

MARSHALL CITY COUNCIL AGENDA

MONDAY – 7:00 P.M.

AUGUST 6, 2012



- 1) CALL TO ORDER
- 2) ROLL CALL
- 3) INVOCATION – David Good, First Baptist 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. Annual Trash, Brush, and Leaf Collection Millage Ballot Language Resolution Revision

City Council will consider the recommendation to adopt a resolution for the November 2012 ballot language for the Annual Trash, Brush and Leaf Collection Millage.

B. Patrol Vehicle Purchase

City Council will consider the recommendation to authorize the purchase of two Chevrolet Caprice Police vehicles from Caron Chevrolet for \$25,499 each.

C. Applebee's – Liquor License Entertainment Permit

City Council will consider the recommendation to approve an entertainment permit for Applebee's for the specific use as Trivia Entertainment.

D. Hospital Neighborhood Committee

City Council will establish a work session for Monday, August 13, 2012 at 6:00 p.m. at the Public Services Building, 900 S. Marshall Avenue.

E. City Council Minutes

Regular Session.....	Monday, July 16, 2012
Work Session.....	Monday, July 16, 2012
Work Session.....	Saturday, July 14, 2012
Work Session.....	Monday, July 23, 2012

F. City Bills

Regular Purchases.....	\$ 151,093.08
Purchased Power.....	\$ 773,762.78
Weekly Purchases –7/13/12.....	\$ 42,612.24
Weekly Purchases –7/20/12.....	\$ 138,889.56
Weekly Purchases –7/27/12.....	\$ 63,297.46
Total	\$ 1,169,655.12

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



8) **PRESENTATIONS AND RECOGNITIONS**

A. **Eagle Scout Awards**

City Council will present resolutions to Collin Davis and Nicholas Bolger to express congratulations and public appreciation on the occasion of earning the rank of Eagle Scout.

B. **911 Presentation**

A representative from the 911 YES committee will be present to discuss the upcoming bond proposal.

9) **INFORMATIONAL ITEMS**

10) **PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION**

11) **OLD BUSINESS**

12) **REPORTS AND RECOMMENDATIONS**

A. **Commercial Vehicle Parking**

City Council will receive a report regarding Parking of Commercial Vehicles in residential areas. Staff is recommending no changes to the existing ordinances.

B. **SAFER Grant**

City Council will consider the recommendation to approve the request to submit the FEMA Staffing for Adequate Fire and Emergency Response Grant.

C. **School Crossing Guards Assessment and Recommendations**

City Council will consider the recommendation to discontinue the crossing guards for the following intersections: North Drive/Madison Street, Gordon Street/Mansion Street, and Green Street/Jefferson Street.

D. **Parking lot, Water and Wastewater Bids**

City Council will consider the recommendation to accept the following bids:

- Parrish Excavating of Quincy in the amount of \$739,488 for the 2012 Water System Improvements.
- Stantec Consulting of Ann Arbor in the amount of \$73,000 for the 2012 Water System Improvements Construction Engineering.
- Davis Construction Inc. of Kalamazoo in the amount of \$1,973,600 for the 2012 Waste Water System Improvements.
- Stantec Consulting of Ann Arbor in the amount of \$164,900 for the 2012 Water System Improvements Construction Engineering.
- J Allen and Co. of Galesburg in the amount of \$62,880 for the Parking Lot Replacement.
- Quality Asphalt of Homer in the amount of \$65,883 for the Parking Lot Rehabilitation.

It is also recommended that council adopt the Resolution Authorizing Issuance and Sale of Limited Tax General Obligation Bond, Series 2012 to fund the improvements listed above.

E. **Michigan Avenue Tree Replacement Project**

City Council will consider the DDA's recommendation to accept the bid from Quality Excavators Inc. in the amount of \$171,458 for the Michigan Avenue tree replacement project.

August 6, 2012

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13) APPOINTMENTS / ELECTIONS

A. Brooks Nature Area Board Appointments

City Council will consider the recommendation to reappoint Dave Fhaner, Patti Hoch-Melluish, and James Coury to the Brooks Nature Area Board with terms expiring August 15, 2015.

B. Parks, Recreation, And Cemetery Board Appointments

City Council will consider the recommendation to reappoint Dave Fhaner and Mitch McComb to the Parks, Recreation and Cemetery Board with terms expiring July 1, 2015.

14) PUBLIC COMMENT ON NON-AGENDA ITEMS

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

15) COUNCIL AND MANAGER COMMUNICATIONS

16) ADJOURNMENT

Respectfully submitted,


Tom Tarkiewicz
City Manager



**ADMINISTRATIVE REPORT
AUGUST 6, 2012 - CITY COUNCIL MEETING**

REPORT TO: Honorable Mayor and City Council Members
FROM: Tom Tarkiewicz, City Manager
SUBJECT: Trash, Brush and Leaf Collection Millage Ballot Language Resolution Revision

BACKGROUND: At the July 16th Council meeting, the Council adopted a resolution to place a 0.5 mill tax levy for Trash, Brush and Leaf Collection on the November ballot. After reviewing the ballot language, Staff felt that the language needed more clarity that it was an "annual" pickup versus a weekly pickup. Also, since the tax levy would be on the summer tax bill versus the winter tax bill, the four years would start in 2013 versus 2012. The new language is presented with the changes in bold and underlined.

ANNUAL TRASH, LEAF AND BRUSH MILLAGE

*Shall the City of Marshall levy 0.5 mills (50¢ per \$1,000 of taxable value), and levied for four years, **2013** through 2016 inclusive, for the purpose of providing revenue for the **once annual** removal of trash, leaves and brush, which will raise an estimated \$98,000 in the first year the millage is levied?*

[] Yes

[] No

RECOMMENDATION: It is recommended that the City Council adopt the attached resolution for the November 2012 ballot language for the Annual Trash, Brush and Leaf Collection millage.

FISCAL EFFECTS: There will be no additional cost for the November ballot proposal.

ALTERNATIVES: As suggested by Council.

Respectfully submitted,

Tom Tarkiewicz
City Manager

323 W. Michigan Ave.

Marshall, MI 49068

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cityofmarshall.com

**CITY OF MARSHALL
CALHOUN COUNTY, MICHIGAN**

AUGUST 6, 2012

RESOLUTION 2012-__

**RESOLUTION TO ADOPT MILLAGE BALLOT LANGUAGE
TO GENERATE MILLAGE FOR ANNUAL TRASH, LEAF AND BRUSH REMOVAL**

WHEREAS, the Marshall City Council wishes to provide revenue for the collection and removal of trash, leaves and brush on an annual basis from within the city; and

WHEREAS, the Marshall City Council is obligated by the city's charter Section 2.18 to provide for the public peace and health; and

WHEREAS, the removal of trash, leaves and brush is a lawful municipal purpose; and

WHEREAS, cities may impose and levy ad valorem property taxes to finance lawful public services, as authorized by the Michigan Constitution of 1963 and other laws; and

WHEREAS, the Marshall City Council wishes to levy one-half of one mill for trash, leaf and brush removal;

Now, THEREFORE, BE IT RESOLVED that the City Council of the City of Marshall, Calhoun County, approves the following millage ballot question language and directs the Clerk to submit it to be placed on the November 6, 2012, election ballot:

ANNUAL TRASH, LEAF AND BRUSH MILLAGE

Shall the City of Marshall levy 0.5 mills (50¢ per \$1,000 of taxable value), and levied for four years, 2013 through 2016 inclusive, for the purpose of providing revenue for the once annual removal of trash, leaves and brush , which will raise an estimated \$98,000 in the first year the millage is levied?

Yes

No

I, Sandra Bird, Clerk-Treasurer for the City of Marshall, Calhoun County, Michigan do hereby certify that the foregoing Resolution No. 2012-__ was offered by Councilperson _____ and supported by Councilperson _____, and the same was duly passed at a regular meeting of the City Council in Town Hall held on the Monday, the 6th day of August, 2012 and that the vote was as follows:

Yeas:

Nays:

Absent:

Sandra Bird, Clerk-Treasurer



ADMINISTRATIVE REPORT
August 6, 2012 – CITY COUNCIL MEETING

TO: Honorable Mayor and City Council
FROM: James Schwartz, Police Chief
Tom Tarkiewicz, City Manager
SUBJECT: Patrol Vehicle Purchase

BACKGROUND: The FY 2013 Budget has an allocation for the purchase of two new patrol vehicles. The budget allows for \$51,000 through the Motor Pool Fund. Two new patrol vehicles are being purchase to replace two older vehicles currently used in the fleet. The purchase of these vehicles will provide for safety and reliability.

This is the year that Ford will not manufacture any Crown Victoria Police Interceptors. This is the vehicle currently used by the police department. During the past year, we have looked at all options to replace the Crown Victoria. Through this study it is determined that the Chevrolet Caprice would be the best vehicle for the police department.

