of the highest billing demand of the preceding 11 months; provided, however, that should resistance type welders, or other equipment which creates high demands of momentary duration be included in the customer's installation. The City Electric Department reserves the right to make such special determination of the billing demand or minimum charge as the circumstances in each case may justify. Billing demand determination, by whatever method used, shall be to the nearest 1/10 kW, up to, and including 10 kW, and to the nearest full kilowatt above 10 kW, but in no case shall the billing demand be less than 5 kW.

Term and Form of Contract:

Written application or contract required. See Standard Rules and Regulations. Customers electing this option rate shall, in the absence of bona fide discontinuance of service, remain thereon for at least twelve (12) months.

Rules and Regulations:

Service governed by the City Utilities Standard Rules and Regulations.

Where service is combined on one meter and the supply is single phase, the individual motor capacity shall not exceed 5 HP, or the aggregate capacity 10 HP, without the specific consent of the City Electric Department. If the supply is three phase, 3-wire, incidental lighting may be included, provided the customer furnishes all transformation facilities required for such purposes, and so arranges the lighting circuits as to avoid excessive unbalance of the three phase load, and further provided the connected load in lighting equipment does not exceed 30% of the connected load in power equipment without the specific consent of the City Electric Department.

Where the total billing demand is 25 kW or more, lighting and power service may be combined without limit as to either class, provided, however, that the customer's wiring shall be so arranged that the service can be measured through a single watt-hour meter, or adjacent watt-hour meters, and a single demand indicator. The City Electric Department may elect to measure the supply for both classes of service on the primary side of the transformers, in which case 3% shall be deducted from the demand and energy measurements thus made.

The City Electric Department, may at its option, require the customer to provide space, suitable to the City Electric Department, for the installation and operation of transformers.

Effective 10/3/2011, Previous Revisions: 11/1/09, 1/20/09, 7/1/07, 7/1/06, 7/1/05, 7/1/04, 7/1/03, 7/1/02, 3/18/02, 2/7/02, 1/2/99, 1/1/98, 11/1/96, 4/1/96, 3/7/88

City of Marshall Utilities Rate Classifications and Standard Rules and Regulations

Commercial/Industrial Secondary Service“BI”

Availability:

Open to any customer desiring electric heating and/or air-conditioning service. To qualify for this rate, the only acceptable load is electric heating or air conditioning and must be separately metered. Furthermore, the service shall be three phase only and the load on each phase shall be balanced as much as possible.

Nature of Service:

Alternating current, 60 cycles and, at the Electric Department’s option either:

- Single phase, 120/240 nominal volts
- Three phase, 3-wire, 240 or 480 nominal volts, or
- Three phase, 4-wire, 120/240 delta or 120/208 wye

Installation Charge:

See Standard Rules and Regulations.

Rate:

Service Charge:	\$15.00 per meter per month, plus
Energy Charge: Winter	\$0.067 per kWh plus Power Supply Cost Adjustment (October through May)
Summer	\$0.107 per kWh plus Power Supply Cost Adjustment (June through September)

Deleted: customer

Minimum Charge:

The capacity charge included in the rate.

Delayed Payment Charge:

A delayed payment charge of 5% of the total net bill shall be added to any bill which is not paid on or before the due date shown on the bill.

Special Taxes:

Bills shall be increased to offset any specific tax or excise imposed by any governmental authority upon the Electric Utility’s generation or sale of Electrical energy.

Term and Form of Contract:

Written application or contract required. See Standard Rules and Regulations. Customers electing this option rate shall, in the absence of bona fide discontinuance of service, remain thereon for at least twelve (12) months.

Rules and Regulations:

Service governed by the City Utilities Standard Rules and Regulations.

The individual motor capacity shall not exceed 30 Amps, or the aggregate capacity 10 HP on a single phase service, without the specific consent of the City Electric Department. If the supply is three phase, the customer is to arrange the circuits as to avoid excessive unbalance of the three phase load without the specific consent of the City Electric Department.

The City Electric Department, may at its option, require the customer to provide space, suitable to the City Electric Department, for the installation and operation of transformers.

Effective 10/3/2011, Previous Revisions: 11/1/09, 1/20/09, 7/1/07, 7/1/06, 7/1/05, 7/1/04, 7/1/03, 7/1/02, 3/18/02, 2/7/02, 1/2/99, 1/1/98, 11/1/96, 4/1/96, 3/7/88

Industrial Primary Service "D"

Availability:

Open to any customer desiring power and incidental lighting service for commercial or industrial use where service is supplied at primary voltages and the billing demand is 25 kW or more. This rate is not available for street lighting or resale purposes.

Nature of Service:

Alternating current, 60 cycles, three phase, 2,400 nominal volts or more, the supply voltage in each case to be determined by the Electric Department.

Installation Charge:

See Standard Rules and Regulations.

Rate:

Service Charge: \$100.00 per meter per month, plus
Capacity Charge: \$9.15 per kW for all billing demand per month (Minimum 25 kW), plus
Energy Charge: \$0.076 per kWh plus Power Supply Cost Adjustment

Minimum Charge:

The capacity charge included in the rate.

Time of Use Rate Provision

For customers of this rate with a time-differentiated demand meter installed, the measured kW demand will be the greater of the maximum kW demand in the on-peak period or 50% of the maximum kW demand during the off-peak period. The on-peak period is defined as the period 7 a.m. and 11 p.m. local standard time on all non-holiday weekdays. All other time is defined as off-peak. Holidays are New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. In the event New Years Day, Independence Day, or Christmas Day fall on a Sunday, the Monday following that Sunday will be considered to be an off-peak day.

Delayed Payment Charge:

Any bill which is not paid on or before the due date shown thereon shall have a delayed payment charge of 5% added to its net amount.

Special Taxes:

Bills shall be increased to offset any specific tax or excise imposed by any governmental authority upon the Electric Utility's generation or sale of Electrical energy.

Determination of Maximum Demand:

The maximum demand, or rate of use of Electric energy, shall be the greatest average load in kilowatts during any 15-minute period during each month, as determined by instruments installed by the Electric Department for that purpose.

Adjustment of Maximum Demand:

Effective 10/3/2011, Previous Revisions: 11/1/09, 1/20/09, 7/1/07, 7/1/06, 7/1/05, 7/1/04, 7/1/03, 7/1/02, 3/18/02, 2/7/02, 1/2/99, 1/1/98, 11/1/96, 4/1/96, 3/7/88

City of Marshall Utilities Rate Classifications and Standard Rules and Regulations

The City Electric Department may measure or test the power factor of the customer's load during periods of maximum energy use, and if the power factor is so found to be less than 85% lagging, the maximum kW demand shall be increased by the ratio that 85% bears to the power factor of the customer's load.

Determination of Billing Demand:

Billing demands shall be determined from maximum demands, after excluding permitted valley hour demands, in accordance with the following methods, as they may apply.

1. The billing demand each month shall be the maximum demand for such month, but not less than 60% of the highest billing demand of the preceding 11 months, and in no case less than 25 kW.
2. When a customer guarantees a billing demand of 2,500 kW or more, the billing demand each month shall be the average of the four maximum weekly demands for such month (the period after the first 21 days of each month being considered to be the fourth week), provided that no billing demand shall be less than 60% of the highest billing demand of the preceding 11 months, and in no case less than 2,500 kW.

Term and Form of Contract:

Written application or contract required. See Standard Rules and Regulations. Customers electing this option rate shall, in the absence of bona fide discontinuance of service, remain thereon for at least twelve (12) months.

Rules and Regulations:

Service governed by the Utilities Standard Rules and Regulations.

Where service is supplied at a nominal voltage of 12,470 or less, the customer shall furnish and maintain all necessary transforming, controlling and protective equipment.

Where service is supplied at a nominal voltage of more than 12,470, the Electric Department may elect to measure the supply at the supply voltage, in which case 2% will be deducted, for billing purposes, from the demand and energy measurements thus made.

Where the Electric Department elects to measure the service at a nominal voltage of less than 12,470 volts, 3% will be added for billing purposes.

Effective 10/3/2011, Previous Revisions: 11/1/09, 1/20/09, 7/1/07, 7/1/06, 7/1/05, 7/1/04, 7/1/03, 7/1/02, 3/18/02, 2/7/02, 1/2/99, 1/1/98, 11/1/96, 4/1/96, 3/7/88

Industrial Primary Service Rate "D-2"

Availability:

Open to any customer desiring power and incidental lighting service for commercial or industrial use where service is supplied at primary voltages and the billing demand is 1000 kW or more. This rate is not available for street lighting or resale purposes.

Nature of Service:

Alternating current, 60 cycles, three phase, 2,400 nominal volts or more, the supply voltage in each case to be determined by the Electric Department.

Installation Charge:

See Standard Rules and Regulations.

Rate:

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

Minimum Charge:

The capacity charge included in the rate.

Time of Use Rate Provision

For customers of this rate with a time-differentiated demand meter installed, the measured kW demand will be the greater of the maximum kW demand in the on-peak period or 50% of the maximum kW demand during the off-peak period. The on-peak period is defined as the period 7 a.m. and 11 p.m. local standard time on all non-holiday weekdays. All other time is defined as off-peak. Holidays are New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. In the event New Years Day, Independence Day, or Christmas Day fall on a Sunday, the Monday following that Sunday will be considered to be an off-peak day.

Delayed Payment Charge:

Any bill which is not paid on or before the due date shown thereon shall have a delayed payment charge of 5% added to its net amount.

Special Taxes:

Bills shall be increased to offset any specific tax or excise imposed by any governmental authority upon the Electric Utility's generation or sale of Electrical energy.

Determination of Maximum Demand:

The maximum demand, or rate of use of Electric energy, shall be the greatest average load in kilowatts during any 15-minute period during each month, as determined by instruments installed by the Electric Department for that purpose.

