

MARSHALL CITY COUNCIL AGENDA

MONDAY – 6:00 P.M.

MAY 21, 2012



- 1) CALL TO ORDER
- 2) ROLL CALL
- 3) INVOCATION – Dennis Croy, Marshall Wesleyan 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. City Council Minutes

Regular Session..... Monday, May 7, 2012

B. City Bills

Regular Purchases\$377,302.55

Purchased Power..... \$ 707,011.00

Weekly Purchases –5/4/12 \$ 67,263.36

Weekly Purchases –5/11/12..... \$9,501.24

Total..... **\$ 1,161,078.15**

8) PRESENTATIONS AND RECOGNITIONS

- A. Hospital Campus Overlay District** – Susan Collins, Planning Commission Chair will present on the proposed Hospital Campus Overlay District. Council will also consider the recommendation to schedule a public hearing for June 4, 2012 at 6:00 p.m. to hear public comment on the Hospital Campus Overly District Ordinance.

9) INFORMATIONAL ITEMS

A. Event Report-Cruise to the Fountain

10) PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. Proposed Addition of \$53 Rates Ordinance

City Council will receive public comment on the proposed addition of \$53 Rates Ordinance.

B. Fiscal Year 2013 Budget Adoption

City Council will consider two budget amendments for the proposed FY 2013 Budget.

City Council will receive public comment on the proposed budget and related property tax millage rates for the Fiscal Year 2013.

11) OLD BUSINESS

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



12) REPORTS AND RECOMMENDATIONS

A. Liquor License Application Resolution

City Council will consider the recommendation to approve the one day liquor license for the Calhoun County Agricultural and Industrial Society for June 2, 2012

B. Lafferty Property Transfer

City Council will consider the recommendation to transfer the asset of the Lafferty Property from the General Fund to the Water Fund and the Local Development Finance Authority.

C. Memorandum of Agreement (MOA)-Indian Reservation Road Designation

City Council will consider the recommendation to authorize the Clerk-Treasurer to sign the MOA with the Nottawaseppi Huron Band of the Potawatomi.

D. Annual Compensation of Administrative Officials, Department Heads, and Salaried Personnel

City Council will consider the recommendation to approve the proposed wages for the administrative officials, department heads and salaried personnel as presented.

13) APPOINTMENTS / ELECTIONS

A. Planning Commission Appointment

City Council will consider the recommendation to appoint James Zuck to the Planning Commission with a term expiring November 1, 2013.

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) CLOSED SESSION

City Council will be requested to convene into Closed Session to accomplish the City Manager's Evaluation.

17) ADJOURNMENT

Respectfully submitted,

Tom Tarkiewicz
City Manager

May 21, 2012

CALL TO ORDER

IN REGULAR SESSION Monday, May 7, 2012 at 6:00 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: Mayor Dyer, Mankerian, Metzger, Miller, Reed, and Williams.

Also Present: City Manager Tarkiewicz.

Absent: Council Member Booton

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

INVOCATION/PLEDGE OF ALLEGIANCE

Barry Chaffin of the Church of Christ gave the invocation and Mayor Dyer led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Moved Metzger, supported Williams, to approve the agenda with the removal of items 13A. Appointments to Historic Preservation Committee and item 16. Closed Session.

PUBLIC COMMENT ON AGENDA ITEMS

None.

CONSENT AGENDA

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

- A. Schedule a public hearing for Monday, May 21, 2012 at 6:00 p.m. to receive public comment regarding the proposed addition of §53 Rates Ordinance for water and sewer rates;
- B. Schedule a public hearing for Monday, May 21, 2012 to receive public comment on the proposed FY 2013 budget;
- C. Approve the resolution to transfer the current liquor license and permits from Charlie's Tavern to SueRon Enterprises,LLC;
- D. Authorize the Clerk-Treasurer to sign the first amendment to the lease for the water tower space for parcel 15-002-533-00;
- E. Approve the request by the American Legion to conduct their annual poppy sales on May 18 and 19, 2012;

- F. Approve a temporary traffic control order to erect "One Way Only" signs for the 100 block of S. Park Street at Michigan Avenue;
- G. Approve minutes of the City Council Work Session and Regular Session held on Monday, April 16, 2012;
- H. Approve city bills in the amount of \$483,003.39.

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

PRESENTATIONS AND RECOGNITIONS

A. Waldon Pond Fire Presentation:

Assistant Fire Chief Jeff Rhodes presented Certificates of Appreciation to the individuals who assisted at the Waldon Pond Apartments fire on April 8th.

B. Hospital Campus Overlay District:

INFORMATIONAL ITEMS

Event Reports were provided for the Hospitality Classic, Blues Fest, and the Downtown Clean Sweep.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

None.

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. Proposed License and Inspection Fees for Chapter 111: Vehicles for Hire:

Moved Miller, supported Mankerian, to adopt the resolution adopting the fees for Vehicles for Hire within the City of Marshall. On a voice vote – **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN RESOLUTION #2012-12

WHEREAS, Chapter 111, Sections 111.01 and 111.18 of the Marshall City Code provides that a license fee and rates for Vehicles for Hire shall be set by Resolution of the Marshall City Council.

THEREFORE, BE IT RESOLVED that the City Council of the City of

Marshall hereby adopts the following fee and rate schedule to become effective immediately:

License Fee:	\$35.00
Inspection Fee:	\$20.00 per vehicle
Vehicle Rates:	\$5.00 minimum charge, plus \$2.00 per mile.

Adopted and signed this 7th day of May, 2012.

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 May 7, 2012, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available by said Act.

Sandra Bird, Clerk-Treasurer

B. Calhoun County Consolidated Dispatch Authority Funds:

Moved Williams, supported Miller to support the intent of the City to use any General Fund savings if the vote for the telephone surcharge is passed for public safety and road improvements. On a voice vote: **MOTION CARRIED.**

**City of Marshall, Michigan
Resolution #2012-13**

WHEREAS, the City of Marshall has contributed revenue to the 911 dispatching efforts of the Calhoun County Consolidated Dispatch Authority since its inception; and

WHEREAS, the Marshall City Council supported the creation of the Calhoun County Consolidated Dispatch Authority in order to ensure fair and adequate funding for County-wide 911 dispatching; and

WHEREAS, the Calhoun County Board of Directors has voted to place a ballot

question on the August, 2012 County-wide ballot seeking support for a telephone surcharge of up to \$2.25 per month, per device, to fund 911 dispatching in Calhoun County.

NOW, THEREFORE BE IT RESOLVED, by the Marshall City Council to dedicate any General Fund savings realized by the City of Marshall as a result of an affirmative vote by the voters of Calhoun County back to the General Fund for Public Safety and Street Improvements.

Ayes: Mankerian, Metzger, Miller, Reed and Williams.

Nays: Mayor Dyer.

Absent: Booton

I, Sandra Bird, Clerk-Treasurer, do hereby certify that the foregoing is a true and original copy of a resolution adopted by the City of Marshall's City Council at a Regular/Special Meeting thereof held on the seventh day of May, 2012.

Sandra Bird, Clerk-Treasurer

C. 3rd Quarter Financials and 3rd Quarter Investment Portfolio:

Moved Metzger, supported Reed, to receive and place on file the 3rd Quarter Financials and Investment Portfolio for the City of Marshall. On a voice vote:
MOTION CARRIED.

APPOINTMENTS / ELECTIONS

None.

PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

COUNCIL AND MANAGER COMMUNICATIONS

ADJOURNMENT

The meeting was adjourned at 7:45 p.m.

Marshall City Council, Regular Session
Monday, May 7, 2012
Unofficial

James L. Dyer, Mayor

Sandra Bird, Clerk-Treasurer

VENDOR APPROVAL SUMMARY REPORT

Date: 05/18/2012

Time: 8:18am

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CITY OF MARSHALL

Vendor Name	Vendor Number	Description	Check Amount	Hand Check Amount
AIM ASPHALT, INC	400645	ASPHALT PATCHING	809.34	0.00
AIRGAS USA LLC	4982	CYLINDER RENTAL	80.40	0.00
CITY OF ALBION	2833	BROADSTRIPE INTERNET OCT-APR	892.43	0.00
ALEXANDER CHEMICAL CORPORATION	7024	CHLORINE, SULFUR DIOXIDE	3,191.00	0.00
ALTEC INDUSTRIES INC	5720	2012 ELECTRIC LINE TRUCK	150,805.00	0.00
AMERICAN PUBLIC POWER ASSOC	400342	E & O TECH CONF--DENNIS DIXON	695.00	0.00
ANCONA CONTROLS	5409	LABOR PORTION OF BATTERY INSTA	2,800.00	0.00
ARROW UNIFORM	6839	CUST #010198-01	868.30	0.00
ATHENS TWP FD	400573	INCIDENT SAFETY OFFICER	45.00	0.00
AUSTIN-BATTERIES PLUS	6532	BATTERY	50.00	0.00
AUTO VALUE MARSHALL	21340	AIR FILTER	10.84	0.00
B S & A SOFTWARE	7143	TAX SYSTEM ANNUAL SUPPORT	2,445.00	0.00
BANDIT INDUSTRIES INC	2307	KNIFE BOLT, KNIFE NUT	157.65	0.00
BARNABY & WOLFE, INC	400644	COLLECTION COMMISSION	12.00	0.00
BED BUG INVESTIGATIONS	400643	INSPECTIONS	1,000.00	0.00
BOSHEARS FORD SALES INC	7117	2011 FORD	22,574.46	0.00
BSN SPORTS	7145	BATS, HELMETS, NETS, DRAG MAT	1,841.48	0.00
C.E.M. SUPPLY INC	7200	REWOUND FIELDS & ARMATURE	325.00	0.00
CARL COMMUNICATIONS	4393	RPR DEFECTIVE WIRE	75.00	0.00
CARON CHEVROLET OLDSMOBILE GEO	7191	BEARING KIT	84.01	0.00
CARR BROTHERS & SONS	7192	SCREENINGS	270.00	0.00
CEREAL CITY WINDOW CLEANING	7207	WINDOW CLEANING	210.00	0.00
CIVIC SYSTEMS LLC	3314	ACCTS RECEIVABLE SOFTWARE	4,000.00	0.00
CLASSIC DRY CLEANING&TAILORING	5975	CLEANING, LAUNDRY	334.80	0.00
COMPLETE LOCKSMITH SERVICE	5411	Lockset labor	1,856.00	0.00
COMPLETE STRIPING	400642	STRIPING PARKING AREAS	175.00	0.00
CONSUMERS CONCRETE PRODUCTS	7254	REBAR, PARKING BUMPER	57.38	0.00
CORNERSTONE OFFICE SYSTEMS	8563	DELIVERY CHARGE	212.80	0.00
COURTNEY & ASSOCIATES	7259	APRIL SERVICES	250.00	0.00
CRT, INC	6541	BACKUP DR APPLIANCE SERVICE	339.00	0.00
CRYSTAL FLASH ENERGY	6176	FUEL	1,013.81	0.00
CULLIGAN	736	ACCT #1155180	24.00	0.00
D & D MAINTENANCE SUPPLY	7271	JANITORIAL SUPPLIES	37.86	0.00
D C BYERS COMPANY	7158	FOUNTAIN REPAIRS	4,345.00	0.00
D HILL ENVIRONMENTAL	400641	MICROSCOPIC ANALYSIS	100.00	0.00
DADOW POWER EQUIPMENT	7277	SPRING, BLADES	132.99	0.00
DARLING ACE HARDWARE	7281	KEY CADDY	333.30	0.00
STEPHEN T DEAN	7593	RPR FOUNTAIN BASE AT CULVER PK	1,425.00	0.00
DENNY CRULL GENERAL CONTRACTOR	5890	General Contracting 205,316	25,209.76	0.00
DH ROBERTS CONSTRUCTION	400640	SIDEWALKS	14,531.00	0.00
DORNBOS SIGN & SAFETY	6378	SIGNS	94.41	0.00
EMERGENCY VEHICLE SERVICES INC	3896	SERVICE CALL ON PUMPER	989.62	0.00
ERIC DALE HEATING & AIR COND	21467	EZ TRAP	13.00	0.00
FIRE EXTINGUISHER SERVICE	7360	INSPECTION - POWER PLANT	626.45	0.00
FORENSIC PHOTOGRAPHY SERVICES	300487	FIRST RESPONDER - G. MOORE	85.00	0.00
FRED'S STANDARD SERVICE	7377	RPR WORK ON POLICE CARS	286.75	0.00
GREAT LAKES ENERGY	2161	APPRENTICE PROGRAM	3,427.00	0.00
HERMANS MARSHALL HARDWARE	7446	EYE BOLTS	370.43	0.00
HILTON DEVELOPMENT GROUP INC	400541	MOBILELOCK - MAY	19.95	0.00
PATTY HOCH-MELLUISH	400398	REIMBURSEMENT--SIGNS	36.57	0.00
HOFFMAN AG SERVICE, LTD	7455	ROUNDUP, PRAMITROL, ESTER	166.38	0.00
HUNTER PRELL COMPANY	7460	EMERGENCY WATER SERVICE REPAIR	4,120.35	0.00
ICMA MEMBERSHIP PAYMENTS	8323	MEMBERSHIP--TOM TARKIEWICZ	780.00	0.00
ISAAC & SONS	7484	MARSHALL HOUSE - #221	70.00	0.00
J & K PLUMBING SUPPLY	3351	STRAINER SS FIXED	110.10	0.00
JACK DOHENY SUPPLIES	7309	Sewer Camera Repair	2,176.43	0.00
JACKSON TRUCK SERVICE	7495	OVAL LED FLASHING, MOUNT	330.73	0.00
JIMMY'S JOHNS	4235	COMPOST CENTER	90.00	0.00
JNM'S AUTO	400647	DETAIL POLICE CARS	560.00	0.00
K & H CONCRETE CUTTING INC	5202	ASPHALT SLAB SAWING	252.00	0.00
KAR LABORATORIES INC	8817	CYANIDE	100.00	0.00
KITCHEN SHOP OUTLET	6598	Renovation-Cabinets	2,851.00	0.00
LAKELAND ASPHALT CORPORATION	7526	COLD PATCH	178.88	0.00
LARRY'S FLOOR COVERING	7530	VINYL	681.70	0.00
LAWSON PRINTERS INC	400575	GET YOU AROUND MARSHALL	3,577.00	0.00
LAWSON-FISHER ASSOCIATES PC	2291	PERC Part 12D Inspection	13,248.07	0.00
LEXISNEXIS OCC HEALTH SOLUTION	300324	CLINIC COLLECTION	53.35	0.00