The Police Chief test drove the Ford Interceptor while attending a conference and found the vehicle to be smaller inside and outside. The department received a quote from Boshears Ford for the new Ford Interceptor. The Interceptor is front wheel drive and is priced at \$23,786. The current cage system utilized in the vehicles will not be compatible and other emergency equipment will have to be purchased to conform to the new styling.

The Police Chief spoke with a representative from Chevrolet and they gave a demonstration of their vehicle. There is more front passenger room, the vehicle is rear wheel drive and it comes with more trunk space, a full spare tire and the prisoner cage from the Ford Crown Victoria will fit in the Chevrolet Caprice. The base price for a new 2012 is \$25,600.

The City was advised that Caron Chevrolet could supply two 2011 Chevrolet Caprice vehicles with the standard equipment plus an extra battery for auxiliary equipment. The base price for the vehicle is \$24,499.

RECOMMENDATION: It is recommended that the City purchase two Chevrolet Caprice Police Vehicles from Caron Chevrolet for \$25,499 each. It is the intention to have all warranty work completed at Caron Chevrolet and any work not capable of being completed at the City Garage to be completed at Caron Chevrolet.

FISCAL EFFECTS: To approve and appropriate \$50,998 from the Motor Pool Fund, Capital Outlay expenditure budgeted line item 661-898-970.00 for the purchase of (2) police patrol vehicles.

ALTERNATIVES: As suggested by Council

Respectfully Submitted,

James Schwartz
Police Chief

Tom Tarkiewicz
City Manager

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Marshall, MI 49068
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ADMINISTRATIVE REPORT
August 06, 2012 – CITY COUNCIL MEETING

TO: Honorable Mayor and City Council

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

SUBJECT: Proposed Approval for a Michigan Liquor License
Entertainment Permit for Applebee's

BACKGROUND: The Marshall Police Department received a request from Applebee's for an entertainment permit. This permit is granted through the Michigan Liquor Control Commission upon receipt of an inspection by the Marshall Police Department and a Local Government Approval through a resolution vote. This entertainment permit is requested specifically for providing trivia games to its customers. Applebee's has done these in the past and has had no problems as a result.

Nothing has changed from past practice with Applebee's and trivia night entertainment. They have adequate staff on premises and the games are not a complaint of patrons or from other businesses in the area. They have proper space and equipment to provide this service.

RECOMMENDATION: It is recommended that the Council approve the entertainment permit for the specific use as Trivia Entertainment. This type of entertainment has taken place at this establishment in the past and is consistent with the type of clientele they serve.

FISCAL EFFECTS: None at this time.

ALTERNATIVES: As suggested by Council.

Respectfully Submitted,

James Schwartz
Police Chief

Tom Tarkiewicz
City Manager

323 W. Michigan Ave.

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

Business ID: 203785
 Request ID: _____
 (For MLCC use only)

Local Government Approval

(Authorized by MCL 436.1501)

Instructions for Applicants:

- Provide a copy of your Application for New Licenses, Permits, or Transfer of Ownership or Interest in License (form LCC-3011 for Retail or form LCC-3015 for Manufacturers and Wholesalers) to the local unit of government.

Instructions for Local Legislative Body:

- Complete this resolution, or provide a resolution, a letter of certification from the clerk, or minutes from the meeting at which this request was considered.

At a _____ meeting of the _____ Marshall _____ council/board
(regular or special) (township, city, village)
 called to order by _____ on _____ at _____
(date) (time)
 the following resolution was offered:

Moved by _____ and supported by _____
 that the application from Applebee's Restaurants Mid-Atlantic, LLC
(name of applicant)

for the following license(s): n/a
(e.g. Class C, Tavern, B-Hotel, Micro Brewer)

and the following permits, if applied for: Dance Permit Entertainment Permit Topless Activity Permit

Extended Hours Dance Permit Hours Required: _____

Extended Hours Entertainment Permit Hours Required: _____

to be located at 1205 West Michigan Ave., Marshall, MI

be considered for Approval
(approval or disapproval)

Approval

Disapproval

Yeas: _____

Yeas: _____

Nays: _____

Nays: _____

Absent: _____

Absent: _____

It is the consensus of this body that it _____ this application be considered for
(recommends/does not recommend)
 approval by the Michigan Liquor Control Commission.

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

Name and title of authorized officer (please print): _____

Signature and date of authorized clerk: _____

Phone number and e-mail of authorized officer: _____

CALL TO ORDER

IN REGULAR SESSION Monday, July 16, 2012 at 7:00 P.M. in the Council Chambers of Town Hall, 323 West Michigan Avenue, Marshall, MI, the Marshall City Council was called to order by Mayor Pro Tem Williams.

ROLL CALL

Roll was called:

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

Also Present: City Manager Tarkiewicz.

Absent: Mayor Dyer.

INVOCATION/PLEDGE OF ALLEGIANCE

Kris Tarkiewicz of Family Bible Church gave the invocation and Mayor Pro Tem Williams led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Moved Metzger, supported Miller, to approve the agenda with the addition of item 12F- EVIP Grant. On a voice vote: **MOTION CARRIED.**

PUBLIC COMMENT ON AGENDA ITEMS

Ed Costine read a prepared statement on behalf of the Fire Department staff. (Attachment A)

CONSENT AGENDA

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

- A. Approve the purchase of the Outage Management and Integrator Software from M-Power Technologies;
- B. Approve minutes of the City Council Regular Session and Work Session held on Monday, July 2, 2012;
- C. Approve city bills in the amount of \$183,203.41.

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

PRESENTATIONS AND RECOGNITIONS

A. Girl Scout Gold Award:

Moved Metzger, supported Miller, to express congratulations and public

appreciation on the occasion of earning the Girl Scout Gold Award. On a voice vote – **MOTION CARRIED.**

**CITY OF MARSHALL
COUNTY OF CALHOUN, STATE OF MICHIGAN
RESOLUTION # 2012-21**

**A RESOLUTION TO EXPRESS CONGRATULATIONS
AND PUBLIC APPRECIATION TO **KATRINA CRIBBINS** ON THE
OCCASION OF EARNING THE GIRL SCOUT GOLD AWARD, AND FOR
HER GOLD AWARD PROJECT OF PROVIDING THE COMMUNITY OF
HOMER WITH AN ANNUAL RIVER CLEAN-UP EVENT.**

WHEREAS, the City Council of the City of Marshall is aware that Katrina Cribbins has earned the Girl Scout Gold Award by completing all requirements of that award, and was recognized in a court of honor held on May 5th, 2012; and

WHEREAS, Katrina Cribbins has distinguished herself by earning the Gold Award, the highest level of achievement in the Girl Scouts of the USA, which is earned by only 5.4% of eligible Girls in GSUSA; and

WHEREAS, Katrina Cribbins has also provided the community, through her Gold Award Project, environmental education and encouragement of community action by means of organizing and facilitating a river clean up event in Village of Homer, which is part of the Kalamazoo River Watershed, and

WHEREAS, Girl Scout Troop 260, of Marshall, MI, and Katrina Cribbins most particularly, embody the spirit of Scouting in America.

NOW, THEREFORE LET IT BE RESOLVED that the City Council of the City of Marshall hereby recognizes and congratulates Katrina Cribbins on her significant life achievement, to thank her for her time and effort spent to better herself and those with whom she is acquainted and wishes her well on all of her future endeavors.

BE IT FURTHER RESOLVED that the City Council of the City of Marshall encourages its citizens to consider Katrina Cribbins as an example of one of Marshall's finest community-minded and goal-oriented young women.

This Resolution shall take effect upon adoption.

Date

Jim Dyer, Mayor

B. Calhoun County Medical Care Facility Operating Millage Presentation:

Jennifer Collins, member of the Sharing and Caring Through the Years Millage Renewal Committee, will give a presentation on the upcoming Calhoun County Medical Care Facility millage renewal.

INFORMATIONAL ITEMS

None.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

None.

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. Hospital Neighborhood Committee:

Moved Booton, supported Metzger, to establish a work session for Monday, July 23, 2012 at 6:00 p.m. at the Public Services Building, 900 S Marshall Avenue to discuss the Hospital Campus Overlay District. On a voice vote – **MOTION CARRIED.**

B. Trash, Brush and Leaf Collection Millage:

Moved Booton, supported Miller, to adopt the resolution for the November 2012 ballot language for the Trash, Brush and Leaf Collection Millage. On a roll call vote – ayes: Mankerian, Metzger, Miller, Reed, Williams, and Booton; nays: none. **MOTION CARRIED.**

**CITY OF MARSHALL
CALHOUN COUNTY, MICHIGAN
JULY 16, 2012
RESOLUTION 2012-22**

**RESOLUTION TO ADOPT MILLAGE BALLOT LANGUAGE
TO GENERATE MILLAGE FOR TRASH, LEAF AND BRUSH REMOVAL**

WHEREAS, the Marshall City Council wishes to provide revenue for the collection and removal of trash, leaves and brush on an annual basis from within the city; and

WHEREAS, the Marshall City Council is obligated by the City's Charter Section 2.18 to provide for the public peace and health; and

WHEREAS, the removal of trash, leaves and brush is a lawful municipal purpose; and

WHEREAS, cities may impose and levy ad valorem property taxes to finance lawful public services, as authorized by the Michigan Constitution of 1963 and other laws; and

WHEREAS, the Marshall City Council wishes to levy one-half of one mill for trash, leaf and brush removal;

Now, THEREFORE, BE IT RESOLVED that the City Council of the City of Marshall, Calhoun County, approves the following millage ballot question language and directs the Clerk to submit it to be placed on the November 6, 2012, election ballot:

TRASH, LEAF AND BRUSH MILLAGE

Shall the City of Marshall levy 0.5 mills (50¢ per \$1,000 of taxable value), and levied for four years, 2012 through 2016 inclusive, for the purpose of providing revenue for the removal of trash, leaves and brush , which will raise an estimated \$98,000 in the first year the millage is levied?