Adjustment of Maximum Demand:

Effective 10/3/2011, Previous Revisions: 11/1/09, 1/20/09, 7/1/07, 7/1/06, 7/1/05, 7/1/04, 7/1/03, 7/1/02, 3/18/02, 2/7/02, 1/2/99, 1/1/98, 11/1/96, 4/1/96, 3/7/88

City of Marshall Utilities Rate Classifications and Standard Rules and Regulations

The City Electric Department may measure or test the power factor of the customer's load during periods of maximum energy use, and if the power factor is so found to be less than 85% lagging, the maximum kW demand shall be increased by the ratio that 85% bears to the power factor of the customer's load.

Determination of Billing Demand:

Billing demands shall be determined from maximum demands, after excluding permitted valley hour demands, in accordance with the following methods, as they may apply.

1. The billing demand each month shall be the maximum demand for such month, but not less than 60% of the highest billing demand of the preceding 11 months, and in no case less than 1000 kW.
2. When a customer guarantees a billing demand of 2,500 kW or more, the billing demand each month shall be the average of the four maximum weekly demands for such month (the period after the first 21 days of each month being considered to be the fourth week), provided that no billing demand shall be less than 60% of the highest billing demand of the preceding 11 months, and in no case less than 2,500 kW.

Term and Form of Contract:

Written application or contract required. See Standard Rules and Regulations. Customers electing this option rate shall, in the absence of bona fide discontinuance of service, remain thereon for at least twelve (12) months.

Rules and Regulations:

Service governed by the Utilities Standard Rules and Regulations.

Where service is supplied at a nominal voltage of 12,470 or less, the customer shall furnish and maintain all necessary transforming, controlling and protective equipment.

Where service is supplied at a nominal voltage of more than 12,470, the Electric Department may elect to measure the supply at the supply voltage, in which case 2% will be deducted, for billing purposes, from the demand and energy measurements thus made.

Where the Electric Department elects to measure the service at a nominal voltage of less than 12,470 volts, 3% will be added for billing purposes.

Effective 10/3/2011, Previous Revisions: 11/1/09, 1/20/09, 7/1/07, 7/1/06, 7/1/05, 7/1/04, 7/1/03, 7/1/02, 3/18/02, 2/7/02, 1/2/99, 1/1/98, 11/1/96, 4/1/96, 3/7/88

Economic Development Rate "E"

Availability:

Open to any new full requirements customer or any existing full requirements customer having measurable load growth where service is supplied at primary voltage and the new load is greater than 200 kW. This rate is not available for street lighting or resale purposes.

Nature of Service:

Alternating current, 60 cycles, three phase, 2,400 nominal volts or more, the supply voltage in each case to be determined by the Electric Department.

Installation Charge:

See Standard Rules and Regulations.

Rate:

Rates will be subject to negotiation with the City, taking into consideration the customer's load and energy requirements and usage characteristics, the facilities and investment required to serve the customer and other matters relating to the service.

Minimum Charge:

To be negotiated with the City.

Delayed Payment Charge:

Any bill which is not paid on or before the due date shown thereon shall have a delayed payment charge of 5% added to its net amount.

Special Taxes:

Bills shall be increased to offset any specific tax or excise imposed by any governmental authority upon the Electric Utility's generation or sale of Electrical energy.

Determination of Maximum Demand:

For new customers, the maximum demand, or rate of use of electric energy shall be the greatest average load in kilowatts during any 15-minute period during each month, as determined by instruments installed by the Electric Department for that purpose.

For existing customers, unless the new load is separately metered, the maximum demand shall be the greatest average load in kilowatts during any 15-minute period during each month, less the average maximum demand for the twelve months prior to establishing service under this rate.

Adjustment of Maximum Demand:

The City Electric Department may measure or test the power factor of the customer's load during periods of maximum energy use, and if the power factor is so found to be less than 85% lagging, the maximum kW demand shall be increased by the ratio that 85% bears to the power factor of the customer's load.

Effective 10/3/2011, Previous Revisions: 11/1/09, 1/20/09, 7/1/07, 7/1/06, 7/1/05, 7/1/04, 7/1/03, 7/1/02, 3/18/02, 2/7/02, 1/2/99, 1/1/98, 11/1/96, 4/1/96, 3/7/88

City of Marshall Utilities Rate Classifications and Standard Rules and Regulations

Determination of Billing Demand:

The billing demand each month shall be the maximum demand for such month, but not less than 60% of the highest billing demand of the preceding 11 months, and in no case less than 200kW.

Term and Form of Contract:

Service shall be provided under a written contract which will include the rates, terms and conditions of service and be subject to City Council approval.

Rules and Regulations:

Service governed by the Utilities Standard Rules and Regulations.

Effective 10/3/2011, Previous Revisions: 11/1/09, 1/20/09, 7/1/07, 7/1/06, 7/1/05, 7/1/04, 7/1/03, 7/1/02, 3/18/02, 2/7/02, 1/2/99, 1/1/98, 11/1/96, 4/1/96, 3/7/88

Monthly Security Light Rental Rate

Availability:

Available for outdoor lighting to any City of Marshall Electric customer.

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

Terms:

One year minimum with signed agreement.

General:

The City of Marshall Electric Department will, at its own cost, install, furnish the current and maintain its standard outdoor lighting equipment. Facilities shall consist of fixture, with photo-Electric switch control and a 4-foot maximum support mounted on an existing pole or building at which 120 or 240 volt service is available. Cost of any additional facilities required shall be paid for by the customer.

The above facilities shall be owned and maintained by the City of Marshall Electric Department.

The City of Marshall Electric Department will replace burned out lamps and otherwise maintain the equipment during regular working hours, as soon as practical, following notification by the customer.

Lamp burning hours shall be from dusk until dawn, aggregating approximately 4000 hours per year. Credit will not be allowed for normal lamp outages.

Customer shall obtain proper approval for lights to be located on public thoroughfares.

Rental charges will be applied to customer's electrical bill and added as a single charge.

City of Marshall Utilities Rate Classifications and Standard Rules and Regulations

Temporary Electric Service:

Customer desiring lighting and/or secondary power service for a short time only, such as for construction jobs, which service requires the installation of a temporary service connection, meters or other facilities of a temporary nature, shall pay cost of installing and removing all facilities necessary to supply such service. Service connection charge will be a minimum \$35.00, payment to be made in advance of installation. Temporary service will also be subject to minimum monthly charge for KWh consumed, as determined by General Secondary Rate B, and no case less than \$9.00 as determined by Watt-hour meter installed on the job.

For temporary service connection of more than 100 amps, there will be a charge of \$1.50 per amp.

Deleted: single phase

The customer may be required to make a deposit with the City an amount to cover the estimated cost of installing and removing the necessary facilities plus the estimated cost of service under the terms of the rate set forth above. Meters may be read daily and the deposit modified as the energy used may justify such modification.

For temporary services other than service connections, customer should apply at the City Hall, City of Marshall, 323 W. Michigan Ave., Marshall, MI 49068.

Effective 10/3/2011, Previous Revisions: 11/1/09, 1/20/09, 7/1/07, 7/1/06, 7/1/05, 7/1/04, 7/1/03, 7/1/02, 3/18/02, 2/7/02, 1/2/99, 1/1/98, 11/1/96, 4/1/96, 3/7/88

Power Supply Cost Adjustment Applicable to City Electric Rate Schedules

Applicability

The Power Supply Cost Adjustment set forth herein shall apply to all of City's Electric Rate Schedules, except for the Monthly Security Light Rental Rate. The applicable adjustment shall be applied to the total kWh billed to customers for the meter reading period that City determines as most nearly corresponding to the meter reading period(s) set forth in City's purchased power billings from its supplier(s).

Base Power Supply Cost

The rates and charges set forth in City's Electric Rate Schedules are based on the cost of City's power supply requirements as furnished by Michigan South Central Power Agency (MSCPA). The Base Power Supply Cost included as City's Electric Rate Schedules is \$0.065 per kWh.

Monthly Determination of Power Supply Cost Adjustment

Each month City's Power Supply Cost Adjustment shall be determined as follows:

- A. The City's Running 6-Month Power Supply Cost per kWh shall be determined to 4 decimal places by dividing (1) the sum of the past 6 months power supply cost, including the most recent months billing, by (2) the sum of the past 6 months net energy delivered to the City, including the most recent months billing.
- B. The Base Power Supply Cost of \$0.065 per kWh shall then be subtracted from the Running 6-Month Power Supply Cost per kWh determined in (a) above.
- C. The Monthly Power Supply Cost Adjustment per kWh shall be determined by multiplying the positive differential derived in (b) by 1.08 to compensate for City's Distribution System Losses. If the differential derived in (b) is negative, the monthly power supply cost adjustment shall be \$0.000 per kWh.

WATER RATES AND FEES

1. METERED WATER

All metered water shall be charged to a two-part rate consisting of a readiness to serve charge plus a commodity charge.

2. WATER READINESS TO SERVE CHARGE

(a) Readiness to Serve Charge shall be billed by meter size.

<u>Effective for bills mailed after May 1, 2011</u>	<u>January 1, 2012</u>	<u>January 1, 2013</u>
<u>Size of Meter</u>	<u>Monthly Charge</u>	<u>Monthly Charge</u>
5/8"	\$13.38	\$14.50
3/4"	\$13.38	\$14.50
1"	\$13.38	\$14.50
1½"	\$47.00	\$48.00
2"	\$86.50	\$86.50
3"	\$194.00	\$195.00
4"	\$355.00	\$365.00
6"	\$775.00	\$785.00

(b) The Readiness to Serve Charge outside the corporate limits of the City of Marshall shall be 200% of the rate as established for use within the corporate limits of the City of Marshall, Michigan.

3. When a battery of more than one meter is used in the place of a large single meter, then the readiness to serve charge shall be the charge of the single sized meter times the number of meters composing the battery.

4. The "Readiness to Serve Charge" covers the cost necessary to keep the Water Works in good operating condition, and other fixed costs as designated by Council and is the amount of the minimum bill.