VENDOR APPROVAL SUMMARY REPORT

Date: 05/18/2012

Time: 8:18am

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CITY OF MARSHALL

Vendor Name	Vendor Number	Description	Check Amount	Hand Check Amount
LEXISNEXIS RISK DATA MNGMNT	400109	APRIL 2012	139.56	0.00
LOWES BUSINESS ACCOUNT	4837	Door Tags	10,199.54	0.00
MARSHALL ACTIVITY CENTER	8499	MEN'S CITY REC GAMES	805.00	0.00
MARSHALL LUMBERTOWN	7569	SFF	169.12	0.00
MARSHALL PUBLIC SCHOOLS	400203	ALARM RESPONSE CHARGE	75.00	0.00
MARSHALL PUBLIC SCHOOLS	7574	Gym Use	2,695.88	0.00
MC&E ELECTION SOURCE	3174	STICKERS, BALLOT BAGS	227.63	0.00
MICHIGAN SOUTH CENTRAL	7614	APRIL 2012 GAS	1,496.34	0.00
MICHIGAN STATE UNIVERSITY	400646	1ST LINE SUPERVISIION COURSE	30.00	0.00
MICHIGAN STATE UNIVERSITY	7665	1ST LINE SUPVSN--ADAM OTTJEPKA	400.00	0.00
MILLER CANFIELD PADDOCK &	7683	APRIL SERVICES	322.00	0.00
MSC INDUSTRIAL SUPPLY CO	6831	RUBBER BANDS FOR CANS	51.21	0.00
MUNICIPAL SUPPLY CO.	7701	METER GASKET	1,986.40	0.00
NEHIL-SIVAK CONSULTING	3993	HONOLULU HOUSE	428.85	0.00
NU-TWIST SCREEN PRINTING	7732	T'S	429.50	0.00
NYE UNIFORM COMPANY	7733	PANTS	103.59	0.00
OERTHERS	21127	COPPER SULFATE, 12-12-12	151.06	0.00
MARTIN OVERHISER	5181	HERITAGE RTE BYWAYS PHASE II	1,575.00	0.00
P.B. GAST & SONS COMPANY	9748	HAND SANITIZER LESS RETURN	23.85	0.00
POWER LINE SUPPLY	7821	175 W COBRA HEAD	6,058.92	0.00
PRECISION LAWN CARE	300237	MOW, TRIM, EDGE SIDEWALKS	1,270.00	0.00
QUALITY LAWN CARE	8838	GRASS CUTTING @ AIRPORT	1,280.00	0.00
RADIO COMMUNICATIONS	7810	LABOR - POWER PROBLEM UNIT M4	270.00	0.00
RADIO SHACK	7811	TELEPHONE FOR MECHANICS LINE	78.33	0.00
SCHULERS RESTAURANT	7857	DINNERS FOR 6	234.35	0.00
SSEO GROUP	5886	2400 Volt Switchgear Replaceme	3,077.03	0.00
STANDARD PRINTING & OFFICE	7903	TOWN CRIER	315.74	0.00
STANLEY LAWN & GARDEN	7905	CROSSFIRE LINE, AIR FILTER	85.44	0.00
STANTEC CONSULTING MICHIGAN	9713	WWTP Design Contract 2012	23,312.05	0.00
STATE OF MICHIGAN	4021	INSPECTIONS	565.00	0.00
STATE OF MICHIGAN - MDOT	4521	MAINT OF WEATHER OBSRVATION	411.68	0.00
SUMMIT POINTE	5891	APRIL LAWN CARE	290.00	0.00
SUMMIT RISK SERVICES	400649	POLICY 1805444	10,000.00	0.00
SUNRISE WINDOW CLEANING	7923	MH APTS	1,300.00	0.00
USA BLUEBOOK	2460	PHASE MONITORS	196.29	0.00
UTILITIES INSTRUMENTATION SVC	9204	Switchgear replacement assista	14,744.31	0.00
UTILITY EQUIPMENT LEASING CORP	400579	VEHICLE RENTAL	1,369.68	0.00
VERMEER OF MICHIGAN, INC	9676	V BELTS	1,015.38	0.00
W.W. GRAINGER INC	8310	LAB VACUUM FILTERS	0.00	0.00
WALKER'S FLOOR INSTALLATION	400333	CARPET INSTALLATION & TEAROUT	490.88	0.00
WALTS MOVING SERVICE	400151	PACK & MOVE RUTH CUMMINGS	950.00	0.00
WEATHERWISE FOAM INSULATION	400648	INSULATE ABOVE APT	2,025.00	0.00
WELLER TRUCK PARTS LLC	8016	SHFT ASSY, GR SHFT TWR HSN	64.38	0.00
WESCO	5180	STEARNSBERG GLOBES & CROSS ARMS	5,773.78	0.00
YOU R SPECIAL, LLC	21522	APT TURNSOVERS - APRIL	1,900.00	0.00
Grand Total:			377,302.55	0.00



MICHIGAN SOUTH CENTRAL POWER AGENCY

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

ORIGINAL INVOICE

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

Invoice Date: 15-May-12
 Due Date: 31-May-12
 Service From: 01-Apr-12
 To: 30-Apr-12

Peak Demand 15,653 kw
 Total Energy Received 8,572,620 kWh
 Hydro Generation 161,732 kWh
 Net Billing kWh's 8,410,888 kWh

Debt Service
 Costs
 and Capacity
 Credits

Area	Entitlement %	Operating and Maintenance Costs	Debt Service Costs and Capacity Credits	Total
PROJECT 1-ENDICOTT	24.0%	481,261.15	-	481,261.15
PROJECT 2	18.0%	313.26	-	313.26
PROJECT 3	20.2%	555.73	-	555.73
PRAIRIE STATE	16.7%	-	20,118.90	20,118.90
AFEC	15.6%	54,166.65	54,762.14	108,928.79
AMP CONTRACTS	16.4%	94,294.81	-	94,294.81
CVEC	0.0%	-	-	-
MISO PURCHASES	10.1%	22,659.46	-	22,659.46
MISO SALES	11.0%	(41,074.89)	-	(41,074.89)
TRANSMISSION	28.4%	(12,202.55)	-	(12,202.55)
MISO	19.7%	11,407.96	-	11,407.96
SUBSTATION	34.4%	78.92	-	78.92
ADMINISTRATION	19.7%	22,430.68	-	22,430.68
MEMBER	15.6%	274.07	-	274.07
MEMBER HYDRO	0.0%	-	-	-
CAPACITY	15.6%	-	-	-
RATE STABILIZATION		-	-	-
TOTAL COST		\$ 634,165.25	74,881.04	709,046.28
		\$/kWh 0.07540	0.00890	0.08430
CREDITS		\$ (2,035.28)	-	(2,035.28)
		\$/kWh (0.00024)	0.00000	(0.00024)
NET COST		\$ 632,129.97	74,881.04	707,011.00
		\$/kWh 0.07516	0.00890	0.08406

Pay this amount \$ 707,011.00

Any amounts due and not paid by the due date shall bear interest at the rate of 1% per month until paid.

VENDOR APPROVAL SUMMARY REPORT

Date: 05/04/2012

Time: 10:47am

Page: 1

CITY OF MARSHALL

Vendor Name	Vendor Number	Description	Check Amount	Hand Check Amount
MONICA BARTON	300413	REPLACE CK #85338	10.00	0.00
BATTLE CREEK UNLIMITED, INC.	4558	MAY	14,041.66	0.00
ASHLI BEALHEN	400628	REFUND UTILITY DEPOSIT	32.63	0.00
LORRIE BRANKOVICH	400633	CEMETERY CONTRACT CANCELED	56.25	0.00
BROADSTRIPE	3293	ACCT #198-040293	140.01	0.00
CALHOUN COUNTY EQUALIZATION	7169	CONTRACTUAL ASSESSING SRVC	2,122.00	0.00
CALHOUN COUNTY TREASURER	7177	APRIL TRAILER FEES	80.00	0.00
CITGO	3724	FLEET #132271610	13,146.21	0.00
CONSUMERS ENERGY	8560	1000 0759 3765	1,505.62	0.00
CORNERSTONE INSPECTION SRVCS	300392	INSPECTIONS	1,024.00	0.00
DELTA DENTAL PLAN OF MICHIGAN	7294	CUST #MI022820001	4,880.13	0.00
BRADLEY & ERIN DERYKE	400625	REFUND UTILITY DEPOSIT	49.76	0.00
JOHN EDSALL	400629	ENERGY OPTIMIZATION--BULBS &	64.50	0.00
GRIFFIN PEST SOLUTIONS	400246	900 S MARSHALL	42.00	0.00
BRIAN GRIFFITH	400630	REFUND UTILITY DEPOSIT	13.62	0.00
HUB INTERNATIONAL MIDWEST	4472	POLICY #S1805444	660.00	0.00
STEPHEN JONES	400626	REFUND UTILITY DEPOSIT	88.53	0.00
ANTHONY MARESH	400632	ENERGY OPTIMIZATION--WASHER	50.00	0.00
STEVE MEYER	3325	OUT OF TOWN MEAL	12.07	0.00
NGSY CORPORATION	300257	REPLACE CK #83799	1.23	0.00
MIA/PWA	400624	FLEET MNT - MIKE HACKWORTH	150.00	0.00
NAPA OF MARSHALL	2939	SPARK PLUG	1.95	0.00
JACK PALMER	400631	ENERGY OPTIMIZATION--FREEZER	50.00	0.00
JEFF RHODES	4504	FRAMES FOR CERTIFICATES	6.36	0.00
SHERWIN-WILLIAMS	2073	BYWAYS GRANT	144.53	0.00
STATE OF MICHIGAN	4872	FIN #38-6004708, SLS TAX, APR	27,761.10	0.00
MORRIS STULBERG	2669	POWER LINE EASEMENT	5.00	0.00
CYNTHIA TANNER	300347	EXPENSE REIMBURSEMENT	41.07	0.00
THOMPSON INC.	7952	FORD F450	950.42	0.00
CODY VANALSTINE	400627	REFUND UTILITY DEPOSIT	57.91	0.00
CHERYL VOSBURG	6027	TREE PLANTING SUPPLIES	35.70	0.00
W.W. GRAINGER INC	8310	LAB VACUUM FILTERS	0.00	0.00
SHERI ZIENERT	5152	JURY DUTY MILEAGE	5.60	0.00