Yes

No

I, Sandra Bird, Clerk-Treasurer for the City of Marshall, Calhoun County, Michigan do hereby certify that the foregoing Resolution No. 2012-22 was offered by Councilperson Booton and supported by Councilperson Miller, and the same was duly passed at a regular meeting of the City Council in Town Hall held on the Monday, the 16th day of July, 2012 and that the vote was as follows:

Yeas: Booton, Mankerian, Metzger, Miller, Reed and Williams.

Nays: None.

Absent: Mayor Dyer

Sandra Bird, Clerk-Treasurer

Moved Mankerian, supported Metzger, to approve the funding for the 2012 leaf pick up to come from Fund reserves. On a voice vote – **MOTION CARRIED.**

C. Departmental Restructuring and Salary Adjustments:

Moved Miller, supported Mankerian, to approve the proposed departmental restructurings and salary adjustments.

Moved Booton, supported Metzger, to split the motion into two separate votes. On a roll call vote – ayes: Metzger, Miller, Reed, Booton, Mankerian; nays: Williams. **MOTION CARRIED.**

Moved Booton, supported Metzger, to approve the proposed departmental restructurings. On a voice vote – **MOTION CARRIED.**

Moved Booton, supported Metzger, to approve the proposed salary adjustments. On a roll call vote – ayes: Miller, Reed, Williams, Mankerian, Metzger, and Miller; nays: Booton. **MOTION CARRIED.**

D. City Manager Evaluation:

Moved and supported unanimously, to support the performance of the City Manager On a roll call vote – ayes: Reed, Williams, Booton, Mankerian, Metzger, and Miller; nays: none. **MOTION CARRIED.**

E. City Manager Salary Adjustment:

Moved Metzger, supported Mankerian, to approve the recommendation to adjust the City Managers salary to \$101,459 annually. On a roll call vote – ayes: Williams, Mankerian, Metzger, Miller, and Reed; nays: Booton. **MOTION CARRIED.**

F. EVIP Grant:

Moved Metzger, supported Mankerian, to accept the submittal of an EVIP grant to the State of Michigan. On a voice vote – **MOTION CARRIED.**

APPOINTMENTS / ELECTIONS

None.

PUBLIC COMMENT ON NON-AGENDA ITEMS

A representative on behalf of Mark Jones spoke of his candidacy for Water Resources Commissioner for Calhoun County.

Joanie Miller of 124 W Spruce Street commented on campfires within the City and some of the restrictions.

COUNCIL AND MANAGER COMMUNICATIONS

ADJOURNMENT

The meeting was adjourned at 8:20 p.m.

James L. Dyer, Mayor

Sandra Bird, Clerk-Treasurer

An open letter to the people of Marshall from the On-duty 24 hour fire department staff:

We want to thank you for trusting us to serve our Marshall community for over 100 years.

Unknown by many residents, on July 12, 2012 the first reduction in on-duty full time fire protection happened to the City of Marshall in over 80 years. On that date only one firefighter was manning the station from 4:30pm on the 12th to 7:30am on July 13th. Thankfully, on that night most of you probably never noticed it.

According to the records of the Marshall Fire Department, since at least the early 1930's there have always been two firefighters at the station ready to respond to emergencies. Due to fire department budget constraints, on July 1st, 2012 the minimum amount of full time staff on duty and at the station available to respond immediately with apparatus was reduced to one firefighter.

On August 4th 2012, after serving the community for 27 years, Assistant Chief Bill Hankinson will work his last shift. His position is not being replaced. This will reduce our compliment of full time shift personnel to a historic low of 6. This means that any time a firefighter is off work due to vacation, illness, or injury there will be a reduction in staffing at the station to one firefighter. From now and until the end of this calendar year, there are 75 shifts **scheduled** with only one firefighter, and more could happen due to illness or unforeseen injury.

We want the people of Marshall to know that we will do everything we can to serve you in your times of need. We are committed to providing you the best service possible and to respond to all of the emergency needs of the community to the best of our ability. We are also committed to continue to provide the same level of fire and safety education that we have in the past.

Over the next several months we will be evaluating our procedures and operating methods to try to find ways to insure that you will rarely notice this reduction in service level.

Please know that we have dedicated our lives to increasing the level of safety in our community and we are not going to let these times of financial hardship change our dedication. We hope that you, the people of Marshall, can continue to support us as well.

Once again, thank you for allowing us to serve you,

Your 24 hour a day on-duty fire department personnel.

IN A WORK SESSION Monday, July 16, 2012 at 6:00 P.M. in the Conference Room of Town Hall, 323 West Michigan Avenue, Marshall, MI, the Marshall City Council was called to order by Mayor Pro Tem Williams.

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

Also Present: City Manager Tarkiewicz

Absent: Mayor Dyer

A. Dan Redstone of Redstone Architects updated the Council on the revisions to the Joint Police Facility study for the City and the Michigan State Police.

B. Staff asked Council for support for a grant application for public safety funds.

The meeting was adjourned at 6:54 p.m.

James L. Dyer, Mayor

Sandra Bird, Clerk-Treasurer

IN A WORK SESSION Saturday, July 14, 2012 at 6:00 P.M. in the Training Room of the Public Service Building, 900 South Marshall, Marshall, MI, the Marshall City Council was called to order by Mayor Dyer.

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

Also Present: Director of Community Services, Natalie Huestis
Director of Public Safety, Jim Schwartz

Absent: None

- A. Community Services Director Natalie Huestis gave presentations on "Form-Based Zoning" and "The Purpose of an Overlay Zone".
- B. Planning Commissioners Susan Collins and John Fleming answered questions on the Planning Commission process of recommending the HCOD.
- C. Steve Hayward, AICP gave a presentation on the land use validity of the HCOD.
- D. Sherry Boyd, Oaklawn Hospital Director of Clinical Services discussed the layout of the different departments in the hospital.

The meeting was adjourned at 12:31 p.m.

James L. Dyer, Mayor

Sandra Bird, Clerk-Treasurer

IN A WORK SESSION Monday, July 23, 2012 at 6:05 P.M. in the Training Room of the Public Service Building, 900 South Marshall, Marshall, MI, the Marshall City Council was called to order by Mayor Dyer.

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

Also Present: Tom Tarkiewicz, City Manager
Sandra Bird, Clerk-Treasurer
Natalie Huestis, Director of Community Services
Michelle Mastej, Deputy Treasurer

Absent: Council Member: Williams

- A. Sandra Bird and Michelle Mastej presented the City's audit findings in comparison with DDA's past presentation.
- B. Sue Damron and Eldon Vincent answered questions on behalf of the DDA.
- C. Rob Covert, Ginger Williams, and Sherry Boyd answered questions on behalf of Oaklawn Hospital.
- D. Martin Overhiser, Professional Planner on behalf of the neighborhood gave a presentation on how the HCOD could affect the neighborhoods.

The meeting was adjourned at 9:30 p.m.