5. WATER COMMODITY CHARGE

(a) Water Commodity Charges inside the corporate limits of the City of Marshall:

Effective 10/3/2011, Previous Revisions: 11/1/09, 1/20/09, 7/1/07, 7/1/06, 7/1/05, 7/1/04, 7/1/03, 7/1/02, 3/18/02, 2/7/02, 1/2/99, 1/1/98, 11/1/96, 4/1/96, 3/7/88

City of Marshall Utilities Rate Classifications and Standard Rules and Regulations

Effective for bills mailed after May 1, 2011	January 1, 2012	January 1, 2013
Usage per 100 cft	per 100 cft	per 100 cft
0 to 1000 cft	\$1.79	\$1.87
1001 to 3000 cft	\$1.51	\$1.64
3001 to 15,000 cft	\$1.18	\$1.36
15,001 to 400,000 cft	\$0.94	\$0.96
400,001 cft and over	\$0.84	\$0.96

(b) Commodity Charge outside the corporate limits of the City of Marshall shall be: 200% of the rate as established for use within the corporate limits of the City of Marshall, Michigan.

6. FIRE PROTECTION RATES

Automatic sprinkler services or hose connections for fire protection services only:

6" or smaller connection	\$120 per annum
8" connection	\$220 per annum
10" connection	\$340 per annum
12" connection	\$500 per annum

7. RATES FOR CIRCUSES, TENT SHOWS, CARNIVALS, EXHIBITIONS AND CONSTRUCTION

The City may provide a fire hydrant connection for Circuses, Tent Shows, Carnivals, Exhibitions, and for Construction purposes. Fees and charges shall be established by resolution. The Meter Security Deposit will be returned when the hydrant meter is returned without damage. Any loss or damage to the reducing connection, valve, hydrant, meter or operating wrench will be charged to the person making application for the use of the hydrant. On large construction projects, the Water Department may require the setting of an appropriate meter and to charge for water and service as for regular service supply.

Effective 10/3/2011, Previous Revisions: 11/1/09, 1/20/09, 7/1/07, 7/1/06, 7/1/05, 7/1/04, 7/1/03, 7/1/02, 3/18/02, 2/7/02, 1/2/99, 1/1/98, 11/1/96, 4/1/96, 3/7/88

8. RATES COVERING WATER MAIN TAPPING

All service taps to water mains shall be made by the Water Department except when approved by the Water Superintendent. The charge for the water main tapping shall be paid by the customer and shall include all materials, equipment, and contracted costs incurred by the City.

9. METER TESTING

The City may provide meter testing. The meter testing fees shall be established by resolution. If, after testing, the meter is found to be in error above allowable percent, which is two percent (2%) plus or minus, then the amount deposited will be refunded, but if the water meter is found to be registering within the test limits, then the amount deposited will be retained to cover the cost of the testing.

10. TURN-ON CHARGE

A turn-on fee for the restoration of service during business hours or after business hours will be charged to a customer in order to reconnect his/her service. A turn-on fee shall be established by resolution.

11. WATER CONNECTION FEE

(a) Water Connection Fee

Anyone seeking to make a connection to any public water main within the City of Marshall shall first obtain a permit to make such connection from the offices of the City of Marshall. Prior to the issuance of said permit, the applicant must pay to the City a Water Connection Fee representing the cost of construction of that portion of the City-wide water system attributable to the proportionate benefit to be received by the applicant's property.

(b) Computation of Water Connection Fee

The Water Connection Fee shall be based on a unit factor system wherein each single-family residence shall be classified as one unit. Other occupational uses shall be charged on multiples of units as may be determined by resolution of the City Council from time to time. Said units and multiples thereof will be established and computed on the same basis as for the Sanitary Sewer Connection Fee contained further in this Section and the number of units charged to a premise shall be the same for both water and sanitary sewer. The Water Connection Fee shall be established by resolution. The fee for premises connected from outside the corporate limits of the City of Marshall shall be 1.5 times the in-city rate.

12. IRRIGATION SERVICES

Designated irrigation meters will only be billed between the months of May to September.

Effective 10/3/2011, Previous Revisions: 11/1/09, 1/20/09, 7/1/07, 7/1/06, 7/1/05, 7/1/04, 7/1/03, 7/1/02, 3/18/02, 2/7/02, 1/2/99, 1/1/98, 11/1/96, 4/1/96, 3/7/88

SEWER RATES AND FEES

1. METERED SEWEAGE

All metered sewage shall be charged to a two-part rate consisting of a readiness to serve charge plus a commodity charge.

(a) Monthly Rates for sewer service inside the corporate limits of the City of Marshall shall be:

Effective for bills mailed after May 1, 2011	January 1, 2012	January 1, 2013
Service Charge	Service Charge	Service Charge
1" Water Meter	\$12.50	\$13.60
1½" Water Meter	\$15.50	\$17.75
2" Water Meter	\$18.00	\$21.50
3" Water Meter	\$25.00	\$28.00
4" Water Meter	\$42.00	\$48.00
6" Water Meter	\$60.00	\$70.00
Commodity Charge	\$2.54 per 100 cft	\$2.90 per 100 cft
		\$3.10 per 100 cft

(b) Monthly Rates for sewer service outside the corporate limits of the City of Marshall shall be:

Effective for bills mailed after May 1, 2011	January 1, 2012	January 1, 2013
Service Charge	Service Charge	Service Charge
1" Water Meter	\$13.70	\$15.10
1½" Water Meter	\$16.70	\$19.25
2" Water Meter	\$19.20	\$23.00
3" Water Meter	\$26.20	\$29.50
Commodity Charge	\$3.81 per 100 cft	\$4.35 per 100 cft
Flat Rate Customers	\$31.19	\$35.10
		\$4.65 per 100 cft

2. SUMMER SEWER DISCOUNT FOR LAWN SPRINKLING

The sewer commodity may be reduced for residential customers because of lawn sprinkling. The procedure and policy for the sewer discount will be part of the Rules and Regulations.

3. SANITARY SEWER CONNECTION FEE

(a) Sanitary Sewer Connection Fee

Effective 10/3/2011, Previous Revisions: 11/1/99, 1/20/09, 7/1/07, 7/1/06, 7/1/05, 7/1/04, 7/1/03, 7/1/02, 3/18/02, 2/7/02, 1/2/99, 1/1/98, 11/1/96, 4/1/96, 3/7/88

Anyone seeking to make a connection to any sanitary sewer system within the City of Marshall shall first obtain a permit to make such connection from the offices of the City of Marshall. Prior to the issuance of said permit, the applicant must pay to the City a Sanitary Sewer Connection Fee representing the cost of construction of that portion of the City-wide sewer system attributable to the proportionate benefit to be received by the applicant's property.

(b) Computation of Sanitary Sewer Connection Fee

The Sanitary Sewer Connection Fee shall be based on a unit factor system wherein each single-family residence shall be classified as one unit. Other occupational uses shall be charged on multiples of units as may be determined by resolution of the City Council from time to time. The Sanitary Sewer Connection Fee shall be established by resolution. The fee for premises connected from outside the corporate limits of the City of Marshall shall be 1.5 times the in-city rate.

4. WATER AND WASTE WATER SERVICE AS LIEN ON PREMISES

The Charges for water and waste water services set forth in this ordinance and furnished to any premises are a lien on the premises to which this service is provided and those charges which are delinquent for six (6) months or more shall be certified by the City Treasurer to the City Assessor who shall enter the charges on the next tax roll against the premises to which the services have been rendered. Said charges shall be a lien as of the date services are provided and shall be enforced in the same manner as provided for by the collection of the taxes assessed upon the tax roll and the enforcement of the lien for taxes. The City Treasurer may certify all charges delinquent for six (6) months or more at any time prior to the date on which the City tax roll is approved.

STANDARD RULES AND REGULATIONS

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City of Marshall Utilities Rate Classifications and Standard Rules and Regulations

1. Definitions

- City - The City of Marshall Water, Wastewater and Electrical Utility or its authorized representatives.
- Customer - Any person, firm, corporation, association, partnership, municipality, or governmental agency to be served by or legally using water, wastewater and electrical energy supplied by the City.
- Service Line - A pipe connecting the City water main with the plumbing system of a water user.
- Water Main - A pipe or conduit for conveying potable water which is maintained by the City.

2. Character of Service

The City will endeavor, but does not guarantee, to furnish a continuous supply of electric energy and to maintain voltage and frequency within reasonable limits.

The City will endeavor, but does not guarantee, to furnish a continuous supply of water and/or wastewater services.

The City shall not be liable for interruptions in the service, phase failure or reversal, or variations in the service characteristics, or for any loss of damage of any kind or character occasioned thereby, due to causes or conditions beyond the City's reasonable control, and such causes or conditions shall be deemed to specifically include, but not be limited to, the following: acts or omissions of customers or third parties; operation of safety devices except when such operation is caused by the negligence of the City's employees; absence of an alternate supply of service; failure, malfunction, breakage, necessary repairs or inspection of machinery, facilities or equipment the City has carried on a program of maintenance consistent with the general standards prevailing in the industry; acts of God; war; action of the elements; storm or flood; fire; riot; labor dispute or disturbances; or the exercise of authority or regulation by governmental or military authorities.

Before purchasing equipment, installing plumbing, or installing wiring, the customer should secure from the City, the characteristics of the service available.

No ownership rights in any facilities provided by the City shall pass to any person as a result of any contribution or deposit made under these rules. No deposits or contributions made by customers shall be refundable unless expressly so provided in these rules.

Notwithstanding any other provision of these rules, the City may interrupt, curtail or suspend electric service to all or some of its customers in accordance with the provision of Emergency Electrical Procedures rule and the City shall be under no liability with respect to any such interruption, curtailment or suspension.

3. General Provisions of Service

The City shall have complete control of all City water mains and sewers. All water mains and sewers connecting directly or indirectly with City water mains and sewers shall be constructed in accordance with City standards and specifications.

Where suitable service is available, the City will install overhead service connections from its distribution lines to a suitable point of attachment on the customer's premises designated by the City.

All residential customers shall install three-wire service entrance connections of not less than 100 ampere capacity, except as required with pre-manufactured mobile homes. All such service entrances shall comply with the National

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Where intermediate poles, supports, wires, or fixtures are necessary to reach the point of attachment, the customer shall pay the cost of installing such extra facilities.¶
¶
Underground service facilities will be installed subject to the provisions and charges specified in the City's underground distribution systems and service connections rules.¶

City of Marshall Utility Rate Classifications and Standard Rules and Regulations

Electric Code and / or local electrical codes, whichever governs. Any poles, wires or other equipment required beyond the customer's meter shall be furnished, installed and maintained by the customer. The customer may have to provide a deposit and/or contribution if the service he requires cannot be provided from available distribution lines.