Grand Total: 67,229.86 0.00

PRESCRIPTION REIMBURSEMENTS 33.50

TOTAL CASH DISBURSEMENTS \$67,263.36

VENDOR APPROVAL SUMMARY REPORT

Date: 05/11/2012

Time: 9:01am

Page: 1

CITY OF MARSHALL

Vendor Name	Vendor Number	Description	Check Amount	Hand Check Amount
BARB AARON	7003	ELECTION INSPECTOR	190.00	0.00
AD-VISOR & CHRONICLE	7557	APRIL CHARGES	1,008.71	0.00
CHERYL BEGG	400639	ELECTION INSPECTOR	60.00	0.00
BROADSTRIPE	3293	ACCT #198-040788	1,328.02	0.00
DARROW & SONS	400285	DEPOSIT REFUND LESS CHARGES	3.00	0.00
SUSAN DAY	4466	ELECTION INSPECTOR	190.00	0.00
JUDITH EDSALL	4464	ELECTION INSPECTOR	152.00	0.00
JOHN GALLOWAY	6054	BOOT ALLOWANCE	137.79	0.00
GRIFFIN PEST SOLUTIONS	400246	900 S MARSHALL	42.00	0.00
TRACY HALL	6028	INK FOR ELECTION PRINTER	35.99	0.00
K-MART	7501	APRIL CHARGES	159.43	0.00
NEOFUNDS BY NEOPOST	400232	POSTAGE	3,000.00	0.00
DUSTIN ORNS	400621	INTERN 5 HOURS 04/20/12	42.00	0.00
CHAD OWENS	400637	REFUND SOFTBALL SPONSOR FEES	375.00	0.00
JAIMEE OWENS	400635	REFUND UTILITY DEPOSIT	28.14	0.00
REPUBLIC SERVICES #249	2096	ACCT #3-0249-1022021	472.08	0.00
SOUTHWEST MICHIGAN BRANCH APWA	400634	APWA - DUES, FEDDERS,HACKWORTH	50.00	0.00
SPARTAN STORES	9656	APRIL CHARGES	262.63	0.00
STAPLES	8291	OFFICE SUPPLIES	1,195.80	0.00
STATE OF MICHIGAN	4299	WWTP LICENSE RENEWAL--L.COOK	95.00	0.00
ERICA TAFT	400638	REFUND UTILITY DEPOSIT	62.89	0.00
WHITNEY THOMPSON	400636	REFUND UTILITY OVERPAYMENT	131.78	0.00
CAROL THRALL	4461	ELECTION INSPECTOR	152.00	0.00
MATT VANDERMEULEN	400619	REFUND UTILITY OVERPAYMENT	33.98	0.00
W.W. GRAINGER INC	8310	LAB VACUUM FILTERS	0.00	0.00
DEB WALBECK	6071	ELECTION INSPECTOR	136.00	0.00
SHIRLEY WORKS	6971	ELECTION INSPECTOR	152.00	0.00

Grand Total: 9,496.24 0.00

PRESCRIPTION REIMBURSEMENT 5.00

TOTAL CASH DISBURSEMENTS \$9,501.24



ADMINISTRATIVE REPORT
May 21, 2012 - CITY COUNCIL MEETING

TO: Mayor and City Council
FROM: Tom Tarkiewicz, City Manager
SUBJECT: Hospital Campus Overlay District – Oaklawn Hospital Presentation

BACKGROUND: At the April 16th meeting, the following schedule was approved to hear presentations from Oaklawn Hospital, the Planning Commission, and the public concerning the Hospital Campus Overlay District (HCOD) ordinances:

May 7 TH	Oaklawn Hospital presentation at regular session (6:00 PM) & Appointments to Mayor's Commission on Historic Preservation Ordinance
May 21st	Planning Commission presentation at regular session (6:00 PM) Set public hearing for June 4 th at regular session
June 4 TH	Public Hearing on proposed ordinances
June 18th	Council discussion on ordinances
July 2nd	Council discussion and possible subsequent action
July 16 TH	Council discussion and possible subsequent action (If necessary)

At the last meeting, a binder with the following materials was handed out:

- Planning Commission letter to Mayor with proposed ordinance amendments
- Hospital Neighborhood Committee proposed ordinance with Planning Commission redline/strikeout changes
- March 7, 2012 Planning Commission minutes with public comment received
- Map of proposed overlay district

Susan Collins, Chair of the Planning Commission will present the recommended ordinance and will be able to answer questions concerning the ordinance. The sign ordinance revisions for the HCOD were to be finalized at the May 9th Planning Commission meeting but has been given to a sub-committee to work out the details before the Planning Commission will make a recommendation.

Attached to this report is the Hospital Campus Overlay District ordinance recommended by the Planning Commission. After hearing the presentation from Mrs. Collins, a public hearing should be scheduled for June 4, 2012 at 6:00 PM.

RECOMMENDATION: It is recommended that the City Council establish a public hearing for June 4, 2012 at 6:00 PM to hear public comment on the Hospital Campus Overlay District ordinance. It is further recommended that the Council reestablish the meeting start time of the June 4, 2012 meeting to 6:00 PM.

FISCAL EFFECTS: Unknown at this time.

ALTERNATIVES: As suggested by Council.

Respectfully Submitted,

Tom Tarkiewicz
City Manager

323 W. Michigan Ave.
Marshall, MI 49068
p 269.781.5183
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cityofmarshall.com

CITY OF MARSHALL
CALHOUN COUNTY, MICHIGAN

An Ordinance to Amend the City of Marshall Zoning Ordinance

Ordinance No. _____

An ordinance to amend the City of Marshall Zoning Ordinance to add definitions and establish a new Hospital Campus Overlay District.

THE CITY OF MARSHALL, CALHOUN COUNTY, MICHIGAN, ORDAINS:

Section 1.

Amend Section 156.003 Definitions to add the following:

OVERLAY DISTRICT. An overlay zoning district applies to a specific geographic area of the City, as designated on the City's Zoning Map. The requirements of an Overlay District, as set forth by the Zoning Ordinance, apply as additional standards for those parcels within an overlay district's boundaries. Where there is a conflict between the standards in the Overlay District and the underlying Zoning District, the standards in the Overlay District shall be applied. The intent is to address particular issues that span a large geographical area and includes more than one underlying zoning district.

Section 2.

Add a HOSPITAL CAMPUS OVERLAY DISTRICT as follows:

HCO HOSPITAL CAMPUS OVERLAY DISTRICT

NON-RESIDENTIALLY USED LOT. A lot with a land use other than residential.

RESIDENTIALLY USED LOT. A lot with a land use where one or more persons resides in a building containing one room or a combination of rooms that are used for living, cooking, and sleeping purposes. If a building is vacant, but the residential use has not been abandoned, the lot shall continue to be classified as a Residentially Used Lot.

Section 156.184 PURPOSE

The Hospital Campus Overlay (HCO) District is designed to establish and define an overlay district. The HCO District is established for the purpose of accommodating a concentration of health care, associated retail and commercial office uses, combined with residential dwellings

within a campus-like setting. The goal is that for expansion of health care services and related structures will take place within the boundary of the HCO District to encourage growth and viability of the hospital, which is expected to provide related employment, growth and expansion of the tax base, and provision of high quality health care for the residents of the City of Marshall and surrounding areas.

The HCO District is intended to provide a harmonious relationship between residential, health care, cultural and commercial uses. This mixed-use district will complement Downtown Marshall. It is designed to accommodate a lively social, residential and commercial campus-like environment and promote easily accessible health care services in a pedestrian-friendly setting, with convenient parking for those who drive to the District.

Expansion of health care and supporting uses within the HCO District is anticipated as health care services and related uses continue to expand. Street closures may also be a component of the District, subject to City Council approval. The HCO provides the regulatory framework to permit expansion of health care and supporting uses.

Section 156.185 PRINCIPAL PERMITTED USES IN THE HCO DISTRICT

No building or land shall be used and no buildings shall be erected except for one or more of the principal permitted uses, principal uses subject to special conditions, principal uses subject to special approval, or accessory structures and uses permitted in the underlying zoning district, in accordance with the height, area, and bulk regulations provided therein, except as otherwise provided in this Section; provided, however, that the following uses shall be permitted within the HCO District, in addition to the uses permitted in the underlying district:

1. Medical and health care uses including hospitals, outpatient clinics, continuing/long term care services, hospice services, laboratories, medical research facilities, urgent or emergency medical services, offices of doctors, physical therapists, dentists, pharmacies, home health services, home medical equipment facilities, sleep centers, therapy, diagnostic or treatment centers, ambulance facilities, hospital related services and other health care providers.
2. Nursing homes, retirement homes and other residential uses dependent upon or directly related to medical care such as convalescent care, skilled nursing, group homes for the disabled and overnight accommodations, and licensed daycare facilities.
3. Professional offices and services to include the following: insurance, legal, patient accounting, accounting, financial, and governmental.
4. Off-street parking.

5. Accessory structures and uses that are customarily incidental to any principal use permitted by this section.

Section 156.186 DIMENSIONAL REQUIREMENTS

Dimensional requirement shall be regulated by the underlying district as specified in Sections 156.180 through 156.182; provided, however, that the following requirements shall apply to development within the HCO District:

1. Surface Parking Setbacks

Lots abutting residentially used property:
Minimum yard setbacks

Front: Ten (10) feet
Side: Ten (10) feet
Rear: Ten (10) feet

Lots abutting non-residentially used property:
Minimum yard setbacks

Front: 0 feet
Side: 0 feet
Rear: 0 feet

See Section 156.188 DESIGN REGULATIONS FOR HOSPITAL CAMPUS OVERLAY for parking lot screening requirements.

2. Minimum Yard Setbacks (for buildings and structures)

(A) For a non-residentially used lot abutting a residential district, the following minimum setbacks shall apply to all non-residential uses:

Front: 20 feet
Side: 20 feet
Rear: 20 feet

(B) For any buildings north of the platted right of way of West Prospect Street between Madison Street and High Street, the following minimum setbacks shall apply to all non-residential uses:

Front: 50 feet
Side: 50 feet
Rear: 50 feet

A ten (10) foot landscape buffer shall be included in the required setback between public right of way and surface parking area.

If a zoning lot is separated from a residential district by a street, there shall be a ten (10)-foot minimum setback on the side of the zoning lot facing the residential district.

