

Marshall City Council, Regular Session
Monday, November 21, 2011

CALL TO ORDER

IN REGULAR SESSION Monday, November 21, 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, Reed, and Williams.

Also Present: City Manager Tarkiewicz.

Absent: Council Members: Miller.

Moved Metzger, supported Mankerian, to excuse the absence of Member Miller. On a voice vote: **MOTION CARRIED.**

INVOCATION/PLEDGE OF ALLEGIANCE

Kris Tarkiewicz of Family Bible Church gave the invocation and Mayor Dyer led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

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

PUBLIC COMMENT ON AGENDA ITEMS

None.

CONSENT AGENDA

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

- A. Approve minutes of the City Council Regular Session held on Monday, November 7, 2011;
- B. Approve city bills in the amount of \$975,835.03.

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

PRESENTATIONS AND RECOGNITIONS

Bruce and Shirley Cook provided Council with an overview of their Sister City trip to Koka City, Japan.

Ken Jendryka presented the Hospital and Neighborhood Committee Report to

Marshall City Council, Regular Session
Monday, November 21, 2011

Council. The Mayor will be referring the Hospital Campus Overlay District and the Sign Ordinance Amendment Recommendations to the Planning Commission for their recommendations and have them report back to City Council by March 26, 2012. The Mayor also announced his intent to appoint a task force to study the implementation of a Historic Preservation District at the next meeting.

Mark Kettner, Principal of Rehmann Robson, presented a report to Council on the Audited Financial Statements for the Fiscal Year Ended June 30, 2011.

Moved Metzger, supported Williams, to accept and place on file the Audited Financial Statements for the Fiscal year Ending June 30, 2011 for the City of Marshall. On a voice vote – **MOTION CARRIED.**

INFORMATIONAL ITEMS

None.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. P.A. 425 Land Transfer with Marshall Township:

Mayor Dyer opened the public hearing to hear public comment on the proposed contract with Marshall Township for a P.A. 425 Land Transfer for Marshall Animal Care.

John LaPietra of 386 Boyer Court inquired about the number of P.A. 425 Agreement with surrounding townships.

Hearing no further comment Mayor Dyer closed the public hearing.

Moved Booton, supported Mankerian, to adopt the contract with Marshall Township for a P.A. 425 Land Transfer for Marshall Animal Care Center. On a roll call vote – ayes: Mayor Dyer, Mankerian, Metzger, Reed, Williams, and Booton; nays: none. **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN RESOLUTION #2011-44

RESOLUTION AUTHORIZING EXECUTION OF CONTRACT FOR CONDITIONAL TRANSFER OF PROPERTY

WHEREAS, James R. Rzepka, Randall K. Eshuis and Maria J. Eshuis-Romer, owners of property commonly known as 713 Brewer Street, have petitioned the City of Marshall and Marshall Township for a Conditional

Transfer of their property from Marshall Township into the City of Marshall;
and

WHEREAS, on February 25, 2006 the City of Marshall entered into a Master 425 Agreement with the Township of Marshall; and

WHEREAS, the Master 425 Agreement facilitates the provision of City services, including municipal sewer, water, police and fire protection to properties currently within Marshall Township according to terms acceptable to both the Township of Marshall and the City of Marshall,

NOW THEREFORE, BE IT RESOLVED, that the City Manager and the Clerk-Treasurer are authorized to execute a Contract for Conditional Transfer of Property commonly known at 713 Brewer Street from the Township of Marshall to the City of Marshall.

IT IS FURTHER RESOLVED, that the Contract for Conditional Transfer shall be in the form of the attached document, subject to changes in form approved by the City Attorney.

As City Clerk I place my seal and sign my name that this is a true and accurate copy of the action taken by the Marshall City Council on November 21, 2011.