Should it become necessary for any cause beyond the City's control to change the location of the point of attachment of service connections, the entire cost of any necessary changes in the customer's wiring shall be borne by the customer.

The customer may be required to provide, at no expense to the City, space for the City's transformer installations on the customer's premises.

4. Unusual Facility Requirements

The City reserves the right to make special contractual arrangements as to the provisions of necessary service facilities, duration of contract, minimum bills, or other service conditions with respect to customers whose capacity requirements exceed 1,000 kW or whose establishments are remote from the City's existing suitable facilities or whose service requirements otherwise necessitate unusual investments by the City in service facilities or where the maintenance of the service is questionable.

5. Pole Attachment

The City Council may approve the attachment and insertion of other wire, cables and appurtenances to City owned poles or conduits through a pole attachment agreement. The attaching company shall pay for any engineering and "make ready" cost incurred by the City. The attaching company will be required to remove their wire, cables and appurtenances, in a timely fashion, if the City removes their pole. The attaching company will be required to reattach their wire, cables and appurtenances, in a timely fashion, if the City replaces their pole. From time to time, the City Council may reestablish the pole attachment fee schedule.

6. Use of Service

The City reserves the right to deny or terminate service to any customer whose plumbing, wiring or equipment shall constitute a hazard to the City's equipment or its service to others. However, it disclaims any responsibility to inspect the customer's plumbing, wiring or equipment and shall not be held liable for any injury or damage resulting from the condition thereof.

The customer shall so use the service as not to disturb the City's service to other customers. When such interference does occur, the customer may be required to alleviate such condition, and upon his failure so to do, the City may discontinue service.

The City shall not be obligated to furnish service in the case of gaseous or other lighting devices having low power factor whether newly installed, reconnected or moved to another location, unless the customer provides, at his own expense, suitable equipment for improving the power factor of such devices to at least eighty-five per cent (85%).

7. Access to Customer's Premises

The City shall have access to the customer's premises at all reasonable hours, to install, inspect, read, repair or remove its meters and other property and to inspect and determine the connected load in lamps, appliances, motors, etc. Neglect or refusal on the part of the customer to provide reasonable access shall be sufficient cause for discontinuance of service by the City and assurance of access may be required before service is restored.

8. Deposit Required

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Deleted: 6. Temporary Service
¶ Customers desiring temporary lighting and/or general secondary service such as for construction jobs, traveling shows, outdoor or indoor entertainments or exhibitions, etc., shall pay the monthly charges provided in Commercial/Industrial Secondary Service rate "B", as shown in the electric rate schedule in effect at the time of use.
¶ In addition, such customer shall pay installation and removal charges as follows:
¶ A. Where 120/240 volt single phase service is desired and such service is available at the site at the time temporary service is desired, the charge for installation and removal of temporary, single phase, three wire 120/240 volt, overhead service shall be as shown in the electric rate schedule in effect at the time desired.

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The City of Marshall may require a cash deposit by the customer. No interest is accrued or paid on deposits held. Deposit is applied to the final bill of any account if customer is leaving the City of Marshall utility service. Deposit may be transferred to new service location if customer remains in the City of Marshall utility service area. Deposit amounts and restrictions thereto are as follows:

Residential Customers:

- \$50 deposit required for owner occupied premises
- \$100 or \$150 deposit required for tenant occupied premises*

Upon receipt of regular payments on or before required due date for 12 consecutive months, deposit will be applied to the next regular utility billing.

*check Section 12, Part II Landlord/Tenant Policy if applicable.

Commercial and Industrial Customers:

\$150 deposit required at time of application for service. After minimum six months usage and at any time thereafter, City of Marshall may require additional deposit up to one month average charges for all utilities provided.

If a commercial tenant has been in business in the City of Marshall for five years or more and has not had a utility account with the City of Marshall in his/her or company name, the above deposit requirement shall be waived. Once the commercial tenant becomes a direct commercial utility customer (has an account in his/her or company name), if this account should become delinquent, the commercial customer shall be required to pay the deposit set forth above or be subject to usual and customary service disconnection as described herein.

Deposit is held as long as utility service is provided. Deposit shall be applied to final billing upon termination of service.

9. Application of Rates

A. General:

Copies of the City's rates for water, sewer, and electric service are available at City Hall and are open to public inspection.

The rates specified in this schedule are predicated upon the delivery of each class of service to a single metering point for the total requirements of each separate premises of the customer, unless otherwise provided for in the rate schedule. In no case may service be shared with another or transmitted off the premises at which it is delivered. Service at different points and at different premises shall be separately measured and separately billed.

B. Combined Residence and Commercial or Industrial Service:

Where one building is used by a customer as a commercial or industrial establishment and also as a residence, the wiring shall be so arranged that the business part and residence part may be metered separately and each class of service billed on the appropriate rate. If separation is not effected, the combined service shall be billed under the appropriate General City Service Rate.

C. Choice of Rates:

In some cases the customer is eligible to take service under any one of two or more rates. Upon request, the city will advise the customer in the selection of the rate which will give him the lowest cost of service, based on the

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information at hand, but the responsibility for the selection of the rate lies with the customer. Once a rate is selected, the customer will not be permitted to change to another rate until at least twelve months have elapsed. No refund will be made of the difference in charges under different rates applicable to the same class of service.

D. Special Minimum Charges:

Where the customer is billed on Rate "B", and the resistance type welders or other equipment which creates high demands of momentary duration is used, and the City continuously maintains transformers and distribution facilities primarily for the customer's use, the sum of the net monthly bill shall not be less than the following minimum charge for each contract year or any part thereof:

- i. \$7.00 per kVA for the first 10 kVA or less of transformer capacity, plus
- ii. \$2.00 per kVA for all over 10 kVA or transformer capacity.

If the customer provides and maintains the necessary transformers and other distribution facilities beyond the point of delivery, the minimum yearly charge shall be 50% of that specified above. In this event the City may elect to measure the supply of service on the primary side of the transformers, in which case 3% shall be deducted from the energy measurements thus made.

When, in any contract year, the customer's net monthly bills aggregate less than the annual minimum charge calculated as above, the deficiency for at the end of such contract year.

Customers subject to the above Special Minimum Charges shall sign a contract for at least one year.

E. Resale:

Except as to customers served under rates expressly made available for resale purposes, no customer shall resell his service to others except as permitted under this rule.

The owner or operator of an office building, apartment building, mobile home park or similar structure, whose combined requirements exceed 50 kW, may purchase energy from the City for resale to the tenants of the building on condition that service to each tenant shall be separately metered, that the tenants shall be charged for such service on the appropriate rate in the City's schedule available for similar service under like conditions, and that all the energy used in such building shall be purchased from the City. If any of these provisions should be violated, the City may refuse or discontinue service. In order to avail himself of the privilege or reselling to his tenants, the building owner's or operator's service contract shall provide for such resale privilege. The City will not furnish or maintain meters or other facilities for the resale of service by landlords to tenants.

The owner or operator of an office building, apartment building, mobile home park or similar structure, may purchase water from the City for resale to the tenants of the building on condition that service to each tenant shall be separately metered, that the tenants shall be charged for such service on the appropriate rate in the City's schedule available for similar service under like conditions, and that all the energy used in such building shall be purchased from the City. If any of these provisions should be violated, the City may refuse or discontinue service. In order to avail themselves of the privilege or reselling to his tenants, the building owner's or operator's service contract shall provide for such resale privilege. The City will not furnish or maintain meters or other facilities for the resale of service by landlords to tenants.

F. Apartment Buildings and Multiple Dwellings:

When service is supplied through a single meter to a building containing more than one apartment, the customer may have the option of being billed under either the Residence Service Rate or any General Light and Power Service Rate. Not more than one choice in rate will be permitted, as to any customer, within any 12-month period.

For the purpose of billing under the Residential Service Rate, the initial charge, the kilowatt hour blocks and the minimum charge shall be multiplied by the number of apartments served through one meter, less one. Any

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apartment building or multiple dwelling containing less than nine rooms, however will be billed on a single customer basis.

To determine the number of apartments served through one meter, only those rooms, suites, or groups of rooms having individual cooking and kitchen sink accommodations within the unit shall be counted.

G. Unusual Facility Requirements:

The City reserves the right, with respect to customers whose capacity requirements exceed 1,000 kW, or whose establishments are remote from the City's existing suitable facilities, or whose load characteristics otherwise require unusual investments by the City in service facilities, to make special contractual arrangements as to the provision of necessary service facilities, duration of contract, minimum bills, or other service conditions.

10. Service Connections

The customer shall provide, free of expense to the City and close to the point of service entrance, suitable space for the installation of the necessary metering equipment. The customer shall permit only authorized agents of the City or other persons lawfully authorized so to do, to inspect, test or remove the same. If the meters or metering equipment are damaged or destroyed through the neglect of the customer, the cost of necessary repairs or replacements shall be paid by the customer.

Water meters shall be set horizontally in a clean and suitable place, easily accessible to City personnel. No person shall tamper with any meter or remove or break any seal placed on any meter. No curb box shall be opened and no curb stop shall be operated either to turn on or turn off a water supply by anyone other than a City employee. The City shall maintain the water service from the water main to the curb box. It will be the customer's responsibility to maintain the water service connection from the curb box to the building.

The City tests its meters at intervals for the mutual protection of the customer and the City, but the City will also test any meter upon request of the customer, provided the City is not required to make a test more often than once in six (6) months. Costs for customer requested meter testing shall be established by resolution.

Whenever a meter fails to register, the customer shall pay for service furnished during such period, an estimated amount based either upon the results of a test, upon the use during a similar period, upon both these methods, or by other known factors. If the duration of the meter error is not known, it shall be assumed to have existed for a period of half the time between the discovery of the error and the latest preceding meter test, but not for a period of more than six (6) months, and bills shall be re-computed on this basis.