(C) For a non-residentially used lot abutting or located within an HCHSD (Health Care and Human Service District), POSD (Professional Office Service), B-2 (Local Business) or B-3 (Neighborhood Commercial), the following setbacks shall apply:

Front	0 feet
Side	0 feet
Rear	0 feet

3. Building Height

Maximum building height: five (5) stories, sixty-five (65) feet. Additional building height up to an additional fifteen (15) feet may be permitted for mechanical equipment and roof appurtenances. All rooftop mechanical equipment shall be screened from view by a parapet wall or other decorative screening method based on the goal of completely obscuring the view of the rooftop equipment by a 5'10" tall person standing at grade level within 100' of the building. For any buildings north of the platted right of way of West Prospect Street between Madison Street and High Street, the maximum building height shall not exceed thirty five (35) feet plus fifteen (15) feet allowance for mechanical equipment.

4. Maximum Lot Coverage

Maximum lot coverage shall be regulated by application of required minimum setbacks, not by a specified percentage.

Section 156.187 APPLICATION OF REGULATIONS

Land that is located within the HCO District, as reflected on the Zoning Map, is subject to the regulations of the underlying zones unless specifically modified by the provisions of this chapter. In the event of a conflict between the provisions of this chapter, an underlying zone, and any other provisions of the zoning ordinance, the provisions of this chapter apply.

Section 156.188 DESIGN REGULATIONS FOR HOSPITAL CAMPUS OVERLAY

1. DEFINITION NOTE: For the purpose of this subsection 156.188 only, the term “abutting” does not apply to property that is across a street, alley or road easement from the subject property, except as otherwise noted below.

2. LANDSCAPING AND BUFFER TREATMENT

The following provides a description and related standards for various landscape and buffer treatment types in the HCO District. Also refer to the HCO District Edge Zones graphic.

(A) **Garden edge/buffer:** a garden edge/buffer area shall be provided when a non-residential use abuts a residentially used lot that is not in the HCO District.

- (1) The objective of the garden edge/buffer is to screen hospital structures, noise, and light that emanates from vehicles, buildings and site lighting fixtures, while providing an aesthetically pleasing, diversely vegetated viewscape and safe walking environment for pedestrians.
- (2) Site amenities and landscape features shall be designed to be compatible with abutting neighborhood character.
- (3) Landscaping shall provide tree canopy shading of paved surfaces in accordance with subsection 156.307, supplemented with additional plantings along internal walkways, and landscaping or walls or fence to screen views of driving and parking surfaces in accordance with subsection 156.305.
- (4) A tiered height screening approach shall be provided on the side of a lot within the HCO District facing residential property located outside of the HCO District. A minimum of 1) an evergreen buffer of closely spaced trees, 2) a decorative six-foot (6') high fence or 3) a six-foot (6') high decorative screen wall is required in the HCO District when abutting residentially zoned property. Large canopy deciduous trees spaced a minimum of forty lineal feet, on average, and sized at three-inch caliper or greater shall supplement evergreen and/or wall/fence requirements to provide screening at varying heights. When abutting a street, the street frontage edge requirements in subsection 156.186,2.(B) shall be met.
- (5) For locations where noise buffering is determined by the Planning Commission to be necessary, the use of a six-foot (6') high decorative screen wall instead of other screening options noted in (4) above shall be provided. The wall shall be supplemented with large canopy deciduous trees (three-inch minimum caliper) planted every forty (40) lineal feet, on average, along the perimeter where the wall is placed to improve the overall appearance and visual height of the screening. The Planning Commission may approve a six-foot (6') high landscaped berm in lieu of a decorative wall when it determines that it would be a more appropriate screening technique directly adjacent to residentially-zoned property. The

berm shall also include other plantings to provide an effective visual screen at varying heights.

- (6) Vehicle and pedestrian wayfinding shall be provided at appropriate locations through signage and other visual cues to facilitate orderly movement to, in, and from the HCO District.
- (7) Full cut-off lighting at no more than a maximum height of 25 feet shall be used throughout the development site, and house-side shields shall be used to prevent light spillover onto residentially-zoned properties.
- (8) If used, retaining walls should be designed to reduce their visual impact while maximizing safety elements. Masonry, concrete or other textured material with terracing and landscaping shall be used to reduce the visual impact of retaining walls.

(B) Street frontage edge. A street frontage edge shall be provided when a non-residential use is located across the street from a residentially used lot that is not in the HCO District. See Section 156.304 Method of Screening for minimum city street right-of-way screening requirements.

- (1) The objective of the street frontage edge is to minimize the visual impact of structures and parking in the HCO District from residential areas located across a street.
- (2) Site amenities and landscape features shall be designed to be compatible with adjacent neighborhood character.
- (3) Vehicle and pedestrian wayfinding shall be provided at appropriate locations through signage and other visual cues to facilitate orderly movement to, in, and from the HCO District.
- (4) Exterior lighting, with a maximum height of 25 feet, shall be designed for safety and uniform light distribution, including the use of full cut-off fixtures in all pole and building-mounted lighting.
- (5) Landscaping and signage are encouraged at HCO District entrances to provide visual emphasis and ease of identification for both drivers and pedestrians.
- (6) Parking lots and vehicular circulation areas shall be screened by a hedgerow, decorative fence or decorative wall per Section 156.304. The area from the ground to a minimum height of three feet shall be totally obscured from the public street. If a wall or fence is provided, the setback area shall contain a planting strip abutting the wall or decorative fence. Small shrubs, ornamental grasses, and small, flowering plants are appropriate in these locations. Parking spaces directly abutting the perimeter of a street frontage edge shall have landscape islands planted with large (three-inch caliper minimum)

deciduous trees. These islands, required by subsection 156.307 (B) (1), should be strategically placed within the parking lot to provide a dual benefit of shading parking spaces and enhancing the perimeter buffer of the HCO District.

(C) **Transition edge.** A transition edge shall be provided when a non-residential use is located adjacent to or across the street from a non-residentially used lot.

- (1) The objective of the transitional edge is to allow for minimally screened HCO District structures and parking.
- (2) Vehicle and pedestrian wayfinding shall be provided at appropriate locations through signage and other visual cues to facilitate orderly movement to, in, and from the HCO District.
- (3) Exterior lighting, with a maximum height of 25 feet, shall be designed for safety and uniform light distribution, including the use of full cut-off fixtures in all pole and building-mounted lighting.
- (4) Parking lots and vehicular drives shall be screened from streets in accordance with the hedgerow or decorative wall provisions in subsection 156.304. Alleys are exempt from screening.

(D) **Interior edges.** An interior edge shall be provided for all non-residentially used lots on both sides of Madison Street, Prospect Street, Mansion Street, and High Street, south of Mansion, unless such street is closed or vacated. See Section 156.306 for minimum interior landscaping requirements and Section 156.307 for minimum parking lot landscaping requirements.

- (1) The objective of the interior edge is to provide clear sight lines to publicly accessible spaces in a safe environment.
- (2) Low shrubs and pruned trees shall be utilized to provide high visibility and accessibility near sidewalks, public entrances into buildings and parking areas.
- (3) Parking lots and vehicular drives shall be screened from streets in accordance with the hedgerow or decorative wall provisions in subsection 156.304.
- (4) Vehicle and pedestrian wayfinding shall be provided at appropriate locations through signage and other visual cues to facilitate orderly movement to, in, and from the HCO District.
- (5) Overhead walkways over streets may be permitted to interconnect buildings and parking structures and to enhance pedestrian safety, providing they are a minimum height of 15' clear from the road surface.

- (6) Exterior lighting, with a maximum height of 25 feet, shall be designed for safety and uniform light distribution, including the use of full cut-off fixtures in all pole and building-mounted lighting.

Section 3.

REPEALER

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect, and the City Of Marshall City Code shall remain in full force and effect, amended only as specified above.

Section 4.

SEVERABILITY

If any section, clause or provision of this Ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any Court of competent jurisdiction, such section, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

Section 5.

SAVINGS

All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

Section 6.

EFFECTIVE DATE

The provisions of this Ordinance are hereby ordered to take effect on the date provided by applicable law following publication.

Section 7.

ENACTMENT

This ordinance is declared to have been enacted by the City Council of the City of Marshall at a meeting called and held on the ___ day of _____, 2012, and ordered to be given publication in the manner prescribed by law.

AYES:

NAYES:

ABSTENTIONS:

STATE OF MICHIGAN
COUNTY OF CALHOUN

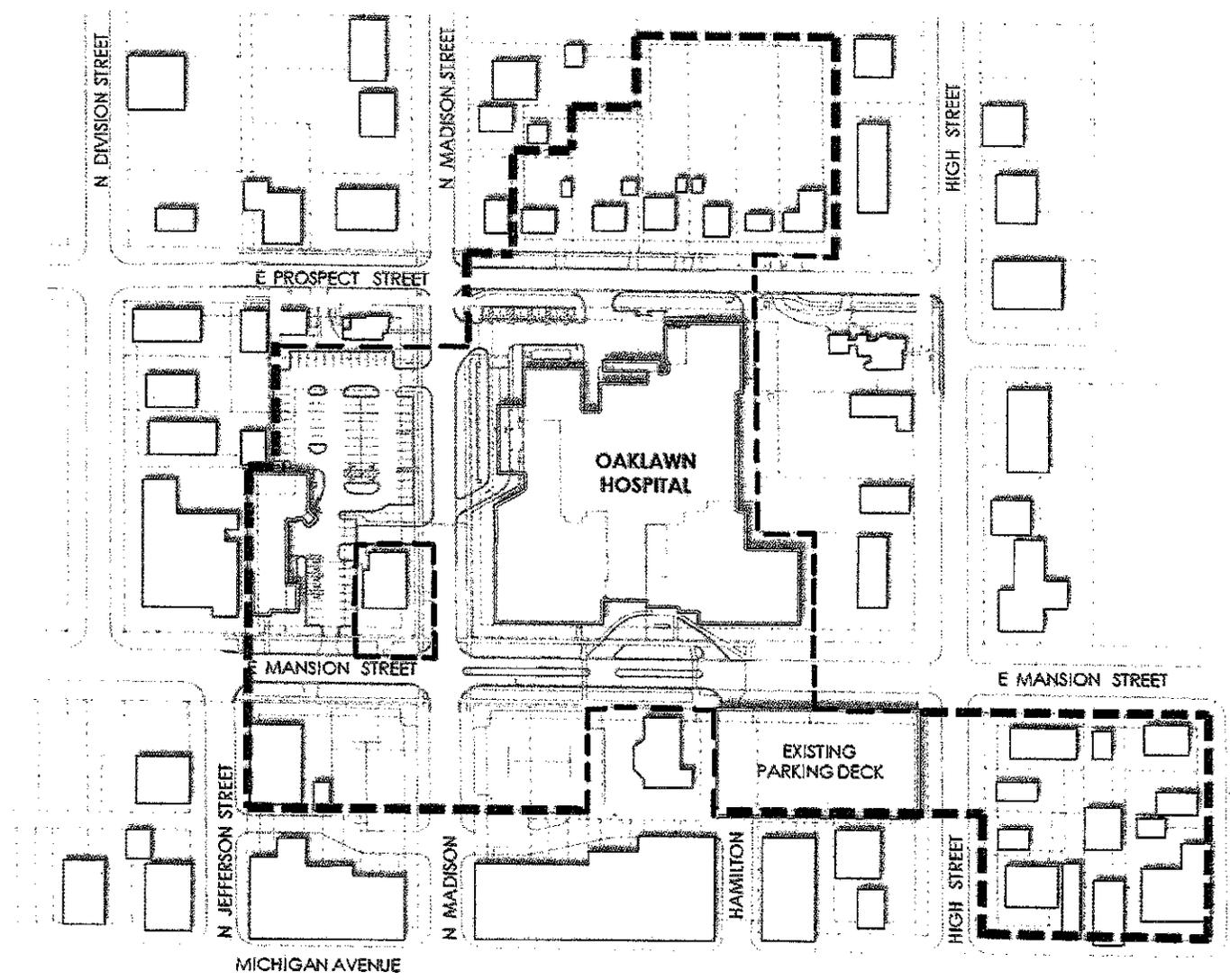
I, the undersigned, the qualified and acting City Clerk of the City of Marshall, Calhoun County, Michigan, do certify that the foregoing is a true and complete copy of the ordinance adopted by the City Council of the City of Marshall at a meeting called and held on the ___ day of _____, 2012, the original of which is on file in my office.