James L. Dyer, Mayor

Sandra Bird, Clerk-Treasurer

User: ctanner

DE: Marshall

EXP CHECK RUN DATES 08/09/2012 - 08/10/2012
BOTH JOURNALIZED AND UNJOURNALIZED
OPEN

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
18808	A & D LIGHTING SUPPLY	FLUORESCENT LIGHTING	107.79
AA-41812	AIM ASPHALT, INC	EXTRA SEALING @ CITY GARAGE	600.00
9903301140	AIRGAS USA LLC	CYLINDER RENTAL	80.40
9932814	ALTEC INDUSTRIES INC	JIB HEAD ROLLER WITH SHEAVE	279.65
77205	AMERICAN BUSINESS EQU	LEXMARK SERVICE	118.00
7000503936	AMERICAN WATER WORKS	MEMBERSHIP DUES	295.00
35904	APOLLO FIRE EQUIPMENT	SERVICE 110V POWER UNIT	626.48
073112	ARBOR MASTER	TREE FELLING TRAINING	1,675.00
23125	ARROW ENERGY	AV FUEL	32,049.33
11-620706	ARROW UNIFORM	CUST #010198-04	62.30
11-620707	ARROW UNIFORM	CUST #010198-03	121.24
11-620708	ARROW UNIFORM	CUST #010198-05	20.00
11-620705	ARROW UNIFORM	CUST #010198-02	50.78
11-628434	ARROW UNIFORM	CUST #010198-02	50.78
11-628436	ARROW UNIFORM	CUST #010198-03	121.24
11-620701	ARROW UNIFORM	CUST #010198-01	26.37
11-628437	ARROW UNIFORM	CUST #010198-05	20.00
11-628430	ARROW UNIFORM	CUST #010198-01	26.37
11-628435	ARROW UNIFORM	CUST #010198-04	62.30
224296	ATLAS BEVERAGES	AP GL LT 1/2 20 OZ	19.00
224275	ATLAS SALES INC	BEER & LIQUOR	2,290.65
142735	AUSTIN-BATTERIES PLUS	BATTERIES	12.48
103144-01	AUSTIN-BATTERIES PLUS	550VA UPS	78.50
141943	AUSTIN-BATTERIES PLUS	BATTERIES	53.00
225-303337	AUTO VALUE MARSHALL	OIL, FILTERS	159.99
225-304306	AUTO VALUE MARSHALL	RADIATOR	(103.99)
225-303730	AUTO VALUE MARSHALL	RADIATOR	103.99
225-304505	AUTO VALUE MARSHALL	HYD FITTINGS, REELS, CONNECTOR	58.41
225-304849	AUTO VALUE MARSHALL	XTREME PERF PLUG	27.84
225-304806	AUTO VALUE MARSHALL	VALVE COVER SET	19.49
225-304731	AUTO VALUE MARSHALL	PQ ROTOR, DIS PAD SET	169.57
225-304430	AUTO VALUE MARSHALL	UNIVERSAL PRICING, MASTER BLEND ONE	45.57
225-304416	AUTO VALUE MARSHALL	EXTEND RUST	18.58
225-304396	AUTO VALUE MARSHALL	FILTER, OIL, DEXRON MERCON, CLEANER, ST	118.59
225-303642	AUTO VALUE MARSHALL	THERMOSTATE, RADIATOR CAP, RADIATOR	112.27
225-303126	AUTO VALUE MARSHALL	CUTOFF DISPBX	7.85
225-303056	AUTO VALUE MARSHALL	BACKUP ALARM	40.33
085071	B S & A SOFTWARE	.NET FINANCIAL SOFTWARE	14,402.50
182	BACK ALLEY CYCLE SHOP	RFR PARTS & LABOR	463.85
070912	BAKER TOOL RENTAL & S	UPS CHARGE	27.31
050212	BAKER TOOL RENTAL & S	UPS CHARGE - KUSTOM SIGNALS	38.83
472321	BANDIT INDUSTRIES INC	GEAR PUMP	633.67
84833	CALHOUN COUNTY CLERK	ASSESSING.NET REIMBURSEMENT OF 50%	2,430.00
82437	CARR BROTHERS & SONS	41 DRYWELL STONE	77.02
2228	CB HALL ELECTRIC COMP	ELECTRONIC BALLAST	135.00
2250	CB HALL ELECTRIC COMP	EMERGENCY REPAIR AT HS LIFT STATION	204.00
171356	CITY OF ALBION	BROADSTRIP INTERNET	127.49
IVC0041500	COAST TO COAST SOLUTI	BUTTERMINTS, KOOLER BAG	115.63
52194	COGITATE INC	MMS STATE TRUNKLINE SUPPORT	155.00
255923	COLTEC INDUSTRIES	LOCKWASHER, SEAL	185.27
59909	CONSUMERS CONCRETE PR	LINK, SPEEDCRETE	36.75
IN14393	CORNERSTONE OFFICE SY	SHARP /X503N SERVICE AGREEMENT, COPY CH	132.16
IN14393A	CORNERSTONE OFFICE SY	COPY CHARGE	112.12
80306	CRT, INC	COMPUTERS, SOFTWARE, MISC	5,877.00
80307	CRT, INC	COMPUTERS, SOFTWARE, MISC	1,638.00
661486023	CRYSTAL FLASH ENERGY	DYED DIESEL	246.90
661486022	CRYSTAL FLASH ENERGY	DYED DIESEL	1,217.65
700309	CRYSTAL FLASH ENERGY	PROPANE	26.05
108271	D & D MAINTENANCE SUP	MOP BUCKET & METAL SIDE PRESS WRINGER	117.00
413153	DARLING ACE HARDWARE	THERMOSTAT, NUT, BOLTS, FASTENERS	76.45
413126	DARLING ACE HARDWARE	POOL ALGAE GUARD	9.99
413218	DARLING ACE HARDWARE	DUCT TAPE	17.97
413232	DARLING ACE HARDWARE	LIGHT BULB	6.99
413315	DARLING ACE HARDWARE	POOL SUPPLIES	74.98
414083	DARLING ACE HARDWARE	POOL ALGAE GUARD	19.98
414096	DARLING ACE HARDWARE	CHAIN 12"	33.98
414156	DARLING ACE HARDWARE	MIRROR INSPECT	11.99
413222	DARLING ACE HARDWARE	KEY DOUBLE CUT	2.49
414324	DARLING ACE HARDWARE	ACID MURIATIC	13.98
414400	DARLING ACE HARDWARE	MENDRHOSE, COUPL HOSE BARB	(1.00)
414397	DARLING ACE HARDWARE	MENDRHOSE	6.99
414394	DARLING ACE HARDWARE	COUPL HOSE BARB, CLAMP	7.98
413948	DARLING ACE HARDWARE	MAINTENANCE SUPPLIES	6.98
58788	DORNBOS SIGN & SAFETY	NAVIGATOR CONE	632.50
30810	DOUGLASS SAFETY SYSTE	SUSPENDERS, PADDING	125.12
070912	DOWELL PLASTERING	PLASTER REPAIR	232.00
16498	DRAIN DOCTORS	SERVICE @ 618 BIRCH	425.00