Whenever other errors occur, the customer shall pay for service furnished during such period. If the duration of the error is known, bills shall be re-computed based on this duration but not to exceed 12 months.

11. Billing Policy

I. Interest Policy

The City of Marshall Utility Department does not charge interest on amounts owed by its customers. Nor does the Utility Department pay interest on amounts owed to its customers.

II. Landlord/Tenant Policy

A. A Landlord must provide a copy of the lease agreement or an affidavit before a tenant moves in. The lease must contain language that the tenant is responsible for the utility bills. Upon the filing of a lease agreement or affidavit, the tenant will be responsible for a \$150.00 utility deposit, payable at the time service is established. The utility deposit will be applied to the tenant's final bill for that premise, with any

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<#> Temporary Service.¶
¶
Customers desiring lighting and/or secondary power service for a short time only, such as for construction jobs, traveling shows, outdoor or indoor entertainments or indoor entertainments or exhibitions, etc., which service requires the installation of a temporary line extension or service connection, additional transformers, meters, or other facilities of a temporary nature, shall pay the cost of installing and removing all the facilities necessary to supply such service. The service connection charge will be a minimum of \$10.00 (payment to be made in advance of installation), and in addition, the charge per customer per month as provided for in the open order General Light and Power Service Rate will be a charge for KWH consumed but in no case less than \$1.00 as determined by a watt-hour meter installed on the job. The billing rate will be "Rate B".¶
¶
Temporary service for the operation of power saws, floor sanders, finishers and other minor purposes may be supplied on a flat rate basis, calculated from the application of the above rate to the estimated use of energy for such purposes.¶
¶
The customer may be required to make a deposit with the City an amount to cover the estimated cost of installing and removing the necessary facilities plus the estimated cost of service under the terms of the rate set forth above. Meters may be read daily and the deposit modified as the energy used may justify such modification.¶

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excess amount being refunded to the tenant. Any unpaid amount may be turned over to a third party for collection.

B. If no lease is filed, then pursuant to City Ordinance, any utilities delinquent for six months or more may be placed as a lien on the premises to which the service is provided and charged on the next property tax bill for the premises. In this case, the tenant must pay a \$100.00 utility deposit payable at the time service is established. Once the tenant final's the account, the deposit will be applied to the tenant's final bill for that premise, with any excess amount being refunded to the tenant.

III. Late Billing Process

The following represents the late billing process to be used when an account becomes delinquent, defined as owing for more than the current month's billing. The dates listed below are used for illustrative purposes; actual dates for a customer depend on their billing cycle.

- A. Bill due on the 1st.
- B. Late charges applied on the 3rd.
- C. Customer is billed again around the 9th.
- D. A letter goes out on the 10th, containing the turnoff date of the 20th.
- E. Customer door is tagged with notice of pending shut off and charged \$25.
- F. If payment is not received by the 20th, shut-off may take place on the next working day pursuant to Section IV contained herein.

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Step D through F above will be applied to accounts that have a delinquent balance of over \$25.

IV. Physical Shutoff of Service

A. Time of Shutoff

- 1. Shutoff will occur only between the hours of 8:00 a.m. and 3:30 p.m., Monday through Friday.

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B. Manner of Shutoff

- 1. The employee performing the shutoff will have in their possession a copy of the delinquent account or arrangement.
- 2. The employee performing the shutoff is allowed to accept payment from the customer. A \$20.00 collection fee plus the total amount owed will be required to avoid shut-off. If an arrangement is needed, the Customer Service Manager will be contacted and if approved, will need a signature by 12:00 p.m. the following day or the customer will be turned off again.
- 3. If payment is made to collection serviceman, only checks and money orders will be accepted.
- 4. If the customer is not at the premises, the employee may shut off service.
- 5. After shutoff has been completed, a neon green tag will be placed on the

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customer's door to inform them that their power has been disconnected and explain the process to reconnect their service.

C. Medical Emergency Shutoff

- 1. Shutoff will be postponed for a reasonable time, but no longer than 30 days, if the customer presents a certificate or doctor's notice stating that without the utility the existing medical emergency of the customer or a family member of the customer, living at the residence where the utility is supplied would be

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- aggravated.
- 2. Postponement can reoccur if a doctor's notice or certificate is presented each time, but shall not exceed a total of 90 days in a calendar year.

D. Restoration of Service

- 1. Service will be restored as soon as possible after the customer has made acceptable payment.
- 2. The customer will be charged a turn-on fee as set forth in Section VI.

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E. Winter Turn-off Policies (November 15 through March 15)

- 1. Customers will still be responsible for their utility bills in the winter months.
- 2. The customer will not be turned off if it is 35°F or below.
- 3. Arrangements during this time can be made at City Hall between 9:30 a.m. – 5:00 p.m., Monday through Friday. They may also be placed in the City drop box at any time.

F. Removal/Tampering of City Equipment

- 1. The removal of any City equipment including meter seals or the disconnecting of any City wire will result in a \$100.00 fine, and/or immediate shut-off until further notice.

*All of the previous are misdemeanor offenses.

Deleted: 2. Any tampering with a limiter device will result in an immediate shut-off until all past due amounts are paid in full.

ALL CUSTOMERS WITH LIFE-SUPPORTING EQUIPMENT WILL NEED TO NOTIFY THE CITY OF MARSHALL UTILITY DEPARTMENT AT (269) 781-3967 TO PREVENT A POSSIBLE INTERRUPTION OF SERVICE.

V. After-Hours Service

The green tag, as set forth in IV. B.5., will instruct the customer to call the Powerhouse to re-establish their service after-hours.

- A. After hours is defined as any time outside of the hours of 8:00 a.m. and 3:30 p.m. Monday through Friday (except holidays).
- B. The Utility Department will provide a list of customers who have been shut-off and the amounts they are to pay to have their service reconnected to the Powerhouse staff on a daily basis.
- C. In addition to delinquent amounts owed, the customer will be responsible for a \$115.00 turn-on.
- D. The customer must come in and complete an activation form and pay the amount necessary to be reconnected.
- E. The Powerhouse staff will make sure the correct amount is placed in an envelope.

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VI. Turn-on Fees

The charge for reconnecting a service that has been shut-off will be as follows:

\$25.00 8:00 a.m. – 3:30 p.m. Monday through Friday (except holidays)
 \$115.00 All other times

VII. Payment Plan

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- A. Except for under extreme circumstances, payment plans will be setup to pay off amounts owed over a period not to exceed six months.
- B. A customer will be allowed to have payment arrangements not extending beyond their most current billing due date. Only one payment plan in effect at any given time.
- C. If a customer breaks their payment arrangement, they will be required to pay the arrears plus a turn-on fee in order to have their service reestablished.
- D. If a customer breaks their arrangement three times, they will be required to pay their account in full, including any turn-on fees, before their service will be reestablished.
- E. ~~Payment plans must have a signature, and therefore must be completed in person at the Utility Department. The utility may accept other arrangements at their discretion.~~
- F. ~~Arrangements can only be made by the customer whose name appears on the account. Identification is required.~~

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VIII. Request for Information

Periodically, the Utility Department receives requests for the status of customer accounts for the sale of property. All requests will be made on a Request for Information form obtained from the Utility Department. The Utility Department shall have up to five business days to process such requests. All requests will be subject to any fees related to the dissemination of such information.

IX. Delinquent Accounts

The City of Marshall Utility Department will perform due diligence in collecting amounts owed by its customers. Ultimately, the person(s) under whom the account has been established will be responsible for payment except as indicated in Section II. Every effort will be made to collect amounts owed up to and including Civil Litigation.

In order to collect money owed, the City reserves the right to apply any payment on one or more account balance if the payee can be identified on the account as applicant or co-applicant. This shall apply to all account balances regardless of status (i.e. delinquent or current).

The charges for services furnished to a premises, which under the provisions of Act 94, Public Acts of 1933, of the state, as amended, are made a lien on the premises to which furnished, and those charges delinquent for 6 months or more on April 1st may be certified annually to the proper tax assessing officer or agency who shall enter the lien on the next tax roll against the premises to which the services shall have been rendered, and the charges shall be collected and the lien shall be enforced in the same manner as provided for the collection of taxes assessed upon the roll and the enforcement of the lien for the taxes.

However, in a case when a tenant is responsible for the payment of the charges and the governing body is so notified in writing, the notice to include a copy of the lease of the affected premises, if there is one, then the charges shall not become a lien against the premises after the date of the notice. In the event of filing of the notice, the City shall render no further service to the premises until a cash deposit is made as security for the payment of the charges. In addition to any other lawful enforcement methods, the payment of charges for services to a premises may be enforced by discontinuing the services to the premises.

X. Budget Billing

- A. ~~_____~~ New customers will need 12 months of history before they will be able to use budget billing.
- B. Take readings at the beginning and ending of the year and adjust bill accordingly.
- C. All customers will receive an information sheet.
- D. Each customer must submit a signed form in order to enroll in Budget Billing.

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XI. Returned Check

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If customer payment (check) is returned to the City of Marshall by the bank for any reason, customer will be notified by first class mail. Said notice will require payment in the form of cash, cashiers check or money order within seven (7) days of notification of returned check any processing fees. Failure to make required payment as indicated by the written notice may result in a utility service turn off. If service is discontinued due to a returned check, customer will be required to pay the account balance in full, including any turn-on fees, before their service will be reestablished. The utility reserves the right to require the following three payments after a returned check is processed to be made in the form of cash, cashiers check, or money order.

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12. Billing and Payment Standards

Bills for utility service will be on approximately a monthly basis and shall be due and payable on or before the due date shown on each bill. The City will schedule meters to be read each month. In monthly periods intervening between actual meter readings, the bills will (under ordinary conditions) be based on past service records. If, in any instance, the past service records are not available or practicable for use, then such billing will be based upon such service data as is available. All accounts shall be adjusted as necessary each time the actual meter readings are obtained.

13. Extension Policy

The City will not extend or allow the extension of City water mains and sanitary sewers to service parcels outside of the City limits without an agreement between the City and the Township. Parcels outside the City may be served if water mains and sanitary sewers exist, by approval of the City Manager or their designee.