Adopted:
Published:

HOSPITAL CAMPUS DISTRICT OVERLAY

LEGEND

-  Existing Buildings
-  Hospital Campus District Overlay



EVENT REPORT

EVENT: Cruise to the Fountain

EVENT LOCATION: Michigan Avenue

SPONSOR: Calhoun County Fairgrounds

EVENT DATE: July 6, 2011

EVENT TIMEFRAME: 6:30pm to 10pm

MDOT PERMIT REQUIRED: YES NO

MDOT PERMIT GRANTED: YES NO

ROAD CLOSURE TIMEFRAME: 6pm to 10:30pm

ROAD CLOSURE DETAIL: Michigan Avenue from West Drive to Liberty Street.

EVENT CLOSURE DETAIL: Michigan Avenue from West Drive to Liberty Street.

DETOUR DETAIL: West bound traffic will be detoured North of Liberty Street, West on Mansion, continue along Verona Road, and South on West Drive back to Michigan Avenue. East bound traffic will be detoured south on Industrial Road, East on Hanover Street, North on Kalamazoo Avenue, East on Green Street, North on Liberty Street back to Michigan Avenue.

EVENT DETAIL: A wave of 50's nostalgia comes into town with this car show!

PARKING PROHIBITION: No street parking on Michigan Avenue from Kalamazoo Avenue to Marshall Avenue, Parkview Street and Park Street, beginning at 5:00pm and ending at 10:30pm.

COUNCIL NOTIFICATION DATE: May 21, 2011



Marshall's Cruise to the Fountain

P.O. Box 282

Marshall, MI 49068

269-781-8161 Fax 269-781-6377

Calhoun County Fairgrounds

April 25, 2012

City of Marshall
City Manager
323 W. Michigan Ave.
Marshall, MI 49068

RE: Cruise to the Fountain Car Show Event – Request for assistance

In the past years the City of Marshall has stepped up and provided assistance to this event. On July 6th & 7th, the Cruise to the Fountain event will take place once again.

On Friday, July 6th we would like to Cruise to the Fountain and park show cars downtown. This would mean the closing of Michigan Ave. in the downtown area for the festival of cars.

We are looking at the following schedule and needs:

The Cruise line up will begin at 6:30pm, coming from Fair St. to South Marshall Ave. The Cruise will begin at approximately 7:00pm heading west. After two laps west and the return, the vehicles will be parked downtown and both ends of Michigan Ave. will be closed until 10:00pm at the latest.

What is needed:

1. Permit form MDOT for the street closure 6:30pm to 10:00pm on July 6th.
2. Police to clear Michigan Ave. downtown July 6th prior to the Cruise as done in the past.
3. City Public Works to set street cones at cross streets for Police and Fire to block off side streets to Michigan Ave.
4. Police and Fire personnel and volunteers to control cross street intersections.

A detailed outline of the Cruise (parade of cars) will be prepared between the City Police Department and myself, as has been done in the past.

Once again we request your assistance and thank you for the past wonderful years of festivity.

Bob Wills
Chairperson, Cruise to the Fountain



ADMINISTRATIVE REPORT
May 21, 2012 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council Members

FROM: Carl Fedders, Director of Public Services
Sandra Bird, Clerk-Treasurer
Tom Tarkiewicz, City Manager

SUBJECT: Public Comment on the proposed addition of the §53 Rates Ordinance and subsequent council action.

BACKGROUND: In 2011, the City of Marshall contracted with Courtney & Associates and Utility Financial Solutions to complete an analysis on the electric, water and sewer rates. At that time the City Council approved rate changes for the water and sewer utilities that were to be effective beginning on May 1, 2011, January 1, 2012, and January 1, 2013. Staff was also directed to study these rates each year as part of the budget process.

The City of Marshall has been working with Courtney & Associates to check the electric rate sufficiency and Municipal Analytics to review the water and sewer rate sufficiency. After reviewing the results of these studies, staff is recommending that the electric and sewer rates remain unchanged but that an adjustment be made to the water rates. The cause of this increase is due to the large amount of industrial sales that have dropped during the current fiscal year.

The proposed ordinance includes an increase for the water rates that will be scheduled from July 1, 2012 and July 1, 2013. The ordinance also includes the approved sewer rates that are scheduled for January 1, 2013.

The average residential customer will see an estimated \$3 increase on their monthly bill.

RECOMMENDATION: After hearing public comment regarding the proposed addition of §53 Rates ordinance it is recommended that Council approve the addition of this ordinance.

FISCAL EFFECTS: The proposed FY 2013 and FY 2014 water rates are estimated to generate \$1,386,034 and \$1,511,301 respectively.

ALTERNATIVES: As suggested by Council.

Respectfully submitted,

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

f 269.781.3835

cityofmarshall.com

Carl Fedders
Director of Public Services

Sandra Bird
Clerk-Treasurer

Tom Tarkiewicz
City Manager

**CITY OF MARSHALL
ORDINANCE 2012-__**

AN ORDINANCE TO ADD AN ORDINANCE TO THE CITY OF MARSHALL CODE §53 RATES OF THE MARSHALL CITY CODE OF ORDINANCES.

THE CITY OF MARSHALL ORDAINS:

Section 1. That the Marshall City Code §53 be added and read as follows:

CHAPTER 53: RATES

§ 53.01 WATER RATES.

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

(B) Water Readiness to Serve Charge shall be billed by meter size. The effective rates are included in the table below:

Meter Size	Readiness to Serve Charge As of: July 1, 2012	Readiness to Serve Charge As of: July 1, 2013
5/8"	\$ 15.40	\$ 17.82
3/4"	\$ 15.40	\$ 17.82
1"	\$ 15.40	\$ 17.82
1.5"	\$ 48.00	\$ 48.00
2"	\$ 86.50	\$ 86.50
3"	\$ 195.00	\$ 195.00
4"	\$ 365.00	\$ 365.00
6"	\$ 785.00	\$ 785.00

(1) 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.

(2) 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.

(3) 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.

(C) Water Commodity Charges shall be based on actual consumption. The effective rates are included in the table below:

	Cubic Foot	Commodity Charges As of: July 1, 2012 (per 100cft)	Commodity Charges As of: July 1, 2013 (per 100 cft)
Up to	1,000	\$ 2.06	\$ 2.14
Next	2,000	\$ 1.88	\$ 2.14
Next	12,000	\$ 1.62	\$ 1.71
Next	385,000	\$ 1.11	\$ 1.28
Over	400,000	\$ 1.11	\$ 1.28

(I) 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.

(D) Automatic sprinkler services or hose connections for fire protection services only will be charge the following rates:

Connection Size	Charge per Annum
6" or smaller	\$120
8"	\$220
10"	\$340
12"	\$500

(E) 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.

(F) 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.

(G) 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.

(H) 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 service if service has been interrupted. A turn-on fee shall be established by resolution.

(I) 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.

(I) 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.

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

(K) The Charges for 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.

§ 53.02 SEWER RATES.

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

Water Meter Size	Service Charge As of January 1, 2012	Service Charge As of January 1, 2013
1" or smaller	\$ 13.60	\$ 14.45
1 1/2"	\$ 17.75	\$ 20.00
2"	\$ 21.50	\$ 25.00
3"	\$ 28.00	\$ 35.00
4"	\$ 48.00	\$ 55.00
6"	\$ 70.00	\$ 80.00

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

Water Meter Size	Service Charge As of January 1, 2012	Service Charge As of January 1, 2013
1" or smaller	\$ 15.10	\$ 15.95
1 1/2"	\$ 19.25	\$ 21.50
2"	\$ 23.00	\$ 26.50
3"	\$ 29.50	\$ 36.50

(C) The Sewer commodity charge shall be:

	Commodity Charge per 100 cft As of January 1, 2012	Commodity Charge per 100 cft As of January 1, 2013
Within the City of Marshall	\$ 2.90	\$ 3.10
Outside the City of Marshall	\$ 4.35	\$ 4.65

(D) Flat rate customer shall pay the following rates in addition to appropriate service charge:

Flat Rate As of January 1, 2012	Flat Rate As of January 1, 2013
\$ 35.10	\$ 37.50

(E) 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.

(F) 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.

(1) 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.

(G) The Charges for 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.

Section 2. 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.

Section 3. This Ordinance is declared to be effective immediately upon publication.

Adopted and signed this 21st day of May, 2012.

James Dyer, MAYOR

Sandra Bird, CLERK-TREASURER

CERTIFICATE

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 May 21, 2012, 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.

Date: May 21, 2012

Sandra Bird, CLERK-TREASURER



ADMINISTRATIVE REPORT
May 21, 2012 – CITY COUNCIL MEETING

TO: Honorable Mayor and City Council

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

SUBJECT: FY 2013 Proposed Budget – Budget Amendments

BACKGROUND: The purpose of the budget amendments is to adjust the FY 2013 Proposed Budget for the line items affected by the amendments.

Budget Amendment 1: Water Rates

At the April 16, 2012 Council Work Session, John Kaczor, Municipal Analytics, presented the 2012 Water and Wastewater Analysis and Update for the annual utility rate review. He recommended the Water rates to be increased beyond the levels projected by Utility Financial Solutions and authorized by Council last year due to water consumption is lower than projected. The closing of Campbell Soup Company had a direct and material impact on lower consumption. The consultant also recommended a mid-year rate adjustment, originally scheduled for January 1, 2013, to be moved up to July 1, 2012. Following thereafter, the next scheduled rate adjustment is being recommended for July 1, 2013.

Budget Amendment 2: Dial-A-Ride Millage and Passenger Fares

At the March 19, 2012 Regular Council meeting, discussion ensued regarding the current and long-term projected operating losses in the Dial-A-Ride Fund and the need to continue providing quality of life transportation services to the community in a cost effective manner. Due to the difficult economic environment, it is anticipated State operating assistance, passenger fares and property taxes will decline for at least the next two years. Various cost effective strategies have been implemented and will continue to be worked on in the future; however, the Dial-A-Ride Fund will not be a self-sustaining fund in the absence of additional revenue at this time. By raising the current millage rate by 0.0911, approximately \$18,325 of additional revenue will be generated to offset some of projected losses and to help maintain existing services valued by our community. If the proposed millage rate increase is approved, for a \$100,000 house, a residential taxpayer would pay \$4.56 per year.

It is also recommended that passenger fares be increased for the following:

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

f 269.781.3835

cityofmarshall.com

	Current & Proposed	
	Fare	Fare
Senior Citizens/Children Under 12 – IN TOWN	\$1.00	\$1.50
Adults/Children Over 12 – IN TOWN	\$2.00	\$3.00
Senior Citizens/Children Under 12 – OUT OF TOWN	\$2.00	\$2.00
Adults/Children Over 12 – OUT OF TOWN	\$3.00	\$4.00

If the proposed passenger fares increase is approved, approximately \$15,597 of additional revenue will be generated to offset some of the projected losses and to help maintain existing services valued by our community.

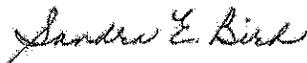
RECOMMENDATION: To adopt the attached resolution to amend the FY 2013 Proposed Budget for the following:

- 1) Increase revenues by \$33,576 in the Water Fund revenue budget for the authorized rate increase on July 1, 2013.
- 2) Increase the Dial-A-Ride Fund Millage rate by 0.0911 and increase Current Property Taxes revenue budget by \$18,325 for the additional revenue generated from the millage rate increase and to increase Passenger Fares revenue budget by \$15,597 from the passenger fares increase.