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EXP CHECK RUN DATES 08/09/2012 - 08/10/2012
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INVOICE NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
276917	DUECO INC	SERVICE	1,593.58
3033668	EDWARDS INDUSTRIAL SA	ADAPTER	7.43
17944	ELECTION SOURCE	OPTECH INSIGHT ELECTION CODING	720.00
657586	ENVIRONMENTAL RESOURC	QA/QC TEST SUPPLIES	321.02
7712	FIRE PROGRAMS	SUPPORT & UPGRADE SERVICE	640.00
12-1543	FIRST DUE FIRE SUPPLY	TURNOUT GEAR	8,352.56
329171	FLAG FORCE ONE	3 X 5 FLAG	144.00
590223	FRED PRYOR SEMINARS	TRAINING REWARDS MEMBERSHIP	199.00
062512	FRED'S STANDARD SERVI	JUNE CHARGES	172.85
11-10693	GARAGE DOORS UNLIMITE	SERVICE CALL @ PSB	45.00
2501	GLGC PLUMBING COMPANY	RPLCD CAST IRON DRAIN LINE IN GARAGE	231.40
743	GOODWIN'S PLUMBING, L	STALLED FAUCET @ BUS GARAGE	252.61
9116513103	HD SUPPLY FACILITIES	FILL VALVE, DRIP BOWL, TUB SPOUT	140.83
66355	HERMANS MARSHALL HARD	SPRAY PAINT	4.79
66347	HERMANS MARSHALL HARD	CONDUIT	24.43
66365	HERMANS MARSHALL HARD	HOSE & REPAIR KIT	23.98
66340	HERMANS MARSHALL HARD	HOSE COUPLING, BLEACH	10.27
66318	HERMANS MARSHALL HARD	SPRAYER	31.99
66256	HERMANS MARSHALL HARD	AIR CONDITIONER	159.99
66272	HERMANS MARSHALL HARD	SHIMS	2.99
66307	HERMANS MARSHALL HARD	JANITORIAL SUPPLIES	18.73
66297	HERMANS MARSHALL HARD	LAWN LEAF BAGS	19.95
66316	HERMANS MARSHALL HARD	CLEANER, FLY SPRAY	21.16
66278	HERMANS MARSHALL HARD	WET JET AND SUPPLIES	39.47
66301	HERMANS MARSHALL HARD	PAINT & BRUSHES	218.82
66312	HERMANS MARSHALL HARD	ZIP TIES, CABLE TIES	25.56
68491	HERMANS MARSHALL HARD	TAPE	5.97
66328	HERMANS MARSHALL HARD	DUCT TAPE, ZIP TIES, ELEC MISC	145.31
20489	HOFFMAN AG SERVICE, L	ESTER	22.00
RMS000083	INTERACT PUBLIC SAFET	ANNUAL RMS MAINTENANCE SUBSCRIPTION	1,000.00
253218	ITRON INC	MAINTENANCE	836.49
253215	ITRON INC	HARDWARE & SOFTWARE MAINT AGREEMENT	836.49
77435	J & K PLUMBING SUPPLY	CONNECTORS	16.35
1518534-00	J.O. GALLOUP COMPANY	ASCO SOLENOID VALVE	528.15
PC01224341:001	JACKSON TRUCK SERVICE	ULTRA STAR MOUNT, OVAL LED FLASHING	218.76
070612	JIMMY'S JOHNS	CRUISE THE FOUNTAIN	86.00
063012	JIMMY'S JOHNS	COMPOST CENTER	201.25
4469	JS BUXTON	BULK LIME BLANKET PO FOR FY2013	1,107.39
124285	KAR LABORATORIES INC	MERCURY ANALYSIS	260.00
124284	KAR LABORATORIES INC	CYANIDE ANALYSIS	100.00
124661	KAR LABORATORIES INC	CYANIDE ANALYSIS	100.00
4584	KELLOGG'S REPAIR GARA	RADIATOR	952.87
8100834017.001	KENDALL ELECTRIC INCO	ELECTRICAL CONTACTOR	23.93
58035.96	KIDDER HEATING & AIR	SERVICE CALL	79.00
25217	LAKELAND ASPHALT CORP	BITUMINOUS AGGREGATES	108.16
200026.10-2120606	LAWSON-FISHER ASSOCIA	LICENSING ACTIVITIES	415.23
201150.00-2120642	LAWSON-FISHER ASSOCIA	FERC PART 12D INSPECTION	13,284.04
7486	LEWEY'S SHOE REPAIR	JOHN HACKER'S BOOT ALLOWANCE	180.00
7206	LEWEY'S SHOE REPAIR	POLISH, EDGE INK, DRESSING	25.49
1528265-20120630	LEXISNEXIS RISK DATA	ACCT #1528265	140.06
12-1143	MARSHALL AREA FIRE FI	LINDA JACKSON, MARSHALL HOUSE	30.00
1022613	MARSHALL LUMBERTOWN	1 X 4 PINE	10.80
1022680	MARSHALL LUMBERTOWN	TAPCONS, POPLAR	10.13
1022874	MARSHALL LUMBERTOWN	TREATED PLYWOOD	34.99
071012	MARSHALL PUBLIC SCHOO	2012 SPRING HIGH SCHOOL GYM USAGE	42.90
3018	MARSHALL TIRE	TIRES	1,600.12
M 06-12	MICHIGAN SOUTH CENTRA	NATURAL GAS PURCHASES - JUNE 2012	5.19
1168887	MILLER CANFIELD PADDO	JUNE CHARGES	55.00
26436	MMEA	2012 SPECIAL ASSESSMENT--GREAT WOLFE	817.00
072612	MORRIS STULAERG TRUST	MOWING OF PROPERTY ON INDUSTRIAL RD	120.00
29661042	MSC INDUSTRIAL SUPPLY	SAFETY GLASSES	138.84
INV63040	MUNICIPAL SUPPLY CO.	3/4" COMPRESSION BALL CURB STOP	847.10
7003	MWEA	MEMBERSHIP - CARL FEDDERS	58.00
323471	NAPA OF MARSHALL	GREEN	11.74
90032052	NORFOLK SOUTHERN CORP	R/W OF RICE CREEK TRAIL PEDESTRIAN BRID	450.00
307190	NORTH CENTRAL LABORAT	LABORATORY SUPPLIES BLANKET FOR FY2013	556.47
21481P	NORTHROP GRUMMAN	VERSAPROBE SERVICE	125.00
382873	NYE UNIFORM COMPANY	PANTS, SHIRT	325.80
382874	NYE UNIFORM COMPANY	PANTS	199.84
380565	NYE UNIFORM COMPANY	RAINCOATS & CAPS	336.93
379476	NYE UNIFORM COMPANY	BELT KEEPERS, NAME BAR	39.00
382224	NYE UNIFORM COMPANY	BIKINI CUFF CASE	17.50
48067	O'LEARY WATER CONDITI	SALT	322.50
1083550	OAKLAWN MEDICAL GROUP	KATHLEEN SMITH	203.00
10056632	PAW PAW WINE DISTRIBU	DARK HORSE ALE	1,350.00
5656964	POWER LINE SUPPLY	METERS	1,412.01
5655795	POWER LINE SUPPLY	150W DUSK TO DAWN L---	910.08

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DB: Marshall

EXP CHECK RUN DATES 08/09/2012 - 08/10/2012
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INVOICE NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
5655796	POWER LINE SUPPLY	CUTOFF	3,981.42
5653551	POWER LINE SUPPLY	POLE TOP RINS	98.30
5653640	POWER LINE SUPPLY	RUBBER TESTING	406.00
X00903	POWERPLAN	SERVICE CALL	688.54
5344363	PUBLIC SAFETY CENTER	NIMH BATTERIES	114.81
269-781-3559-0712	QLT	ACCT #269-781-3559	13.99
262	QUALITY LAWN CARE	LAWN CARE AT MH	679.00
273	QUALITY LAWN CARE	MOWING @ AIRPORT	1,244.00
42068	R&R FIRE TRUCK REPAIR	SERVICE CALL	2,133.04
7528	RADIO COMMUNICATIONS	RESET - TX OFF FREQ	157.50
29411	RADIO SHACK	PHOTO DLI23 2 PK	16.99
7925	REDSTONE ARCHITECTS I	POLICE DEPT NEEDS STUDY	13,798.00
249-003411048	REPUBLIC SERVICES #24	SPRING TRASH	8,434.66
1203102	SSOE GROUP	2400V SWITCHGEAR PROJECT	621.87
23159	STANDARD PRINTING & O	DELIVERY CHARGE	7.00
23121	STANDARD PRINTING & O	BUSINESS CARDS - NATALIE HUESTIS	60.86
23164	STANDARD PRINTING & O	BLUES FEST PROGRAM LESS DONATION	163.54
171422	STANLEY LAWN & GARDEN	WASHER SEALING, BOWL GASKET	7.70
171338	STANLEY LAWN & GARDEN	FUEL FITTING	9.06
127691	STAR GLASS, LLC	SERVICE CALL @ MH	259.79
127742	STAR GLASS, LLC	1/2 QA UNIT CLEAR 1/8" ANNEALED	487.35
95771929	STATE INDUSTRIAL PROD	SCRUB SKIN CLEANER	200.00
19549	SUMMIT POINTE	CONTRACT MOWING	320.00
133-0712	THE HARVESTER FLOWER	STULBERG, CREEL, REYNOLDS	130.00
P22928	VERMEER OF MICHIGAN,	FIBERGLASS CHAI	218.95
24284	WEST MICHIGAN LAWN SE	SPRINKLER SYSTEM STARTUP AND SERVICE	1,674.00
2012	WMACP	SCHWARTZ & MCDONALD	50.00
64253	WOODS POOLS INC	ACID - POOL SUPPLIES	11.00
DM129	WOODS POOLS INC	CREDIT ISSUED - #I-1130	(6.30)
070912	YOU R SPECIAL, LLC	JULY CLEANING @ MH	800.00
071812	YOU R SPECIAL, LLC	JUNE APT TURNS @ MH	460.00
			151,093.08



MICHIGAN SOUTH CENTRAL POWER AGENCY

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

ORIGINAL INVOICE

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

Invoice Date: 18-Jul-12
 Due Date: 31-Jul-12
 Service From: 01-Jun-12
 To: 30-Jun-12

Peak Demand 23,545 kw

Total Energy Received 10,533,177 kWh
 Hydro Generation 82,807 kWh
 Net Billing kWh's 10,450,370 kWh

Area	Entitlement %	Operating and Maintenance Costs	Debt Service Costs and Capacity Credits	Total
PROJECT 1-ENDICOTT	24.0%	492,242.66	-	492,242.66
PROJECT 2	18.0%	289.22	-	289.22
PROJECT 3	20.2%	106.29	-	106.29
PRAIRIE STATE	16.7%	8,461.18	12,509.43	20,970.61
AFEC	15.6%	132,634.71	19,822.97	152,457.68
AMP CONTRACTS	22.7%	129,173.82		129,173.82
CVEC	0.0%	-		-
MISO PURCHASES	10.6%	3,695.34		3,695.34
MISO SALES	9.3%	(61,044.16)		(61,044.16)
TRANSMISSION	37.1%	(8,721.24)	-	(8,721.24)
MISO	19.7%	17,766.35		17,766.35
SUBSTATION	34.4%	159.40	-	159.40
ADMINISTRATION	19.7%	25,561.47		25,561.47
MEMBER	15.6%	1,105.32		1,105.32
MEMBER HYDRO	0.0%	-		-
CAPACITY	15.6%	-		-
RATE STABILIZATION		-		-
TOTAL COST		\$ 741,430.38	32,332.40	773,762.78
		\$/kWh 0.07095	0.00309	0.07404
CREDITS		\$ -	-	-
		\$/kWh 0.00000	0.00000	0.00000
NET COST		\$ 741,430.38	32,332.40	773,762.78
		\$/kWh 0.07095	0.00309	0.07404