Proposed extensions of the City water or sanitary sewerage systems must be approved and a construction permit issued by the Michigan Department of Environmental Quality.

When application is made for electric service which requires the extension of the City's existing distribution lines, the City will make such extensions at its own cost when the estimated annual revenue, probably stability of the business and prospective load growth reasonable warrant the capital expenditure required.

Under the above rule, the City will ordinarily make such pole and wire line extensions at its own cost:

- A. When the length of such extensions (as measured from pole to pole) to serve residential customers does not exceed 2400 lineal feet for each permanent year-around residence and 300 lineal feet for each permanent private resort dwelling to be immediately served when the extension is completed, or
- B. When the cost of such extensions to serve commercial lighting and/or secondary power customers does not exceed three times the amount of the estimated annual revenue to accrue from the permanent customer(s) to be immediately served when the extension is completed, or
- C. When the cost of such extensions to serve primary power customers does not exceed three times the amount of the estimated annual revenue to be received from the permanent customer(s) to be immediately served when the extension is completed.

Where the length (or cost) of the line extension is greater than that specified above, the City will make an investigation along the route of the proposed extension to ascertain the probable extent to which electricity may be used by other prospective customers in the reasonable near future. Where, in the judgment of the City, it is found that there will be sufficient use to justify the extension; it will be made at the City's expense. Where, in the judgment of the City, it is found that the probable demand for service will not be sufficient to justify the City making the entire

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investment, but the City is reasonably assured the permanence of the use of service by the applicant(s) may have the required pole and wire line extension constructed by depositing the following sums with the City in advance:

- i. For year-around residential customers, the sum of \$0.50 per lineal foot of which the extension is in excess of 2400 lineal feet for each permanent year-around residence and to be immediately served when the extension is completed.
- ii. For commercial lighting and/or secondary power customers, the excess of the estimated cost of such extension (excluding transformers) over and above three times the estimated annual revenue to accrue from the customer(s) to be immediately served there from upon its completion.
- iii. For primary power customer, the excess of the estimated cost of such extension over and above three times the estimated annual revenue to accrue from the customer(s) to be immediately served there from upon its completion
- iv. For combinations of year-around residential or with commercial lighting or secondary power customer(s) the excess of the estimated cost of such extension (excluding transformers) over and above \$1,200.00 for each permanent year-around residence, and three times the estimated annual revenue for each commercial lighting and secondary power customer to be immediately served there from upon its completion.

When deposits are made with the City in accordance with the foregoing, they shall be subject to refund, without interest, during the first five 12-month periods following the month in which each such extension is completed, in accordance with the following:

- A. The sum of \$125.00 for each additional permanent year-around residence over and above those for which allowance was initially made, when service to each such additional residence is first commenced.
- B. Three times the excess, if any, of the revenue actually accruing from commercial lighting and/or secondary power customers served from the extension during the first 12-month period over and above the estimated annual revenue from such customers upon which the amount of the deposit was determined. The refund, if any, to be made in each of the four subsequent 12-month periods following the first 12-month period shall be three times the excess of the actual revenue of any such subsequent 12-month period over and above the greatest revenue in any preceding 12-month period; provided, however that no refunds will be made unless the revenue of the current 12-month period exceeds the estimated annual revenue upon which the deposit was determined.
- C. Twice the excess, if any, of the revenue actually accruing from primary power customers served from the extension during the first 12-month period over and above the estimated annual revenue from such customers upon which the amount of the deposit was determined. The refund, if any, to be made in each of the four subsequent 12-month periods following the first 12-month period shall be twice the excess of the actual revenue of any such subsequent 12-month period over and above the greatest revenue in any preceding 12-month period; provided, however that no refunds will be made unless the revenue of the current 12-month period exceeds the estimated annual revenue upon which the deposit was determined.

Each distribution line extension financed in part by customers shall be a separate, distance unit and any further extension thereof shall have no effect upon the agreements under which such extension is constructed. Also, refunds shall cease when they equal the amounts deposited, or at the close of the fifth 12-month period next succeeding the month during which the line extension is completed. The City shall have no further obligation to refund any remaining portion of line

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extension deposits.

Distribution line extensions required to serve prospective customers under circumstances which do not conform to the above plan will be given special consideration, and when any deposits are required, they will be subject to such refund as the circumstances in each case may reasonably justify.

14. Residential Underground Distribution Policy

A. General

This policy sets forth the conditions under which the City will install underground electric distribution systems in residential subdivisions, and underground service connections from overhead or underground electric distribution systems for single dwellings and for multiple or apartment dwellings containing not more than nine apartments.

The City will provide, own, maintain and specify the location of all underground cables, service connections, surface mounted transformers, power terminal pedestals, meters, and associated equipment used in such installations, and no ownership rights therein shall pass to applicants or customers by reason of any contribution required hereunder.

Prior to installation of any such residential underground electric distribution system or service connection, the applicant(s) shall enter into a written contract with the City describing the proposed installation and setting forth the respective agreements of the applicant(s) and the City in regard to such installation. Such contract shall be subject in all respects to the provisions of this residential underground distribution policy.

Street lighting, if any, will be served underground in areas served directly by residential underground electric distribution systems. The character and location of the street lights and cables shall conform to specifications prepared by the City. Any additional cost incurred because of the use of special street lighting posts and/or luminaries shall be borne by the sub-divider with credit allowed for standard construction using wood poles and 2500 lumen luminaries and brackets.

B. Residential Underground Distribution Systems

i. General

Prior to the installation of a residential underground electric distribution system, the applicant(s) shall furnish, at no expense to the City, recordable easements, in form and substance satisfactory to the City granting rights of way suitable for the installation and maintenance of the residential underground electric distribution system and the street lighting cables as designed by the City for present and future service to the subdivision.

The front-foot measurement of each lot to be served by a residential underground distribution system will be made along the contour of the front lot line. The front lot line is that line which usually borders on or is adjacent to a street. However, when streets border on more than one side of a lot, the shortest dimension shall be used. In the case of a curved lot line which borders a street or streets and represents at least two sides of the lot, the front-foot measurement shall be considered as on half the total measurement of the curved lot line.

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Where a residential underground distribution system serves lots on one side of a street, the later connection of lots on the other side of the street to that existing system shall be considered as an original installation of a residential underground distribution system for such later connected lots.

Where the underground cable for a subdivision residential underground distribution system extends through areas within the subdivision which, on both sides of the cable, are undeveloped or consist of lots platted for future use and which are not to be served initially by the system the front-foot measurement of both sides of the street or easement along which the cable extends through such areas shall be included in determining the contribution of the applicant(s), at \$5.00 per linear foot of trench required therefore.

ii. Original Installations

At the request of any applicant(s), the City will, if feasible, install an underground electric distribution system in a residential subdivision for a group of 10 or more lots which are separated, if at all, only by streets or alleys.

The applicant(s) shall provide, at no expense to the City, rough grading (within 6 inches of finished grade) of the area covered by the rights of way so that the underground electric distribution system and the street lighting cables, if any, can be properly installed in relation to the finished grade. Permanent survey stakes indicating property lines must be installed and maintained by the applicant(s) at no expense to the City, after rough grading.

The applicant(s) shall be required to make a contribution, which may be required in advance, to cover the additional cost to the City resulting from the installation of the residential underground electric distribution system. Such contribution shall be computed on the basis of a rate of \$5.00 per front-foot of each lot which is to be served by the underground distribution system.

If temporary overhead service is installed for the convenience of the applicant(s) for residential construction purposes, the applicant(s) shall be required to pay the in-and-out costs of such overhead facilities in the underground area.

iii. Conversion of Existing Residential Overhead Distribution Systems

At the request of any applicant(s), the City will, if feasible, convert an existing residential overhead electric distribution system to an underground distribution system in a residential subdivision for a group of 25 or more lots which are separated, if at all, only by streets or alleys.

Before construction is started, the customer shall be required to pay the utility the depreciated cost (net cost) of the existing overhead facilities plus the cost of removal less the salvage value thereof and, also, make a contribution in aid of construction in an amount equal to the estimated difference in cost between new underground and new overhead facilities including, but not limited to, the costs of breaking and repairing streets, walks, parking lots and driveways, and of repairing lawns and replacing grass, shrubs and flowers.

iv. Underground Extension Policy

Subject to the conditions herein provided, the City will, upon application for electric

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service requiring the same, make underground or combination overhead and underground extensions of the City's existing electric distribution systems in residential subdivisions within its service area. Installations of all portions of any such extension which are to be installed underground shall be subject in all respects to the provisions of this Rule 14, Residential Underground Distribution Policy, including the provisions relating to contributions by the applicant(s) to cover the additional cost to the City of installing underground electric distribution facilities. Where, in the judgment of the City, it is found that the probable demand for service will not be sufficient to justify the City's making the entire investment represented by the remaining portion of the cost, but the City is reasonably assured of the permanence of the use of service by the applicant(s), the applicant(s) may have the required distribution line extension constructed by making a deposit in advance with the City if a deposit would be required by Section (B) of Rule 13, Extension Policy, for an overhead single phase extension of the same length. To determine the amount, if any, of the deposit required from the applicant(s), the total footage of overhead extension, if any, shall be combined with the total footage of trench required for primary and secondary cable to arrive at the total footage of extension required. Any deposit required of the applicant(s) shall be in addition to the contribution required of the applicant(s) under this Rule 14 to cover the additional cost to the City of installing underground electric distribution facilities, and shall be subject to refund to the applicant(s) on the same basis as is provided in Sections (A) and (B) of said Rule 13 for overhead single phase extensions.

Each distribution line extension made hereunder shall be a separate, distinct unit and any further extension there from shall have no effect upon the agreements under which such extension is constructed.

When, in the judgment of the City, any part of the proposed distribution line extension hereunder should be made on private property, the applicant(s) for such extension shall furnish, without cost to the City, the necessary rights of way and tree trimming permits, in form satisfactory to the City. In the event the required rights of way and tree trimming permits are not provided by the applicant(s) for such extension, and the City on that account, elects to construct all or any part thereof along the public highway, then the City may require the applicant(s) to pay the added construction cost and maintenance expense occasioned by the use of such highways.