FISCAL EFFECTS:

- 1) Increase/(decrease) Water Fund revenue budget line items; increase Sales to Residential revenue budget line item 591-000-636.00 by \$124,860, decrease Sales to Commercial revenue budget line item 591-000-644.00 by (\$103,516), increase Sales to Industrial revenue budget line item 591-000-645.00 by \$19,946 and decrease Sales to Governmental revenue budget line item 591-000-638.00 by (\$7,714).
- 2) Increase Dial-A-Ride Fund Current Property Taxes revenue budget 588-000-402.00 by \$18,325 and increase Passenger Fares revenue budget 588-000-610.00 by \$15,597.

Respectfully Submitted,



Sandra Bird
Clerk-Treasurer



Tom Tarkiewicz
City Manager

CITY OF MARSHALL, MICHIGAN
RESOLUTION #12-

City of Marshall Authorizing Resolution
To Amend FY 2013 Proposed Budget

Budget Amendment 1

Increase the Water Fund Revenues Budget by \$33,576 for the Water Rate Increase Authorized by Council May 21, 2012.

Whereas, the water rates were reviewed by the City's consultant and are recommended to be increased beyond the levels projected by the consultant, authorized by Council, last year due to water consumption is lower than projected. The closing of Campbell Soup Company had a direct and material impact on lower consumption;

Whereas, the proposed FY 2013 Water Fund budgeted revenue for water rates does not reflect the recommended rate increase;

Whereas, the rate adjustment will be effective as of July 1, 2012. Following thereafter, the next scheduled rate adjustment will be effective July 1, 2013. No rate adjustment will occur on January 1, 2013 as previously authorized;

Resolved, the Water Fund revenue budget be increased by \$33,576 for the rate adjustment authorized by Council at the May 21, 2012 Regular Council meeting.

Budget Amendment 2

Increase the Dial-A-Ride Fund Millage Rate by 0.911 and Increase the DART Revenue Budget by \$18,325 for the Proposed Millage Rate Increase and Increase the Passenger Fares Revenue Budget by \$15,597 for the Proposed Passenger Fares Increase.

WHEREAS, the FY 2013 Proposed Budget includes projected Dial-A-Ride Fund Current Property Tax revenue based on a millage rate of 0.4840, and a 0.0911 rate increase would raise the millage rate to 0.5751, which is below the maximum allowable of 0.9393. The new authorized millage rate would increase revenue by \$18,325;

Whereas, the FY 2013 Proposed Budget includes projected Passenger Fares revenue based on the current fare rates and the new authorized fare rates would increase revenue by approximately \$15,597. The rate adjustment is as follows:

	<u>Current</u> & <u>New</u> <u>Fare</u> <u>Fare</u>	
Senior Citizens/Children Under 12 – IN TOWN	\$1.00	\$1.50
Adults/Children Over 12 – IN TOWN	\$2.00	\$3.00
Senior Citizens/Children Under 12 – OUT OF TOWN	\$2.00	\$2.00
Adults/Children Over 12 – OUT OF TOWN	\$3.00	\$4.00

WHEREAS, the DART Fund's reliance on property taxes and passenger fares has increased due to the projected decline in State operating fees, passenger fares and property tax revenues impacted from the difficult economic environment;

WHEREAS, by raising the current millage rate and passenger fares, approximately \$33,922 of additional revenue will be generated to offset some of projected losses and to help maintain existing public transportation valued by our community;

THEREFORE, BE IT RESOLVED, to increase the Dial-A-Ride Fund Millage rate by 0.0911 and increase Current Property Taxes revenue budget by \$18,325 for the additional revenue generated from the millage rate increase and to increase Passenger Fares revenue budget by \$15,597 for the additional revenue generated by the fare rate increase.

As Amended, May 21, 2012

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 May 21, 2012 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



ADMINISTRATIVE REPORT
May 21, 2012 – CITY COUNCIL MEETING

TO: Honorable Mayor and City Council

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

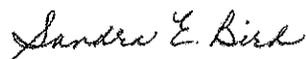
SUBJECT: Budget Public Hearing & Resolution to Adopt City of Marshall Budget and Related Property Tax Millage Rates for Fiscal Year 2013

BACKGROUND: The budget public hearing is scheduled for this meeting. Attached for your review and action is the resolution for the FY 2013 Budget that totals \$30,607,733 and is in compliance with the City Charter. This budget resolution reflects the proposed budget delivered to you on April 2, 2012. Budget Amendments authorized at tonight's Council meeting will be updated in the final Adopted Budget document.

RECOMMENDATION: After hearing public comments, it is recommended that the Council adopt the attached resolution to approve the City of Marshall budget and related property tax millage rates for Fiscal Year 2013.

FISCAL EFFECTS: Establish the budget for the funds in the amounts set forth in the attached resolution:

Respectfully Submitted,


Sandra Bird
Clerk-Treasurer


Tom Tarkiewicz
City Manager

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

f 269.781.3835

cityofmarshall.com

CITY OF MARSHALL, MICHIGAN
RESOLUTION #2012-

THE CITY OF MARSHALL
GENERAL APPROPRIATION ACT AND TAX LEVY RESOLUTION
July 1, 2012 – June 30, 2013

THE CITY OF MARSHALL RESOLVES that the expenditures for the fiscal year, commencing July 1, 2012, and ending June 30, 2013, are hereby appropriated on a departmental and fund total basis as follows:

GENERAL FUND REVENUES

Taxes	\$3,102,960
Licenses and Permits	33,600
Intergovernmental Revenues	759,729
Charges for Services	63,800
Fines and Forfeits	63,320
Interest	10,000
Miscellaneous	169,950
Other Financing Sources	1,217,537
Recreation	381,133
Composting	24,200
Airport	<u>165,028</u>
Total Revenues	\$5,991,257

GENERAL FUND EXPENDITURES

City Council	\$3,777
City Manager	120,350
Assessor	77,528
Attorney	55,000
Human Resources	62,535
Clerk-Treasurer	292,532
City Hall	85,526
Chapel	2,850
Other City Property	41,350
Cemetery	187,884
Non-Departmental	690,747
Police	1,493,600
Crossing Guards	12,053
Dispatch	201,934
Fire	785,470
Inspection	90,163
Planning/Zoning	92,261
Streets	688,352
Engineering	19,776
PSB Operations	108,976
Community Development	14,556

Parks	90,221
Capital Improvements	193,758
Recreation	410,630
Composting	58,504
Airport	<u>165,028</u>
Total Expenditures	\$6,045,361

Fund balance reserves shall be decreased by (\$54,104) based on the FY 2013 revenues and expenditures for the General Fund budget. There is a \$54,104 planned use of fund balance for the following; \$19,800 Recreation capital purchases and \$34,304 use of remaining fund balance of Compost reserves before transferring 100% activity/funding over to the County in FY 2014.

The City Council does hereby levy a tax of 15.4629 mills, for the period of July 1, 2012, through June 30, 2013 on all real and personal taxable property in the City of Marshall, according to the valuation of the same. This tax is levied for the purpose of defraying the general expense and liability of the City of Marshall and is levied pursuant to Section 8.01, Article 8 of the Charter of the City of Marshall.

The City Council does hereby levy a tax of .4840 mills for the period of July 1, 2012, through June 30, 2013, on all real and personal taxable property in the City of Marshall, according to the valuation of the same. This tax is levied to operate the Dial-A-Ride Transportation System in the City of Marshall as authorized by a vote of the citizens on August 5, 1975.

The City Council does hereby levy a tax of .9393 mills for the period of July 1, 2012, through June 30, 2013, on all real and personal taxable property in the City of Marshall, according to the valuation of the same. This tax is levied for the purpose of defraying the expense of operating the Recreation Department of the City of Marshall as authorized by a vote of the citizens on April 4, 1959.

The City Council does hereby levy a tax of 1.6129 mills for the period of July 1, 2012, through June 30, 2013, on all real and personal taxable property in the City of Marshall, according to the valuation of the same in a district known as the Downtown Development District. This tax is levied for the purpose of defraying the cost of the Downtown Development Authority.

	<u>PROPOSED</u>	<u>ACTUAL</u>	<u>DIFFERENCE</u>
	<u>FY 2013</u>	<u>FY 2012</u>	
General Operating	15.4629	15.4629	0.0000
Recreation	.9393	.9393	0.0000

Dial-A-Ride	.4840	.4840	0.0000
Downtown Development Authority	<u>1.6129</u>	<u>1.6129</u>	<u>0.0000</u>
TOTAL	18.4991	18.4991	0.0000

The City Manager is authorized to make budgetary transfers within the appropriation centers established through this budget, and that all transfers between appropriations may be made by the City Manager in an amount not to exceed \$10,000 per year without prior Council approval pursuant to Section 19.2 of the provisions of the Michigan Uniform Accounting and Budgeting Act.

The City Council establishes the budget for the period of July 1, 2012, through June 30, 2013 for the following funds in the amounts set forth below:

ALL FUNDS REVENUES

General Fund	\$5,991,257
MVH-Major & Trunkline	1,953,400
MVH-Local	1,414,150
Local Development Finance	459,327
Downtown Development	263,109
Special Projects	20,373
Marshall House	594,500
Electric	12,463,000
Dial-a-Ride	344,892
Wastewater	1,540,854
Water	1,380,958
Data Processing	139,752
Motorpool	691,700
Safety	<u>600</u>
Total Revenues	\$27,257,872

ALL FUNDS EXPENDITURES

General Fund	\$6,045,361
MVH-Major & Trunkline	1,701,179
MVH-Local	879,608
Local Development Finance	372,910
Downtown Development	256,565
Special Projects	17,874
Marshall House	670,172
Electric	13,705,301
Dial-a-Ride	422,304
Wastewater	3,521,084
Water	1,844,631
Data Processing	164,751

Motorpool	1,002,521
Safety	<u>3,472</u>
Total Expenditures	\$30,607,733

Fund balance reserves shall be decreased by (\$3,349,861) based on the FY 2013 revenues and expenditures for All Funds.

Amendments: (TBD)

The City Council of the City of Marshall did give notice of the time and place when a public hearing on adoption of the budget would be held in accordance with Public Act 43 of 1963, proof of publication of the Notice of Public Hearing is now on file, and which Public Hearing was duly held pursuant to said notice and in conformity therewith. A copy of the budget proposal was on file with the Clerk-Treasurer and available for public inspection for at least one week prior to adoption of the budget; and

Further, the City Council of the City of Marshall did give notice of the time and place when a public hearing would be held in conformity with the provisions of Public Act 5 of 1982 authorizing a tax rate in excess of the present authorized tax rate for General Operating, Recreation, Dial-A-Ride and Downtown Development Authority tax levies, proof of publication of Notice of Public Hearing is now on file, and which Public Hearing was duly held pursuant to said notice and in conformity therewith; and

This Resolution shall take effect July 1, 2012.

Dated: May 21, 2012

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 May 21, 2012 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



ADMINISTRATIVE REPORT
May 21, 2012 - CITY COUNCIL MEETING

TO: Honorable Mayor and City Council
FROM: James M. Schwartz, Police Chief
Tom Tarkiewicz, City Manager
SUBJECT: Liquor License Application Resolution

BACKGROUND: The Calhoun County Fair Board is requesting a one-day liquor license for June 2, 2012. This license is for the Hero Rush, Firefighter Themed Obstacle Course and Race event held on the grounds of the Calhoun County Agriculture and Industrial Society.

The Fair Board approved the application for the liquor license for the sale of beer only. The Board has also requested that a resolution from the City Council also be received prior to the approval of the liquor license.

The area where the beer will be sold is next to the sheep barn, located on the northwest section of the grounds. The area diagram shows a fenced area with limited entry points. There will be security posted inside the area at both entrances to monitor patrons entering or exiting the area.

Talking with the Fairgrounds representative, he assured me that the event is not centered on the beer sales and the area will be monitored continuously to assure that all people at the event have a safe and positive experience.