Pay this amount \$ 773,762.78

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: 07/11/2012

Time: 2:04pm

Page: 1

CITY OF MARSHALL

Vendor Name	Vendor Number	Description	Check Amount	Hand Check Amount
AD-VISOR & CHRONICLE	7557	JUNE SERVICES	1,375.50	0.00
AIS CONSTRUCTION EQUIP CORP	4885	SHANKS, PINS	0.00	0.00
BATTLE CREEK ENQUIRER	3637	SUBSCRIPTION 8/1/12--7/31/13	168.02	0.00
BATTLE CREEK UNLIMITED, INC.	4558	JULY	14,041.66	0.00
CALHOUN COUNTY EQUALIZATION	7169	CONTRACTUAL ASSESSING SRVC	2,122.00	0.00
CITGO	3724	fleet #132271610	11,788.98	0.00
PAMELA COLE	21698	REFUND UTILITY DEPOSIT	85.23	0.00
COMMERCIAL OFFICE PRODUCTS	9769	PAPER	387.55	0.00
CORNERSTONE INSPECTION SRVCS	300392	INSPECTIONS	1,331.00	0.00
MICHELLE CROCE	400727	ENERGY OPTIMIZATION - A/C	120.00	0.00
EDWARD DENNIS	400726	ENERGY OPTIMIZATION	25.00	0.00
MARILYN DEE GREEN	400724	REFUND UTILITY DEPOSIT	52.84	0.00
LOWES BUSINESS ACCOUNT	4837	ACCT #821 3023 105909 5	1,048.83	0.00
ANNE MAHRLE	400239	REFUND UTILITY DEPOSIT	7.65	0.00
MARSHALL COUNTRY CLUB	5033	JR GOLF CAMP INSTRUCTION	552.00	0.00
MCMASTER-CARR	6133	PLASTIC BAGS	23.39	0.00
MERGING MEDIA	9630	STAGE RENTAL FOR BLUES FEST	4,150.00	0.00
NEOFUNDS BY NEOPOST	400232	7990 0440 5582 9307	3,000.00	0.00
PHYLLIS LINARD	20478	RE-ISSUE CHECK #91351 FOR	294.00	0.00
REPUBLIC SERVICES #249	2096	ACCT #3-0249-1022021	605.69	0.00
CAROL AND-OR CHARLES SANDUM	400725	OVERPAYMENT-MACKINAC TRIP	288.00	0.00
SPARTAN STORES	9656	CUST #021063 - JUNE CHARGES	139.85	0.00
STAPLES	8291	6035 5178 2034 8893	896.88	0.00
THOMAS SULLIVAN	400728	ENERGY OPTIMIZATION - A/C	60.00	0.00
VERIZON WIRELESS	217862	ACCT #987146080-00001	38.17	0.00
W.W. GRAINGER INC	8310	LAB VACUUM FILTERS	0.00	0.00

Grand Total: 42,602.24 0.00

Prescription reimbursements 10.00

Total Cash Disbursements \$42,612.24

User: ctanner DB: Marshall BANK CODE: MAIN CHECK DATE: 07/20/2012 INVOICE PAY DATE FROM 07/20/2012 TO 07/21/2012

Check Date	Bank	Check #	Vendor Code	Vendor Name	Amount	# Invoices
07/20/2012	MAIN	0000092282	400736	WHITTAKER, JACQUELINE	60.00	1
07/20/2012	MAIN	0000092281	217862	VERIZON WIRELESS	104.16	1
07/20/2012	MAIN	0000092280	6028	[REDACTED]	[REDACTED]	1
07/20/2012	MAIN	0000092279	400750	ROSENE, BARB	4,750.00	3
07/20/2012	MAIN	0000092278	21545	MPTA	155.00	1
07/20/2012	MAIN	0000092277	5410	MPOWER TECHNOLOGIES INC	37,500.00	1
07/20/2012	MAIN	0000092276	400738	MILLER, CONNIE	109.29	1
07/20/2012	MAIN	0000092275	9630	MERGING MEDIA	4,150.00	1
07/20/2012	MAIN	0000092274	7558	MARSHALL COMMUNITY CU	2,879.79	4
07/20/2012	MAIN	0000092273	400742	LAWLER, TIM	50.00	1
07/20/2012	MAIN	0000092272	400741	JONES, JONATHAN	82.51	1
07/20/2012	MAIN	0000092271	6272	GRIFFIN PEST SOLUTIONS	590.00	1
07/20/2012	MAIN	0000092270	400739	GRANTHAM, JODI	16.14	1
07/20/2012	MAIN	0000092269	400743	GLOBAL FOOD PROTECTION INSTITUTE	2,500.00	1
07/20/2012	MAIN	0000092268	400445	EARTHLINK BUSINESS	2,208.10	1
07/20/2012	MAIN	0000092267	9270	[REDACTED]	[REDACTED]	1
07/20/2012	MAIN	0000092266	21156	CRYSTAL MOUNTAIN	454.53	1
07/20/2012	MAIN	0000092265	300392	CORNERSTONE INSPECTION SRVCS	1,637.00	3
07/20/2012	MAIN	0000092264	9769	COMMERCIAL OFFICE PRODUCTS	72.80	1
07/20/2012	MAIN	0000092263	7218	CHEMICAL BANK SOUTH	2,000.00	1
07/20/2012	MAIN	0000092262	21362	[REDACTED]	[REDACTED]	1
07/20/2012	MAIN	0000092261	6040	[REDACTED]	[REDACTED]	1
07/20/2012	MAIN	0000092260	3293	BROADSTRIPE	1,295.05	1
07/20/2012	MAIN	0000092259	9629	BLUE CROSS BLUE SHIELD OF MI	71,294.57	1
07/20/2012	MAIN	0000092258	9621	BLUE CROSS BLUE SHIELD OF MI	1,804.39	1
07/20/2012	MAIN	0000092257	3471	BEARDSLEE LAW OFFICES	2,632.50	2
07/20/2012	MAIN	0000092256	400292	AT&T MOBILITY	36.77	1
07/20/2012	MAIN	0000092255	400737	ARNOLD, SCOTT	35.28	1
07/20/2012	MAIN	0000092254	7044	AMERICAN PLANNING ASSOC.	295.00	1
07/20/2012	MAIN	0000092253	6657	AMERICAN MESSAGING	103.80	1
07/20/2012	MAIN	0000092252	3176	A T & T	2,037.88	7

Num Checks: 31 Num Invoices: 45 Total Amount: 138,889.56

Prescription Reimbursements

35.00

Total Cash Disb.

\$ 138,889.56

Check Date	Check	Vendor	Vendor Name	Amount
Bank MAIN GENERAL POOLED CASH				
07/27/2012	92283	3431	ALLSTATE WORKELACE DIVISION	748.59
07/27/2012	92284	3431	VOID	0.00 V
07/27/2012	92285	3431	VOID	0.00 V
07/27/2012	92286	5414	AMERICAN TIMBER AND STEEL	1,710.40
07/27/2012	92287	9681	BLUE CROSS BLUE SHIELD OF MI	49,016.66
07/27/2012	92288	9200	BOGAR THEATER	776.00
07/27/2012	92289	400758	BRANDI HARMER	53.57
07/27/2012	92290	7595	CITY OF MARSHALL	48.04
07/27/2012	92291	25123	CODY DRUMM	12.98
07/27/2012	92292	9769	COMMERCIAL OFFICE PRODUCTS	36.17
07/27/2012	92293	8560	CONSUMERS ENERGY	155.20
07/27/2012	92294	8148	DARYL GANO	350.00
07/27/2012	92295	7294	DELTA DENTAL PLAN OF MICHIGAN	4,821.97
07/27/2012	92296	7294	VOID	0.00 V
07/27/2012	92297	400755	DEYOUING LANDSCAPE SERVICE	217.00
07/27/2012	92298	400739	GRANTHAM, JODI	36.93
07/27/2012	92299	6272	GRIFFIN PEST SOLUTIONS	73.00
07/27/2012	92300	400756	HANGGE KELLY	51.40 V
07/27/2012	92301	400757	JACK REED	66.67 V
07/27/2012	92302	300006	JAMES R DEVENEY	205.00 V
07/27/2012	92303	300013	JOHN GROSS	36.91 V
07/27/2012	92304	21562	JUDSON BURPEE	30.13 V
07/27/2012	92305	300431	LUCAS TICE	12.98 V
07/27/2012	92306	300012	MARIAM MARTINEZ	140.00 V
07/27/2012	92307	7558	MARSHALL COMMUNITY CU	2,704.11
07/27/2012	92308	2939	NAPA OF MARSHALL	21.75
07/27/2012	92309	5627	NATALIE HUESTIS	5.00
07/27/2012	92310	7732	NU-TWIST SCREEN PRINTING	161.25
07/27/2012	92311	2998	PATRICK MCCANN	1,800.00
07/27/2012	92312	7903	STANDARD PRINTING & OFFICE	5.75
07/27/2012	92313	400756	HANGGE KELLY	51.40
07/27/2012	92314	400757	JACK REED	66.67
07/27/2012	92315	300006	JAMES R DEVENEY	205.00
07/27/2012	92316	300013	JOHN GROSS	36.91
07/27/2012	92317	21562	JUDSON BURPEE	30.13
07/27/2012	92318	300431	LUCAS TICE	12.98
07/27/2012	92319	300012	MARIAM MARTINEZ	140.00