The City will, unless prevented by incomplete right of way grants or other causes beyond its control, proceed with the construction of each line extension qualifying hereunder within sixty (60) days from the date the applicant(s) have complied with the requirements of this Underground Extension Policy and of the City's Standard Rules and Regulations for Electric Service.

The City reserves the right to make special contractual arrangements as to the provision of necessary service facilities, duration of contract, amount of deposit and refunds thereon, minimum bills or other service conditions with respect to customers or prospective customers whose load requirements exceed the capacity of the available distribution system in the area, or whose load characteristics or special service needs require unusual investments by the City in service facilities, or where there is not sufficient assurance of the permanence of the use of such materials, equipment and supplies it may have on hand from time to time among the various classes of customers and prospective customers and among the various customers and prospective customers of the same class.

All service rendered shall be subject to the City's Standard Contract Forms and to its

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Standard Rules and Regulations for Electric Service, of which this Rule 14 is a part.

C. Residential Underground Service Connections

At the request of any applicant(s), the City will install an underground electric service connection from an overhead electric distribution system or from an underground electric distribution system, for a single dwelling or for a multiple or apartment dwelling or dwellings containing a total of not more than nine apartments.

The customer shall be required to make a contribution which may be required in advance, to cover the additional cost to the City resulting from the original installation of an underground service connection, or from the conversion of an existing overhead service connection to an underground service connection. Such contribution shall be computed as follows:

- i. In the case of an underground service connection from an overhead distribution system, \$4.50 per lineal circuit foot of service cable measured from the point of connection of the underground service with the Marshall Utilities overhead conductors (the customer to install, own, and maintain weathered and conduit placed on pole to connect with overhead lines) to the meter if the meter is mounted on the exterior of a building wall on the customer's premises, or to the point of service entrance if the meter is not mounted on the exterior of a building wall on the customer's premises; provided, however, that if it is necessary for the Marshall Utilities to extend the underground service connection under a street or road in order to comply with the customer's request, the contribution for that portion of the service cable installed under the traveled portion of the street or road shall be the estimated cost thereof.
- ii. In the case of an underground service connection from an underground distribution system, \$4.50 per lineal circuit foot of service cable measured from the Marshall Utilities surface mounted transformer or power terminal pedestal, of which will be located on or as near as practicable to the customer's property line, to the meter if the meter is mounted on the exterior of a building wall on the customer's premises, or to the point of service entrance if the meter is not mounted on the exterior of a building wall on the customer's premises.
- iii. In the case of an overhead service connection to an overhead distribution system, all conversions to an underground service connection will be paid for entirely by the customer.
- iv. Commercial and industrial underground service per lineal circuit foot cost is \$6.50
- v. Winter premium trenching fees may be charged.

15. Inspection

Service will not be supplied to any new or any remodeled installation until such installation has been inspected and approved by the City and such installation is in accordance with the City's Standard Rules and Regulations in force at the time of inspection.

16. Fire Hydrant Use

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Only City personnel or others specifically authorized shall operate fire hydrants. Requests to use water from fire hydrants may be granted by the City when proper backflow prevention is furnished. A fire hydrant meter shall be used and the appropriate fees and rates charged.

17. Retail Customer Demand Response

Retail customers shall be prohibited from participating in any demand response program except one provided by the City of Marshall, Michigan. This authority is provided by the Federal Energy Regulatory Commission Order No. 719 of 2008 and a resolution adopted by the City of Marshall, Michigan City Council on January 20, 2009.

18. Non Emergency turn off

A customer may request to have their water and/or electric utilities disconnected for non emergency purposes. The utility will assess a \$20 fee for the disconnect services and an additional \$20 to reconnect.

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Revisions (Effective November 1, 2009)

October 19, 2009	12.III.D	Remove letter color.
October 19, 2009	12.VI	Increase turn on fees from \$20.00 to \$25.00 and \$75.00 to \$115.00.
October 19, 2009	15.C.i, ii, & iv.	Underground installation fee increase from \$4.00 to \$4.50 and \$6.00 to \$6.50 per foot.

Revisions (Effective October 3, 2011)

October 3, 2011	Electric Rates	Updated utility rates to align with adopted ordinance
October 3, 2011	Water Rates	Updated Water rate to align with adopted ordinance
October 3, 2011	Sewer Rates	Updated Sewer rate to align with adopted ordinance
October 3, 2011	Residential Rates A-1	Required written application
October 3, 2011	Residential Rates -- Life Support	Required written application
October 3, 2011	Temporary Services	Consolidated temporary service regulations
October 3, 2011	Water rates and fees -Section 12	Designated irrigation services exempt from service charge between May through September.

Standard Rules and Regulations

October 3, 2011	Section 3	Deleted electric extension language that was not in agreement with extension policy.
October 3, 2011	Section 10	Allows billing errors to be corrected for up to 12 months.
October 3, 2011	Section 11. II A	Language added to allow staff to turn unpaid amounts to a third party for collections.
October 3, 2011	Section 11. III	Minimum amount to begin late billing process set at \$25.
October 3, 2011	Section 11. IV A 1	Change shut off days to include Friday.
October 3, 2011	Section 11. IV D 1	Eliminated service restoration due to arrangement.
October 3, 2011	Section 11. IV F 1	Eliminated limiter device tampering and increase fine to \$100 for tampering with city equipment.
October 3, 2011	Section 11. V C & D	Police dispatch will no longer will take utility payments.
October 3, 2011	Section 11. VII E	Allows the utility to accept other payment arrangements at their discretion.
October 3, 2011	Section 11. VII F	Identification for arrangements will be required.
October 3, 2011	Section 11. IX	Added language consistent with Act 94 PA of 1933
October 3, 2011	Section 11. X A	Budget sheet replaces pamphlet.
October 3, 2011	Section 11 XI	Changes payment of returned check to within 7 days of notice. Allows Utility to require the next three payments be made by cash, cashier check, or money order after returned check.
October 3, 2011	Section 16.	Hydrant use will be approved only when proper backflow prevention is furnished.
October 3, 2011	Section 18	Adds Non-emergency turn off and restoration fee of \$20 respectively.

Effective 10/3/2011, Previous Revisions: 11/1/09, 1/20/09, 7/1/07, 7/1/06, 7/1/05, 7/1/04, 7/1/03, 7/1/02, 3/18/02, 2/7/02, 1/2/99, 1/1/98, 11/1/96, 4/1/96, 3/7/88

**CITY OF MARSHALL UTILITY RATE CLASSIFICATIONS AND STANDARD RULES
AND REGULATIONS
SUPPLEMENTAL RULE TO SECTION 12 BILLING POLICY
GENERAL SHUTOFF RULES
EFFECTIVE NOVEMBER 1, 2009**

1. City of Marshall shall not use an electric service limiter
2. City of Marshall shall refund any late fees, fines, or payments related to a shutoff or resumption of service if those late fees, fines, or payments were improperly assessed because of the failure to provide a shutoff notice as required by these Rules.
3. Notwithstanding other requirements of this Rule, service may be shut off temporarily for reasons of health or safety or in a state or national emergency. When service is shut off for reasons of health or safety, a reasonable attempt shall be made to leave a notice at the premises if feasible.
4. City of Marshall may shut off or terminate service to a residential customer for any of the following reasons:
 - A. The customer has not paid a delinquent account that accrued within the last six (6) years.
 - B. The customer has failed to provide a deposit or guarantee as required.
 - C. The customer has engaged in unauthorized use of the utility's service.
 - D. The customer has failed to comply with the terms and conditions of a payment plan.
 - E. The customer has refused to arrange access at reasonable times for the purpose of inspection, meter reading, maintenance, or replacement of equipment that is installed upon the premises or for the removal of a meter.
 - F. The customer misrepresented his or her identity for the purpose of obtaining service or put service in another person's name without permission of the other person.
 - G. The customer has violated any rules of City of Marshall so as to adversely affect the safety of the customer or other persons or the integrity of the system.
 - H. A person living in the customer's residence meets both of the following:
 - (i) Has a delinquent account for service with City of Marshall within the past three (3) years that remains unpaid.
 - (ii) The customer lived in the person's residence when all or part of the debt was incurred. City of Marshall may transfer a prorated amount of the debt to the customer's account, based upon the length of time that the customer resided at the person's residence. This subdivision does not apply if the customer was a minor while living in the person's residence.
 - I. The customer has not paid for service at a premises occupied by another person, and it is not feasible to provide service to the occupant as a customer without a major revision, as determined by the utility, of existing distribution facilities.

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City of Marshall Utility Rate Classifications and Standard Rules and Regulations

5. Subject to applicable third-party consent, a customer will be permitted to designate a third party to receive bill notifications, including shutoff notices, on the customer's behalf. Such notices may be provided to both the designated third party and the customer.
6. A. City of Marshall shall supply information regarding the following to customers at least two (2) times a year:
 - (i) The energy assistance telephone line number at the Michigan Department of Human Services or an operable 2-1-1 system telephone number.
 - (ii) Medical emergency and critical care protections provided in these Rules.
 - (iii) Military shutoff protections pursuant to MCL 460.9c.
 - (iv) Low income protections provided in these Rules.
 - (v) Senior citizen protections provided in these Rules.B. The information required under Subsection (A) may be supplied in or on a customer's bill, in a bill insert, in a newsletter issued to customers, a public forum, newspaper announcement, an electronic communication, or in any other manner approved by the governing body of the utility.
7. City of Marshall shall, at least once per year, attempt to identify senior citizen customers by at least one (1) of the following methods:
 - A. Conducting customer interviews.
 - B. Obtaining information from a consumer reporting agency or consumer reporting service.
 - C. A personal or automated telephone call where direct contact is made with a member of the customer's household or a message is recorded on an answering machine or voice mail.
 - D. First class mail.
 - E. A personal visit to the customer.
 - F. A written notice left at or on the customer's door.
 - G. On a bill or in a bill insert.
8. Service shall not be shut off unless a notice is sent to the customer by first class mail or is personally served not less than ten (10) days before the date of the proposed shutoff. A record of the date the notice was sent shall be maintained.
9. A notice of shutoff shall contain all of the following information:
 - A. The name and address of the customer, and the address at which service is provided, if different.
 - B. A clear and concise statement of the reason for the proposed shutoff of service.
 - C. The date on or after which service may be shut off unless the customer takes appropriate action.
 - D. The telephone number and address where the customer may make inquiry or file a complaint.