RECOMMENDATION: It is recommended that the Council approve the one day liquor license for the Calhoun County Agricultural and Industrial Society for June 2, 2012. This organization is a non-profit and meets the requirements set forth by the Michigan Liquor Control Commission to apply for such license. This organization has applied for and received licenses in the past without problems.

FISCAL EFFECTS: None known at this time.

ALTERNATIVES: As suggested by Council.

Respectfully submitted,

James M. Schwartz
Police Chief

Tom Tarkiewicz
City Manager

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

f 269.781.3835

cityofmarshall.com



Michigan Department of Licensing and Regulatory Affairs
Liquor Control Commission (MLCC)
7150 Harris Drive, P.O. Box 30005 - Lansing, Michigan 48909-7505
(517) 322-1326 - toll free (866) 813-0011 - www.michigan.gov/lcc

Certified Resolution of the Membership or Board of Directors Authorizing the Application for Special License
(Authorized by R436.576)

At a _____ meeting of the _____
(regular or special) (membership or board of directors)
called to order by _____ on _____ at _____
(date) (time)
the following resolution was offered.
Moved by _____ and supported by _____
that the application from _____
(name of organization)
for a special license to serve alcohol on _____
(event date(s))
to be located at _____
be considered for _____
(approval or disapproval)

Approval

Yeas: _____
Nays: _____
Absent: _____

Disapproval

Yeas: _____
Nays: _____
Absent: _____

It is the consensus of this body that the application be _____ for issuance.
(recommended or not recommended)

I hereby certify that the foregoing is true and is a complete copy of a resolution offered and adopted by the _____
at a _____ meeting held on the _____
(regular or special) (date)

Name and title of authorized officer (please print): _____
Signature and date of authorized officer: _____
Phone number and e-mail of authorized officer: _____



ADMINISTRATIVE REPORT
May 21, 2012 - CITY COUNCIL MEETING

TO: Mayor and City Council
FROM: Tom Tarkiewicz, City Manager
SUBJECT: Lafferty Property Transfer

BACKGROUND: In 1997, the City's General Fund purchased 30 acres on Old US 27 South from the Lafferty family for \$237,000. The land was purchased for \$120,000 and the farm house for \$117,000. The house was demolished. The land was purchased for industrial development.

In the current General Fund budget, \$198,520 was designated as a revenue for the sale of assets. The Local Development Financing Authority (LDFA) Board approved the transfer of 17.42 acres for \$82,370. The remaining 12.58 acres will be transferred to the Water Fund for \$116,150 and use for future develop of the existing wellhead.

RECOMMENDATION: It is recommended that the City Council transfer the asset of the Lafferty property from the General Fund to the Water Fund and the Local Development Financing Authority.

FISCAL EFFECTS: To appropriate \$82,370 from the LDFA Fund, Capital Outlay budget expenditure line item 296-000-970.00 and transfer the funds to the General Fund, Sale of Fixed Assets budget revenue line item 101-000-681.00 for the Lafferty Property transfer.

To amend and appropriate a provision for increased funding by \$116,150 in the Water Fund, Capital Outlay expenditure line item 591-900-970.00 and transfer the funds to the General Fund, Sale of Fixed Assets budget revenue line item 101-000-681.00 for the Lafferty Property transfer.

ALTERNATIVES: As suggested by Council.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tom Tarkiewicz", written in a cursive style.

Tom Tarkiewicz
City Manager

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

f 269.781.3835

cityofmarshall.com



ADMINISTRATIVE REPORT
May 21, 2012 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council

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

SUBJECT: Memorandum of Agreement (Band of Indian Affairs – Indian Reservation Road designation).

BACKGROUND: Every year the Nottawaseppi Huron Band of the Potawatomi, who operates Firekeepers Casino, receives an annual allocation from the Band of Indian Affairs (BIA) to help support the Bands transportation inventory. This allocation amount is determined based on the number of routes included in the Bands inventory factoring in road type, surface type, roadway condition, lane miles, AADT information, ownership, etc.

In order for a route to be eligible for inclusion in the Bands Indian Reservation Road (IRR) inventory it must be within a 5 mile radius of Tribal property. In general the agreement benefits the Nottawaseppi Huron Band of the Potawatomi as well as other party's that have a Memorandum of Agreement (MOA) with them. Roadway improvement projects such as total reconstruction, resurfacing, sealing, drainage improvements, etc. are eligible via cooperative agreement, should the Band decide to do so. The Band is not required to participate, however it is in their best interest to help maintain the roads surrounding their tribal properties and grow relationships with the surrounding municipalities.

The MOA only covers West Drive from West Michigan Avenue to Verona Road. This section of roadway amounts to approximately 0.3 miles.

RECOMMENDATION: It is recommended that the City Council authorize the Clerk Treasurer to sign the MOA with the Nottawaseppi Huron Band of the Potawatomi.

FISCAL EFFECTS: None at this time.

ALTERNATIVES: As suggested by the Council.

Respectfully submitted,

Carl Fedders
Director of Public Services

Tom Tarkiewicz
City Manager

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

f 269.781.3835

cityofmarshall.com

Memorandum of Agreement

This Memorandum of Agreement is by and between the City of Marshall, here in after designated CITY and the Nottawaseppi Huron Band of Potawatomi Tribe, here in after designated TRIBE.

WHEREAS, improvements to CITY roads listed on the attached pages of this document are priorities to the TRIBE because of the need to provide access to Tribal properties and the programs that exist on Tribal lands,

AND WHEREAS, CITY roads listed on the attached pages of this document are designated as a construction need of the BIA Indian Reservation Roads Inventory System,

AND WHEREAS, the TRIBE has identified that the CITY roads listed on the attached pages of this document will cause the TRIBE's annual share of Indian Reservation Road (IRR) funds to increase,

AND WHEREAS, improvements to CITY roads listed on the attached pages of this document will benefit the TRIBE, and the CITY because it will provide improved access to Tribal properties, Tribal housing, and Tribal programming, but minimize the number of individual access points to other city roads,

NOW THEREFORE, the parties agree that:

- A. When and if adequate funding for needed improvements becomes available and CITY roads listed on the attached pages of this document have become an approved project for the TRIBE and CITY, the BIA will construct needed improvements to these roads under a separate cooperative funding agreement.
- B. If needed improvements to CITY roads listed on the attached pages of this document are completed under cooperative agreement between the TRIBE, the CITY and the BIA and IRR funds participate in the project cost, the CITY will continue to be responsible for maintenance of these roads.
- C. This agreement is binding upon the signatories hereto not as individuals, but solely in their capacities as officials of their respective organizations, and acknowledges proper action of CITY and TRIBE to enter into the same.
- D. This agreement will become effective as of the last date written below.

CITY

By: _____

Date: _____

TRIBE

By: _____

Date: _____

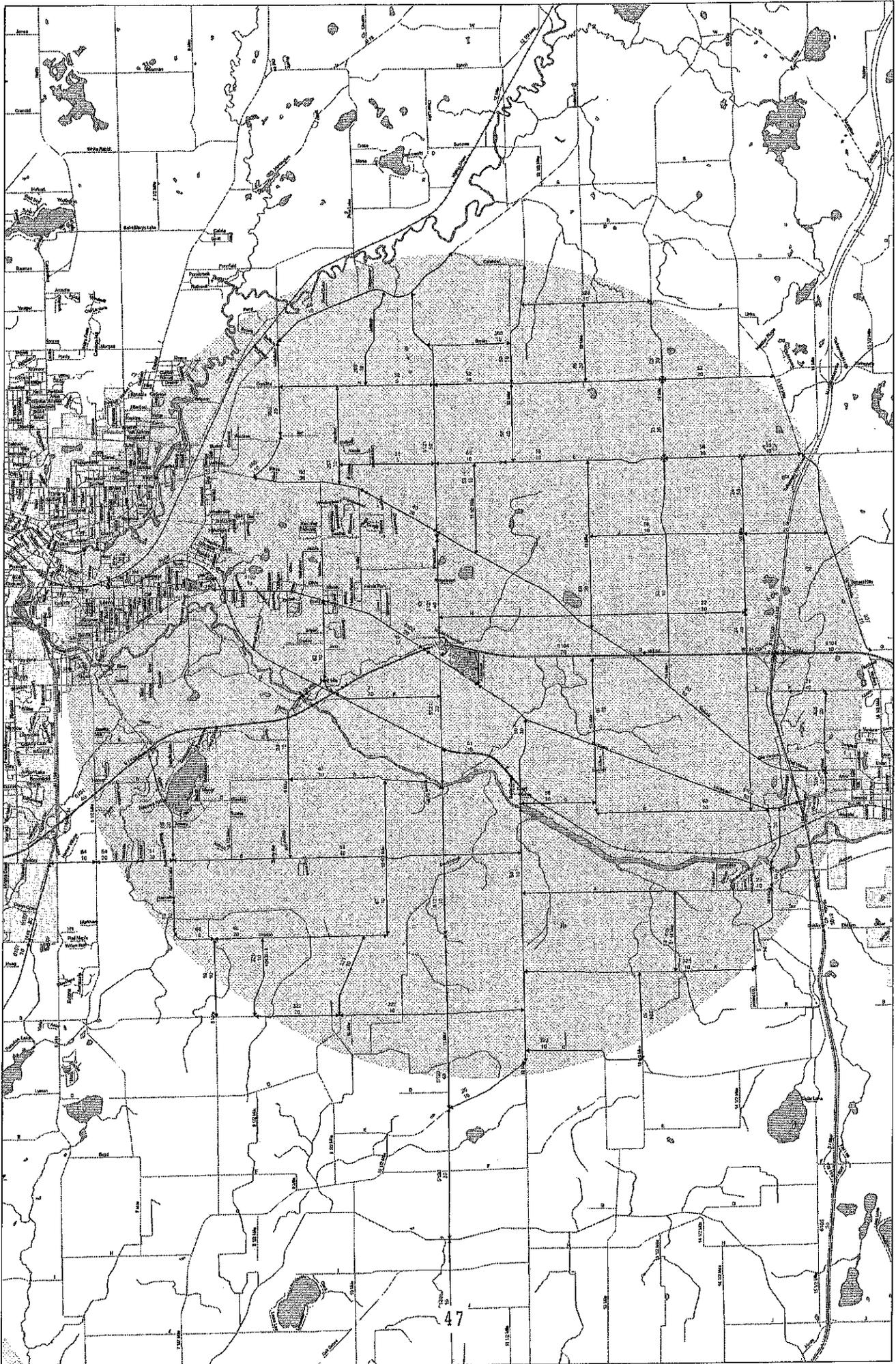
BUREAU OF INDIAN AFFAIRS

By: _____

Date: _____

City of Marshall MOA List 2012

Route Name	Route Number	Section Number	Length (miles)	Construction Need Code	Ownership	County
West Drive	326	20	0.3	Maintenance Only	Urban (City or Town)	Calhoun





ADMINISTRATIVE REPORT
May 21, 2012 - CITY COUNCIL MEETING

TO: Honorable Mayor and City Council

FROM: Tom Tarkiewicz, City Manager
Tracy Hall, HR Coordinator

SUBJECT: Annual Compensation of Administrative Officials, Department Heads, and Salaried Personnel

BACKGROUND: The charter of the City of Marshall, Section 2.27, Annual Compensation states "The city council shall set the salaries of all administrative officials, department heads and salaried personnel by June 1 of every year, except as provided by state law. Such salaries shall be included in the annual budget..."

Attached is a listing, by job title, of the proposed wages for the administrative officials, department heads and salaried personnel. These wages reflect a 1% increase, and are contained within the overall proposed FY12 budget for the City of Marshall. As indicated by Charter, the wages must formally approved by Council.

The City continues to make changes to health insurance coverage. Changes over the past two years have resulted in a savings of \$433,554. The insurance plan will again be changed June 1, 2012, saving an additional \$170,438.

RECOMMENDATION: Approve the proposed FY13 wages for the administrative officials, department heads and salaried personnel as presented.