Sandra Bird, Clerk-Treasurer
CITY OF MARSHALL

Dated: _____

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. Electric Department Bucket Truck Purchase:

Moved Metzger, supported Williams, to accept the bid for the purchase and trade-in of a bucket truck from Altec Industries, Inc. for the amount of \$150,330. On a roll call vote – ayes: Mankerian, Metzger, Reed, Williams, Booton, and Mayor Dyer; nays: none. **MOTION CARRIED.**

Moved Williams, supported Metzger, to approve the resolution for the installment purchase contract with Tax Exempt Leasing and to authorize the Clerk-Treasurer to sign the installment purchase contract. On a roll call vote – ayes: Metzger, Reed, Williams, Booton, Mayor Dyer, and Mankerian; nays: none. **MOTION CARRIED.**

B. Motor Pool Budget Amendment:

Moved Williams, supported Metzger, to adopt the resolution to amend the FY 2012 Adopted Budget for the Motor Pool rate adjustment for Streets and the equipment purchase loan. On a roll call vote – ayes: Reed, Williams, Booton, Mayor Dyer, Mankerian, and Metzger; nays: none. **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION #2011-45**

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

**1) Reduce Funding for Streets Motor Pool Rate Adjustment and 2)
Provide Increased Funding for the Motor Pool Capital Outlay
Expenditure Budget for Equipment Purchases with a Source of Funding
Provided by an Installment Purchase Agreement Loan**

WHEREAS, the Public Services Director has determined a rate change is needed for the Streets Motor Pool rental rate charge, implemented July 1, 2011, and a mid-year budget amendment is recommended to adjust the budgets for this rate change;

THEREFORE, BE IT RESOLVED, that the General Fund Streets department expenditure line item 101-441-941.00 be decreased by \$40,000, the MVH Major Streets Fund, Street Maintenance department expenditure line item 202-463-941.00 be decreased by \$30,000, the MVH Major Streets Fund, Trunkline department expenditure line item 202-486-941.00 be decreased by \$10,000, the MVH Local Streets Fund, Street Maintenance department expenditure line item 203-463-941.00 be decreased by \$50,000, the Motor

Pool Fund, Capital Outlay expenditure line item 661-898-970.00 be decreased by \$130,000 and the Motor Pool Rents revenue line item 661-000-667.00 be decreased by \$130,000 for the rate change.

WHEREAS, the City Council recently approved the purchase of various equipment and the financing of the equipment with a purchase installment agreement and a mid-year budget amendment is recommended to amend the revenue and expenditures for the loan proceeds and capital expenditures;

THEREFORE, BE IT RESOLVED, that the Motor Pool Fund Proceeds from Bonds/Notes revenue line item 661-000-698.00 be increased by \$568,646.52 and the Motor Pool Fund Capital Outlay expenditure line item 661-898-970.00 be increased by \$568,646.52 for the purchase and financing of various equipment.

As Amended, November 21, 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 November 21, 2011 and that said meeting was conducted and that the minutes of said meeting were kept and will be or have been made available.

Sandra Bird, Clerk-Treasurer

C. Federal Energy Regulatory Commission (FERC) Part 12d Inspection:

Moved Williams, supported Mankerian, to authorize the Clerk-Treasurer to sign the proposal submitted by Lawson-Fisher Associates P.C. for \$62,000 for the Federal Regulatory Commission Part 12d Inspection. On a roll call vote – ayes: Williams, Booton, Mayor Dyer, Mankerian, Metzger, and Reed; nays: none. **MOTION CARRIED.**

Marshall City Council, Regular Session
Monday, November 21, 2011

APPOINTMENTS / ELECTIONS

None.

PUBLIC COMMENT ON NON-AGENDA ITEMS

John LaPietra of 386 Boyer Court stated he was disappointed he missed the report of the Sister City Trip to Japan.

COUNCIL AND MANAGER COMMUNICATIONS

None.

ADJOURNMENT

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

James L. Dyer, Mayor

Sandra Bird, Clerk-Treasurer