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10. For an involuntary shut off, at least one attempt, in addition to the notice provided in Section 8, shall be made one or more days before the shutoff of the service to contact the customer by one (1) or more of the following methods:
 - A. A personal or automated telephone call where direct contact is made with a member of the customer's household or a message is recorded on an answering machine or voice mail.
 - B. First class mail.
 - C. A personal visit to the customer.
 - D. A written notice left at or on the customer's door.
11. All attempts to contact the customer under Section 10 shall be documented.
12. Service may be shut off to a customer on the date specified in the notice of the shutoff or within ten (10) days following that date. If service is not shut off and a subsequent notice is sent, then service shall not be shut off before the date specified in the subsequent notice. Shut off shall occur only between the hours of 8 a.m. and 3 p.m., but not later than 2 hours before the close of business.
13. Service shall not be shut off on a day, or a day immediately preceding a day, when services cannot be restored.
14. Not later than two hours before the close of the utility's business on the day service is shut off, a notice shall be left at the customer's residence stating that service has been shut off and providing the address and telephone number where the customer may arrange to have service restored. Alternatively, a contact by telephone may be made with an adult who identifies himself or herself as a person living at the residence providing the same information within the same time frame.
15. No later than three (3) business days after shutting off service to an eligible senior citizen customer, City of Marshall shall make at least two attempts to contact that customer to advise the customer of the actions that the customer must take to have his or her service restored.
 - A. The following notification methods may be used to contact the customer:
 - (i) A personal or automated telephone call where direct contact is made with a member of the customer's household or a message is recorded on an answering machine or voice mail.
 - (ii) First-class mail.
 - (iii) A personal visit to the customer.
 - (iv) A written notice left at or on the customer's door.
 - (v) Any other method approved by the governing body of the utility.
 - B. A communication described in Subsection (A)(iii) or (iv) made on the day of disconnection meets the requirements of this Rule.

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- C. A message left on an answering machine or voice mail or a written notice left at or on a customer's door must include a toll free or local telephone number indicating that it may be used to contact a representative of City of Marshall regarding restoration of service.
 - D. The notice requirement of this section may be met with regard to a senior citizen customer by, within three (3) business days of shutting off service, making a documented referral of that customer to a social service or government agency.
16. Reasonable efforts shall be made to restore service on the day the customer requests restoration. Except for reasons beyond the control of City of Marshall, the service shall be restored not later than the first working day after the customer's request.
17. A charge may be assessed for restoring service.

COOLING SEASON SHUTOFFS

18. Each morning, the temperature forecast in the (local newspaper or another other index) will be reviewed. If the temperature forecast for the current day OR the following day is 95 degrees or greater, eligible senior citizen customers will not be disconnected on the current day. For Fridays, customers will not be disconnected if the forecast is for 95 degrees or greater for Friday, Saturday or Sunday.

HEATING SEASON SHUTOFFS

19. City of Marshall shall not shut off service to a customer during the heating season for nonpayment of a delinquent account if the customer is an eligible senior citizen customer or if an eligible low income customer enters into a winter protection payment plan to pay to the utility a monthly amount equal to 7% of the estimated annual bill for the eligible low income customer or the eligible low income customer and the utility mutually agree upon a winter protection payment plan with different terms and the eligible low income customer demonstrates, within 14 days of requesting shutoff protection, that he or she has applied for state or federal heating assistance. If an arrearage exists at the time an eligible low income customer applies for protection from shut off of service during the heating season, the customer should be permitted to pay the arrearage in equal monthly installments between the date of application and the start of the subsequent heating season.
20. If an eligible low income customer fails to comply with the terms and conditions of a winter protection payment plan, or if the customer fails to pay a monthly installment on a preexisting arrearage, service may be shut off after giving the customer a notice, by personal service, or first class mail, that contains all of the following information:
- A. That the customer has defaulted on a winter protection payment plan or has failed to pay a monthly installment on a preexisting arrearage.
 - B. The nature of the default.
 - C. That unless the customer makes the payments that are past due within ten (10) days of the date of mailing, service will be shut off.
 - D. The date on or after which service will be shut off, unless the customer takes appropriate action.
 - E. That the customer may dispute the claim in writing before the date of the proposed shutoff of service.
 - F. That the utility will not shut off service pending the resolution of a dispute.

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- G. The telephone number and address where the customer may make inquiry or file a complaint.
- H. That the customer should contact a social services agency immediately if the customer believes he or she might be eligible for emergency economic assistance.
- I. That the shut off will be postponed if a medical emergency exists at the customer's residence.
- J. That a deposit and restoration charge may be required if the utility shuts off service for nonpayment of a delinquent account.

SHUTOFF OF CRITICAL CARE OR MEDICAL EMERGENCY CUSTOMERS

- 21. Shutoff shall be postponed for not more than 21 days if the customer or a member of the customer's household is a critical care customer or has a certified medical emergency. The customer's certification shall identify any medical or life-supporting equipment being used, and the specific time period during which the shutoff of service will aggravate the medical emergency. Shut off may be extended for further periods of not more than 21 days, not to exceed a total postponement of shutoff of service of 63 days, only if the customer provides additional certification that the customer or a member of the customer's household remains a critical care customer or has a certified medical emergency. If shutoff of service has occurred without any postponement being obtained, the service shall be restored for not more than 21 days, and shall continue for further periods of not more than 21 days, not to exceed a total of 63 days in any 12-month period per household member. Annually, shutoff extensions totaling more than 126 days per household will not be given.
- 22. As used in these Rules:
 - A. "Critical care customer" means a customer who requires, or has a household member who requires, home medical equipment or a life support system, and who has provided appropriate documentation from a physician or medical facility to the City of Marshall identifying the medical equipment or life-support system and certifying that an interruption of service would be immediately life threatening.
 - B. "Electric Service Limiter" means an electric meter or device used in conjunction with an electric meter that automatically interrupts all electric service to a customer without intervening direction from the City of Marshall when a utility-imposed peak usage limit is exceeded.
 - C. "Eligible low income customer" means a customer whose household income does not exceed 150% of the poverty level, as published by the United States Department of Health and Human Services, or who receives any of the following:
 - (i) Assistance from a state emergency relief program.
 - (ii) Food stamps.
 - (iii) Medicaid.
 - D. "Eligible senior citizen customer" means a customer who is 65 years of age or older and who advises the City of Marshall of his or her eligibility.
 - E. "Heating season" means November 1 through March 31.

Effective 10/3/2011 Previous Revisions: 11/1/09, 1/20/09, 7/1/07, 7/1/06, 7/1/05, 7/1/04, 7/1/03, 7/1/02, 3/18/02, 2/7/02, 1/2/99, 1/1/98, 11/1/96, 4/1/96, 3/7/88

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- F. "Medical Emergency" means the existence of a medical condition of the customer or a member of the customer's household,, certified by a physician or public health official on official stationery, which will be aggravated by the lack of utility service.
 - G. "Senior Citizen Customer" means a customer of City of Marshall who is 65 years of age or older.
23. These Rules shall be part of the terms and conditions of the contract for service between City of Marshall and the customer.
24. These rules apply only to residential customers.

Effective 10/3/2011, Previous Revisions: 11/1/09, 1/20/09, 7/1/07, 7/1/06, 7/1/05, 7/1/04, 7/1/03, 7/1/02, 3/18/02, 2/7/02, 1/2/99, 1/1/98, 11/1/96, 4/1/96, 3/7/88



ADMINISTRATIVE REPORT
October 3, 2011 - CITY COUNCIL MEETING

TO: Honorable Mayor and City Council

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

SUBJECT: FY 2012 Mid-Year Budget Amendment:
For the Byrne Stimulus Grant, Approved September 19, 2011

BACKGROUND: The City of Marshall has been notified as a recipient of the Byrne Stimulus Grant available between 10-01-2011 to 09-30-2012. This grant will fund 100% of wages, benefits, and equipment for one officer during this time. The Police Chief would like to promote a part-time officer to full-time status, and the full-time position would be funded 100% by the grant. Therefore, in FY 2012, there will be a one-time savings equal to ½ FTE.

RECOMMENDATION: To authorize and adopt the attached resolution to amend the FY 2012 Adopted Budget for the Byrne Stimulus grant, approved at the September 19, 1022 Council meeting.

FISCAL EFFECTS: To amend and increase the General Fund Federal Grants revenue line item 101-000-505.00 by \$72,500, increase the General Fund Police Department Payroll (and fringe benefits) expenditure line item 101-301-702.00 by \$72,000, and decrease the General Fund Police Department Part-time Salaries expenditure line item 101-301-703.00 by \$19,500 for this grant. The net impact in the General Fund is a \$19,500 savings.

ALTERNATIVES: As suggested by Council.

Respectfully submitted,

James M. Schwartz
Police Chief

Tom Tarkiewicz
City Manager

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

**City of Marshall Authorizing Resolution
To Amend FY 2012 Adopted Budget**

**Provide Increased Funding for the General Fund Police Department
Expenditure Budget for the Byrne Stimulus Grant**

WHEREAS, City Council adopted the FY 2012 Budget at the May 16, 2011 meeting;

WHEREAS, City Council recently approved the Byrne Stimulus grant at the September 19, 2011 Council meeting;

WHEREAS, the grant will provide improved safety services for the Marshall community;

THEREFORE, BE IT RESOLVED, that the General Fund Federal Grants revenue line item 101-000-505.00 be increased by \$72,500, the General Fund Police Department Payroll (and fringe benefits) expenditure line item 101-301-702.00 be increased by \$72,000, and the General Fund Police Department Part-time Salaries expenditure line item 101-301-703.00 be decreased by \$19,500 for this grant. The net impact in the General Fund is a \$19,500 savings.

As Amended, October 3, 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 October 3, 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