

CALL TO ORDER

IN REGULAR SESSION Monday, March 19, 2012 at 7:00 P.M. in Council Chambers of Town Hall, 323 West Michigan Avenue, Marshall, MI, the Marshall City Council was called to order by Mayor Dyer.

ROLL CALL

Roll was called:

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

Also Present: City Manager Tarkiewicz.

Absent: None.

INVOCATION/PLEDGE OF ALLEGIANCE

Amber Fujita from the Marshall Assembly of God gave the invocation and Mayor Dyer led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Moved Miller, supported Metzger, to approve the agenda with the addition of the Michigan South Central Power Agency invoice in the amount of \$674,522.45. On a voice vote: **MOTION CARRIED.**

PUBLIC COMMENT ON AGENDA ITEMS

None.

CONSENT AGENDA

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

- A. Approve HR Policy #12.03 – Health Insurance Premium Sharing
- B. Approve minutes of the City Council Regular Session held on Monday, March 5, 2012;
- C. Approve city bills in the amount of \$1,041,212.56.

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

PRESENTATIONS AND RECOGNITIONS

None.

INFORMATIONAL ITEMS

City Manager Tarkiewicz presented a preview of the FY 2013 General Fund and Dial-A-Ride budgets.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. Public Hearing – Industrial Development District #33:

Mayor Dyer opened the public hearing to hear public comment on the establishment of Industrial Development District #33, 604 South Kalamazoo Avenue.

Mike Hindenach, Economic Development Manager, provided some background information regarding the district and the boundaries.

John LaPietra of 386 Boyer Court asked if there were any additional plans within this district for the future.

Hearing no further comment, the public hearing was closed.

Moved Metzger, supported Booton, to approve the establishment of Industrial Development District #33, 604 S. Kalamazoo Avenue. On a roll call vote – ayes: Mayor Dyer, Mankerian, Metzger, Miller, Reed, Williams, and Booton; nays: none. **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION #2012-06**

**RESOLUTION ESTABLISHING AN INDUSTRIAL DEVELOPMENT
DISTRICT NUMBER 33 PERSUANT TO
ACT 198, P.A. 1974, AS AMENDED**

WHEREAS, Act No. 198 of the Michigan Public Acts of 1974, as amended, provides for the establishment of Industrial Development Districts in local governmental units and also to provide within such districts as exemption for certain taxes as an incentive to industries to build new facilities in the City of Marshall; and,

WHEREAS, the City of Marshall wishes to establish an Industrial Development District consisting of the land located at 604 S Kalamazoo Avenue; and,

WHEREAS, the City Council set the date of March 19th, 2012 in the City Hall, Marshall, Michigan as the time and place at which any resident or taxpayer of the City was given and afforded an opportunity for a hearing on the establishment of the Industrial Development District.

NOW, THEREFORE IT IS HEREBY RESOLVED that the City Council does hereby approve an Industrial Development District to be established as

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shown on the map attached to this Resolution and marked Exhibit A and which district is described as follows:

PARCEL NUMBER 002-548-00
MARSHALL CITY SEC 26 T2S-R6W BEG E 1/4 POST- S 827.91 FT- N 84 DEG 59'30"W 49.68 FT TO POB- N 84 DEG 59'30" W 715.84 FT- S 161.23 FT- W 426.32 FT- S TO KALAMAZOO RIVER- ELY ALG RIVER TO W LINE KALAMAZOO AVE- N TO POB. 14.15 AC M/L

As City Clerk-Treasurer, I place my signature and seal that this a true and accurate copy of the action taken and accurate copy of the action taken at a regular meeting of the Marshall City Council on March 19th, 2012.

Date: March 19, 2012

Sandra Bird, CLERK-TREASURER
City of Marshall, Michigan

B. Public Hearing – Progressive Dynamics IFT Application:

Mayor Dyer opened the public hearing to hear public comment on the proposed Industrial Facilities Tax Exemption Certificate application for Progressive Dynamics.

Mike Hindenach, Economic Development Manager, provided some background information regarding the IFT application.

John LaPietra of 386 Boyer Court asked a question regarding other future upgrades.

Hearing no further comment, the public hearing was closed.

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

RESOLUTION

Marshall City Council, Regular Session
Monday, March 19, 2012

Minutes of a regular meeting of the City Council of the City of Marshall held on March 19, 2012, in the Council Chambers of Town Hall located at 323 West Michigan Avenue, Marshall, Michigan.

Present: Booton, Mayor Dyer, Mankerian, Metzger, Miller, Reed, and Williams.

Absent: None.

The following preamble and resolution were offered by Council Member Miller and supported by Council Member Reed.

**CITY OF MARSHALL, MICHIGAN
RESOLUTION #2012-07**

**RESOLUTION TO APPROVE APPLICATION OF
PROGRESSIVE DYNAMICS, INC.
507 INDUSTRIAL ROAD, MARSHALL, MI
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR
PERSONAL PROPERTY - NEW MACHINERY AND EQUIPMENT**

WHEREAS, pursuant to P.A. 198 of 1974, MCL 211.551 et seq., after a duly noticed public hearing held on December 20, 1976, the Council by Resolution established Plant Rehabilitation District No. R-1 as requested; and after a duly noticed public hearing held on December 20, 1976; and

WHEREAS, Progressive Dynamics, Inc. 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 Plant Rehabilitation District R-1; 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 March 19, 2012 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 acquisition and installation of the new equipment, had not begun earlier than six (6) months before February 27, 2012, the date of

acceptance of the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, the acquisition of the new equipment and machinery 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; and

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 Progressive Dynamics, Inc, 507 Industrial Drive, for an Industrial Facilities Exemption Certificate, with respect to real property improvements and personal property improvements described as new machinery and equipment to be acquired and installed within the Plant Rehabilitation District No. R-1 is hereby approved.
3. The Industrial Facilities Exemption Certificate, when issued, shall be and remain in force and effect for a period of (12) twelve years under the rules and regulations of Act 198 of Public Acts of 1974, as amended, for the new machinery and equipment from the date of approval by the State Tax Commission.

AYES: 7

NAYS: 0

Sandra E. 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 March 19, 2012.

Sandra E. Bird, Clerk/Treasurer

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

None.

APPOINTMENTS / ELECTIONS

None.

PUBLIC COMMENT ON NON-AGENDA ITEMS

John LaPietra of 386 Boyer Court commented on DART fares.

COUNCIL AND MANAGER COMMUNICATIONS

None.

ADJOURNMENT

The meeting was adjourned at 7:50 p.m.

James L. Dyer, Mayor

Sandra Bird, Clerk-Treasurer