MAIN TOTALS:

Total of 37 Checks:	63,840.55
Less 10 Void Checks:	543.09
Total of 27 Disbursements:	63,297.46

**CITY OF MARSHALL
COUNTY OF CALHOUN, STATE OF MICHIGAN
RESOLUTION # 2012-23**

**A RESOLUTION TO EXPRESS CONGRATULATIONS
AND PUBLIC APPRECIATION TO COLLIN DAVIS ON THE
OCCASION OF EARNING THE RANK OF EAGLE SCOUT
IN THE BOY SCOUTS OF AMERICA, AND FOR HIS
EAGLE SERVICE PROJECT OF SUPERVISING THE DESIGN,
CONSTRUCTION AND INSTALLATION OF HIKING TRAIL
SIGNS AT THE KIWANIS YOUTH PARK NEAR THE BAKER
SANCTUARY .**

WHEREAS, the City Council of the City of Marshall is aware that Collin Davis has earned the rank of Eagle Scout in the Boy Scouts of America by completing all requirements of that rank, and was elevated to the rank of Eagle Scout in a court of honor held on August 4, 2012; and

WHEREAS, Collin Davis has distinguished himself with earning the rank of Eagle Scout, which is earned by only one out of fifty young men who join the Boy Scouts of America; and

WHEREAS, Collin Davis has also provided the community for his Eagle Service Project he supervised the design, construction and placement of hiking trail signs at the Kiwanis Youth Park near the Baker Sanctuary; and

WHEREAS, the Boy Scout Troop 337 of Marshall, MI, in particular, and Collin Davis most particularly, embody the spirit of Scouting in America.

NOW, THEREFORE LET IT BE RESOLVED that the City Council of the City of Marshall hereby recognizes and congratulates Collin Davis on his significant life achievement, to thank him for his time and effort spent to better himself and those with whom he is acquainted and wishes him well on all of his future endeavors.

BE IT FURTHER RESOLVED that the City Council of the City of Marshall encourages its citizens to consider Collin Davis as an example of one of Marshall's finest community-minded and goal-oriented young men.

This Resolution shall take effect upon adoption.

Date

James L. Dyer, Mayor

**CITY OF MARSHALL
COUNTY OF CALHOUN, STATE OF MICHIGAN
RESOLUTION # 2012-24**

**A RESOLUTION TO EXPRESS CONGRATULATIONS
AND PUBLIC APPRECIATION TO NICHOLAS BOLGER ON
THE OCCASION OF EARNING THE RANK OF EAGLE SCOUT
IN THE BOY SCOUTS OF AMERICA, AND FOR HIS
EAGLE SERVICE PROJECT OF SUPERVISING THE DESIGN,
CONSTRUCTION AND INSTALLATION OF HIKING TRAIL
MAPS AND STANDS AT THE KIWANIS YOUTH PARK NEAR
THE BAKER SANCTUARY.**

WHEREAS, the City Council of the City of Marshall is aware that Nicholas Bolger has earned the rank of Eagle Scout in the Boy Scouts of America by completing all requirements of that rank, and was elevated to the rank of Eagle Scout in a court of honor held on August 4, 2012; and

WHEREAS, Nicholas Bolger has distinguished himself with earning the rank of Eagle Scout, which is earned by only one out of fifty young men who join the Boy Scouts of America; and

WHEREAS, Nicholas Bolger has also provided the community for his Eagle Service Project he supervised the design, construction and placement of hiking trail maps and stands at the Kiwanis Youth Park near the Baker Sanctuary; and

WHEREAS, the Boy Scout Troop 337 of Marshall, MI, in particular, and Nicholas Bolger most particularly, embody the spirit of Scouting in America.

NOW, THEREFORE LET IT BE RESOLVED that the City Council of the City of Marshall hereby recognizes and congratulates Nicholas Bolger on his significant life achievement, to thank him for his time and effort spent to better himself and those with whom he is acquainted and wishes him well on all of his future endeavors.

BE IT FURTHER RESOLVED that the City Council of the City of Marshall encourages its citizens to consider Nicholas Bolger as an example of one of Marshall's finest community-minded and goal-oriented young men.

This Resolution shall take effect upon adoption.

Date

James L. Dyer, Mayor



ADMINISTRATIVE REPORT
AUGUST 6, 2012 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council Members

FROM: Tom Tarkiewicz, City Manager
Carl Fedders, Director of Public Utilities
Natalie Huestis, Director of Community Services
Jim Schwartz, Chief of Police

SUBJECT: Parking of Commercial Vehicles in Residential Areas

BACKGROUND: In response to a letter sent to Council on June 25, 2012 by Daphne Thurgood concerning the parking of her commercial school bus at her residence at 445 Sherman Street in the residential district zoned R-2. Ms. Thurgood has had contact with the Police Department as well as Code Enforcement on this issue since the fall of 2011 due to neighbor complaints. In November of 2011, the issue was resolved and the bus was no longer parked in the driveway.

Ms. Thurgood is now requesting that the City allow her new, shorter bus to be parked in her driveway between morning and afternoon school runs. The City Manager and Directors discussed this issue thoroughly after her letter was forwarded by Councilman Williams. The City has several ordinances which pertain to this issue:

- **§73.23 Parking of Trailers, House Cars and the Like (C)** It shall be unlawful for any person to park or let stand any semi-truck or semitrailer or other commercial vehicle on any private or publicly owned property zoned by these ordinances as residential, except under temporary circumstances as permitted under this chapter.
- **§156.262 Storage and Parking of Commercial Vehicles and Recreational Equipment in Residential Districts (D)** The parking and/or storage of buses and converted buses in excess of 18 feet in length and boats in excess of 30 feet in length shall be prohibited.
- **§156.262 Storage and Parking of Commercial Vehicles and Recreational Equipment in Residential Districts (H)** Commercial vehicles of over one ton shall not be parked or stored at any time on a lot zoned or used for residential purposes.

RECOMMENDATION: It is staff's recommendation that the City ordinances pertaining to the parking of commercial vehicles in residential districts remain intact. The neighbors have a right to have their neighborhood protected from commercial uses and staff feels there are other areas that can be used for commercial parking within the City.

FISCAL EFFECTS: None at this time.

ALTERNATIVES: As suggested by Council.

323 W. Michigan Ave.

Marshall, MI 49068

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Respectfully submitted,



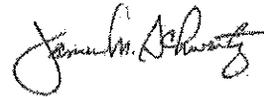
Tom Tarkiewicz
City Manager



Carl Fedders
Director of Public Utilities



Natalie Huestis
Director of Community Services



Jim Schwartz
Chief of Police

Dear Councilman Williams,

My name is Daphne Thurgood and I live on Sherman Drive. I work part time transporting Special Needs children for Calhoun County as an employee of Dean Transportation. There are times when it is sensible to bring my school bus home in-between runs. Typically this is between 30 minutes and 3 hours depending upon the varied requirements of the Special Needs schedule.

To this end I would very much like the city council to review the provisions of ordinance 73.23C. Understanding that our ordinances are designed to protect the quality of life for our residents here in the City of Marshall, this ordinance makes the normal course of my work difficult for me.

For the past 5 years I was granted permission to park my bus on the side street close to my residence. This special permission was extended by the Code Enforcement Officer and acknowledged by the Police Department.

Recently my bus was changed from a full sized school bus to a mini-bus. I parked this smaller bus in my driveway between runs and that caused one of my neighbors to raise a complaint.

Following this complaint I learned that it is a violation to park this vehicle in my driveway and even on the side street. The permission to park was taken away and I discovered that there is no provision for temporary parking in 73.23C. There is this provision in 73.23A (2) for other types of commercial vehicles to park temporarily.

As a School Bus Driver and in the course of providing a public service for Calhoun County and the City of Marshall, I would like to be allowed once again to keep my bus close to home in between runs during normal school hours. The nature of the school bus industry lends itself to this practice. Driving the school bus, for me, has always been a way for me to give back to my community. I love this job!

Yours Sincerely,
Daphne Thurgood.



ADMINISTRATIVE REPORT
August 06, 2012 – CITY COUNCIL MEETING

TO: Honorable Mayor and City Council

FROM: Robert Kiessling, Fire Chief
Tom Tarkiewicz, City Manager

SUBJECT: FEMA Staffing for Adequate Fire and Emergency Response Grant

BACKGROUND: The Marshall Fire Department is currently writing a Federal Emergency Management Agency grant to cover the costs of a full time firefighter position for a period of two years. The period of performance for this grant is two years and there is no requirement for retention of this position after the period of performance.

RECOMMENDATION: It is requested that the Council approve the Fire Departments request to submit this grant by its due date of August 10 2012.

FISCAL EFFECTS: None at this time.

ALTERNATIVES: As suggested by Council.