FISCAL EFFECTS: The wage as shown on the attached listing, have been included in the proposed FY13 budget to be adopted by the Marshall City Council.

ALTERNATIVES: As suggested by City Council.

Respectfully submitted,

Tom Tarkiewicz
City Manager

Tracy L. Hall
HR Coordinator

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

f 269.781.3835

cityofmarshall.com

Non-Union Salaried Positions 2012-2013 Wages

Position	Wages
1 Deputy Clerk	42,448.40
2 HR Coordinator	42,872.88
3 Marshall House Administrator	44,374.35
4 Deputy Treasurer	47,393.85
5 Recreation Superintendent	54,727.02
6 Water Superintendent	53,045.20
7 Waste Water Superintendent	53,045.20
8 DPW Superintendent	55,549.35
9 Power House Superintendent	63,249.27
10 Electric Superintendent	64,317.31
11 Director of Community Services	61,869.58
12 Fire Chief	65,558.05
13 Clerk-Treasurer	66,454.41
14 Director of Public Services	66,454.41
15 Police Chief	69,030.17
City Manager	TBD by City Council
Main Street Manager	

**CITY OF MARSHALL
BOARDS & COMMISSIONS
APPLICATION**

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

Date 5/14/2012

Please type or print –

Name JAMES ZUCK

Address 812 FOREST STREET

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How long have you lived in the City of Marshall? 35 YEARS

Education SEE RESUME Primary Personal Interest ADD INDUSTRIAL PERSPECTIVE

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

Please indicate your choice(s) –

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

- | | |
|----------------------------------------------------------------------|-----------------------------------------------------------------|
| <input type="checkbox"/> Airport Board (3 yrs) | <input type="checkbox"/> Parks & Rec Advisory Board (3 yrs) |
| <input type="checkbox"/> Board of Review (2 yrs) | <input checked="" type="checkbox"/> Planning Commission (4 yrs) |
| <input type="checkbox"/> District Library Board (3 yrs) | <input type="checkbox"/> Sister City Committee (3 yrs) |
| <input type="checkbox"/> Downtown Development Authority (4 yrs) | <input type="checkbox"/> Zoning Board of Appeals (3 yrs) |
| <input type="checkbox"/> Local Development Finance Authority (3 yrs) | |

James C. Zuck
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Introduction

Please allow me to introduce myself. My name is Jim Zuck and I am a detail oriented business executive with a wide range of interests and experience with which to explore new opportunities.

My experience includes the management and execution of market development, market research, sales, marketing, trade shows, public relations, quality assurance, product development, product testing, intellectual property, information technology, regulatory, safety, compliance and human resources.

Employment History

Zergo Solutions / January 2010 – Present

Position: Founder / President / CEO

Responsibilities: Overall development of business concepts and goals to facilitate growth.

Company Description: Development and sales of ergonomic product solutions for everyday problems.

Marshall Excelsior / September 2009 – Present

Position: Director of Strategic, Regulatory & Technical Affairs / MRQ

Responsibilities: Development of overall business strategy and policies. Development of domestic and foreign markets. Management of regulatory, compliance and technical infrastructure and product development goals and objectives. Management and execution of intellectual property.

Company Description: Design and Manufacture of valves, connections and equipment for the gas and fluid transfer industries.

Marshall Excelsior / March 2000 – November 2009 (Promoted)

Position: Engineering Director / MRQ

Responsibilities: Added responsibility as management representative for quality. Responsible for implementation of quality assurance program and registration to ISO 9000 standards, along with management of the quality assurance staff and all department functions. Added responsibility of development and management of information technology (IT) department.

Marshall Excelsior / January 1998 – March 2000 (Promoted)

Position: Engineering Director

Responsibilities: Development of product R&D strategy and management of engineering and laboratory department staff to meet goals and objectives. Implementation of infrastructure and resources necessary to achieve ongoing product development goals.

Marshall Excelsior / September 1996 – January 1998 (Promoted)

Position: Senior Design Engineer

Responsibilities: Development and management of computer aided design (CAD) department including infrastructure and personnel to facilitate further growth opportunities by expansion of the engineering department and resources.

Marshall Excelsior / August 1994 – September 1996 (Promoted)

Position: Design Engineer

Responsibilities: New product research and development involving all aspects of design, creation of detailed design drawings, prototype development, design analysis, testing and production support.

Matchless Valve Company / September 2009 – Present

Position: Director of Strategic, Regulatory & Technical Affairs / MRQ

Responsibilities: Development of overall business strategy and policies. Development of domestic and foreign markets. Management of regulatory, compliance and technical infrastructure and product development goals and objectives. Management and execution of intellectual property.

Company Description: Design and Manufacture of low pressure gas valves and pilot systems for OEM commercial cooking appliances and restaurant equipment.

Matchless Valve Company / March 2000 – November 2009 (Promoted)

Position: Engineering Director / MRQ

Responsibilities: Added responsibility as management representative for quality. Responsible for implementation of quality assurance program and registration to ISO 2000 standards, along with management of the quality assurance staff and all department functions. Added responsibility of development and management of information technology (IT) department.

Matchless Valve Company / January 1998 – March 2000 (Promoted)

Position: Engineering Director

Responsibilities: Development of product R&D strategy and management of engineering and laboratory department staff to meet goals and objectives. Implementation of infrastructure and resources necessary to achieve ongoing product development goals.

WL Hamilton Company / January 2005 – Present

Position: Director of Sales and Marketing

Responsibilities: Development of overall sales and marketing strategy. Development of domestic and foreign markets. Management of customer accounts including quotation and dating programs.

Company Description: Design and Manufacture of industrial and agricultural spray equipment.

WL Hamilton Company / June 1995 – January 2005 (Promoted)

Position: Engineering Director

Responsibilities: Assisted with the purchase and relocation of the business from Bangor, MI. Development of product R&D strategy and management of engineering and laboratory department staff to meet goals and objectives. Implementation of infrastructure and resources necessary to achieve ongoing product development goals.

Marshall City Fire Department / September 1996 – July 2008 (Retired)

Position: Fire Fighter / Heavy Rescue / Hazmat / Confined Space

Responsibilities: This position was full time / on-call, providing firefighting and rescue services to the citizens and visitors of the city of Marshall and the multiple townships served by mutual aid agreements.

Member of the heavy rescue team which responded to car accidents with the Jaws of Life rescue tool.

Member of the Hazmat and Confined space teams which responded to special incidents in our region.

Company Description: City of Marshall Pubic Safety Department

Marshall Fire Fighters Ambulance Service / November 1997 – July 2008 (Retired)

Position: MFR (Medical First Responder)

Responsibilities: This position was full time / on-call, providing basic life support and emergency transport services to the citizens and visitors of the city of Marshall and the multiple townships served by mutual aid agreements. Also performed medical transport services through the Care-A-Van program.

Company Description: City of Marshall Pubic Safety Department

J&L Mobile Detailing / April 1995 – December 1998 (Closed Business to pursue engineering career)

Position: Co-Founder / President (Started this business with my wife Lisa)

Responsibilities: Overall development of business concepts and goals to facilitate growth.

Company Description: Offered complete mobile detailing services at the client's location for automobiles, boats and planes.

Bratech Engineering / January 1992- August 1994 (Moved on to new opportunity)

Position: Engineering Technician

Responsibilities: Producing detailed design drawings utilizing AutoCAD for the engineering department.

Company Description: Design and Manufacture of brake systems for heavy off road equipment.

Education

PERC / 2011

CETP 3.0 / Basic Plant Operations

PERC / 2010

CETP 1.0 / Basic Principles and Practices

Perry Johnson Institute / 2001 – 2002

ANSI / RAB Lead Auditor, ISO9000 / Quality Management Systems

Grand Valley State University / 1998 – 2000

PMP, Project Management

Kellogg Community College / 1996 – 1997

MFR/BLS, Medical First Responder / Basic Life Support

State of Michigan Fire Academy / 1995 – 1996

Fire Fighter I & II / Hazmat Operations / Fire Science

CATC / 1992 – 1994

Technical, Mechanical Design / CAD

Intellectual Property Achievements

Issued Patents

Patent # 8,132,639 – Nozzle Actuated System for Disabling a Vehicle
Patent # 8,025,075 – Self-Cleaning Low Emission Liquid Level Gauge
Patent # 7,874,314 – Motor Fuel Connector with Replaceable Tip Seal
Patent # 7,766,039 – Quick Connect Fuel Hose Connector
Patent # 7,051,755 – Adjustable Pressure Regulator

Published Patent Applications

Patent Application # 20100252352 – System and Method for Disabling a Vehicle
Patent Application # 20090256350 – Quick Connect Fuel Hose Connector
Patent Application # 20080135108 – Gas Convenience Outlet

Board and Committee Experience

Current

National Propane Gas Association (NPGA) / December 2011 – Present

- Conventions Committee

Position: Voting Member (Appointed by NPGA)

National Propane Gas Association (NPGA) / September 2011 – Present

- TS&S / Technology, Standards and Safety Committee

Position: Chairman / Valves, Fittings & Containers Sub-Committee (Appointed, 2 year term)

Michigan Propane Gas Association (MPGA) / June 2010 – Present

Position: Member, Board of Directors / Supplier Director (Elected, 2 year term)

International Association of Young Gassers / January 2008 – Present

Position: Member, Board of Directors / Michigan Director (Elected, Indefinite term)

Propane Education and Research Council / March 2006 – Present

- Fugitive Emission Task Force

Position: Voting Member, Technical Task Force (Appointed by PERC)

Underwriters Laboratories / January 2006 – Present

- Standards Technical Panel, UL21/UL569

Position: Voting Member, STP (Appointed by UL)

National Fire Protection Association (NFPA) / January 2006 – Present

Position: Voting Member (Association Member)

Underwriters Laboratories / January 2005 – Present

- Standards Technical Panel, UL51/UL125/UL132

Position: Voting Member, STP (Appointed by UL)

National Propane Gas Association (NPGA) / April 2005 – Present

- Exhibitor Advisory Committee

Position: Voting Member, Advisory Committee (Appointed by NPGA)

National Propane Gas Association (NPGA) / September 2005 – Present

- TS&S / Technology, Standards and Safety Committee

Position: Voting Member, Full Committee (Elected Representative)

Kellogg Community College (KCC) / September 2004 – Present

- Advisory Committee / Computer Aided Design Program

Position: Voting Member, Advisory Committee (Appointed by Curriculum Director)

Calhoun Area Career Center (CACC) / September 2004 – Present

- Advisory Committee / Computer Aided Design Program

Position: Voting Member, Advisory Committee (Appointed by Curriculum Director)

Past

National Propane Gas Association (NPGA) / September 2009 – September 2011

- TS&S / Technology, Standards and Safety Committee

Position: Vice Chairman / Valves, Fittings & Containers Sub-Committee (Appointed, 2 year term)

National Propane Gas Association (NPGA) / September 2007 – September 2009

- TS&S / Technology, Standards and Safety Committee

Position: Vice Chairman / Engine Fuel Sub-Committee (Appointed, 2 year term)

Marshall Citizens Fire Safety Council / October 1999 – January 2004

Position: Founding Member, Board of Directors (Disbanded after completion of fund raising projects)

International Experience

Countries visited for business

Belgium, Brazil, Canada, Chile, China, England, France, Italy, Mexico, Netherlands, Norway, Russia, South Korea, Spain, Sweden & United States.

Countries with business relations

Africa, Argentina, Australia, Bahamas, Columbia, India, Indonesia, Ireland, Israel, Jordan, Philippines, Saudi Arabia, South Korea, Thailand, Turkey & Vietnam.

Personal Interests

I am blessed with a beautiful wife and three wonderful daughters and enjoy spending my free time with my family. We enjoy engaging in our daughters sporting events which include volleyball, softball, baseball and dance. We also enjoy traveling, camping, fishing, biking, downhill skiing, grilling, movies, music, great books, spending time with great friends and involvement with our church.