Respectfully Submitted,

Robert Kiessling
Fire Chief

Tom Tarkiewicz
City Manager

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Marshall, MI 49068

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ADMINISTRATIVE REPORT
August 6, 2012 – CITY COUNCIL MEETING

TO: Honorable Mayor and City Council

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

SUBJECT: School Crossing Guards Assessment and Recommendations

BACKGROUND: The Marshall Police Department conducted a study as required under State Law and AAA Guidelines to determine the needs of crossing guards at certain locations. We attempted to research why the current locations were established and found there was minimal to no documentation. Currently the Marshall Police Department has six intersections controlled with use of adult crossing guards.

The intersection studies were Gordon Street & Mansion Street, North Drive & Madison Street, and Green Street & Jefferson Street. These crossing studies were in the months of April, 2012 and May, 2012 while school was in session.

The data studied was the speed of vehicles, vehicle counts, pedestrian counts, sight assessments, proper signing, and gap studies. As a result of these findings, it is determined that those intersections do not require adult crossing guards.

The intersection of North Drive and Madison Street is controlled by a 4 way stop. The Intersection of Green Street and Jefferson Street is controlled by a 4 way stop. The intersection of Gordon Street and Mansion Street is a two way stop with through traffic on Mansion Street. The speed study conducted showed the average speed, vehicle counts, and gaps between the vehicles were sufficient for safe crossing of students without a crossing guard.

It should be noted that a meeting with Carl Fedders, Director of Public Services, was held to update current deficiencies in signs and street markings found during the study. It was determined that all signs and pavement marking will be completed. Priority will be given to those intersections where there are no adult crossing guards to be completed first.

A meeting was held with Dr. Randy Davis, Superintendent of the Marshall Public Schools. Dr. Davis understood the reason for the study

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and was supportive of the study findings. Dr. Davis expressed that he is supportive of the decision of facts as presented.

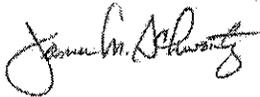
RECOMMENDATION: It is the recommendation of the Chief of Police to discontinue the adult crossing guards for the following intersections based on criteria set forth in the AAA Guidelines in compliance with State Law. The intersections to be vacated are:

- 1) North Drive and Madison Street
- 2) Gordon Street and Mansion Street
- 3) Green Street and Jefferson Street

FISCAL EFFECTS: This will result in savings to the General Fund 101-316-703.00 due to staffing reductions of three part-time positions. There is approximately \$3,000 in increased costs related to signs and special pavement markings. The budget impacts will be adjusted at the year-end budget amendment process.

ALTERNATIVES: As suggested by Council

Respectfully Submitted,



James Schwartz
Police Chief



Tom Tarkiewicz
City Manager



ADMINISTRATIVE REPORT
August 6, 2012 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council

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

SUBJECT: Bid Award and Bond Sale for Water, Waste Water, and Parking Lot Improvements

BACKGROUND: During the last detailed rate analysis that was completed for the water and waste water funds it was suggested that the City of Marshall consider grouping a number of project that were scheduled in the capital improvement plan into one large project which could be bonded in order to maintain cash flow in the funds. In addition to these projects, during the budget development process it was determined that nearly every parking lot within the downtown development authority boundaries required some improvements. Below are details and history of three projects which will be funded through the sale of the bond.

Water Main Improvements

In 2008, the City of Marshall received the final draft of the water system master plan from Stantec Consulting. The report recommended a number of projects to resolve a wide range of issues within the system that included areas that have low water quality, areas of low pressure, and areas that have experienced a high number of water main breaks. As a result, a \$1.3 million dollar bond was sold to fund the highest priority projects. Upon completion of these projects other projects were identified. These projects were:

- Water main replacement on N. Marshall Avenue between E. Michigan Avenue and Forest Street (bid included in recommendation).
- Water main replacement on Greenfield Blvd between W. Michigan Avenue and Verona Road (bid included in recommendation).
- Water main replacement on W. Michigan Avenue from Kalamazoo Avenue to Plum Street (bid included in recommendation).
- Water main replacement on various hydrants and valve replacement throughout downtown on Michigan Avenue (bid included in recommendation).
- Water main replacement at the waste water treatment plant (bid included in recommendation).
- Replacement of the Water SCADA System (bid included in recommendation).
- Water main replacement on W. Mansion Street from Plum Street to N. Kalamazoo Avenue (Scheduled for spring of 2013 to coordinate with road reconstruction grant).
- Linden Street from Industrial Road to W. Hanover Street (Scheduled for spring of 2013).
- Well house #4 reconstruction (Scheduled for spring of 2013).

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Stantec Consulting Inc. and Frank Mason Associates were utilized as consultants for design of these projects at a total cost of \$72,750. It was decided to delay a number of the projects in order to provide better control over the construction process.

The following bids were received:

Parrish Excavating	Quincy	\$739,488.00
Rothenberger Company, Inc.	Concord	\$912,439.27
Rohl Network LP	Jupiter, FL	\$943,772.50
Balkema Excavating, Inc	Kalamazoo	\$964,817.00
Verdeterre Contracting	Canton	\$1,108,649.00

The delayed projects are estimated to cost a total of \$595,500. There is also a portion of the waste water project that will be funded through the water fund (\$106,700) which includes the replacement of the water main around the treatment facility. Stantec Consulting has submitted a proposal for the construction engineering services for a not to exceed cost of \$73,000 which is within industry standards. Funding for all of the above listed projects, including the design and construction engineering, will be included in the bond sale. The total estimate is approximately \$1,630,000 after issuance costs. Staff has elected to not include any contingencies in the project but rather to use the funding dedicated toward the delayed projects for this purpose.

The project has a completion date of 120 calendar days from the Notice to Proceed Date.

Attached is Stantec's recommendation.

Waste Water

Initially the City of Marshall began to pursue the State Revolving Fund (SRF) which provides low interest loans for these types of projects. A project plan was completed by Stantec Consulting Inc and used to apply for an S2 grant which was awarded in the amount of \$149,576. This amount was used for project planning and design engineering. The planning and design was completed using Stantec Consulting Inc. at a total cost of \$24,234, after the grant was applied. A number of issues surfaced during the SRF process. The decision to change from the low interest SRF loan to the recommended bonding was based on required changes that would be necessary to the rate structure, which would eliminate any financial advantage to the loan. In addition the SRF program would not fund portions of the project. Also the city will see a significant advantage by grouping the water and parking lot improvements to reduce each funds portion of the issuance cost.

The project will include:

- Replacement of the High School lift station
- Replacement of the Waste water SCADA System
- WWTP Sludge Pump and Sludge Tank Mixer Replacement
- WWTP Valve Replacement
- WWTP Controls Replacement
- In-line Muffin Monster Exchanges Replacement (2)
- Installation of a Stand-By Generator at the WWTP
- Emergency bypass pump
- Electric Gate
- Driveway/parking lot Improvements

These projects were selected because of a number of different issues including age of systems and deficiencies or failures.

The following bids were received:

Davis Construction Inc.	Grand Rapids	\$1,973,600
L.D. Docsa	Kalamazoo	\$2,001,000
Reliance Building Company	Novi	\$2,095,033
SG Construction Services LLC	Flint	\$2,508,662

Bids were received that included the replacement of the Industrial Park lift station but after consultation with the bond council, it was determined to eliminate this portion of the project to aid in the bond sale. After this portion of the project was eliminated the low bidder changed from LD Docsa to Davis Construction. The Industrial Park lift station replacement will be planned for a later date.

None of the waste water projects will be delayed. A portion of this bid will be funded by the water department (\$106,700) which was mentioned above. Stantec Consulting has submitted a proposal for the construction engineering services for a not to exceed cost of \$164,900, which is within industry standards (proposal is attached). Funding for all of the waste water improvements and the design and construction engineering will be included in the bond sale at a total cost of \$2,185,000, after issuance cost are added. Staff has elected to not include any contingencies in the project but use the funding dedicated toward the delayed water projects for this purpose.

The waste water principle payments will be delayed for the first four years and the remaining aggregate debt service payment has been structured around the existing debt to smooth out the payments over the next twenty years.

The project has a completion date of 300 calendar days from the Notice to Proceed Date.

Attached is Stantec's recommendation.

Downtown Parking Lot Improvements

During the budget preparation staff began to plan a small project to address some of the major concerns within the parking lots. After consulting with the DDA it was determined to invest in a larger project and perform some type of improvement in nearly every city owned parking lot. Staff prepared and solicited bids for these improvements. The following bids were collected:

Parking lot Replacement

J Allen and Co.	Galesburg	\$62,880
Lakeland Asphalt	Battle Creek	\$63,790
Quality Asphalt	Homer	\$73,732
Asphalt Solutions Plus	Marshall	\$88,800
Michigan Paving and Materials	Kalamazoo	\$85,645
AIM Asphalt	Battle Creek	\$107,035

Parking lot Rehabilitation

Quality Asphalt	Homer	\$65,883
CA Advanced	Wakarusa, IN	\$74,356
AIM Asphalt	Battle Creek	\$76,083
Asphalt Solutions Plus	Marshall	\$89,900
Michigan Paving and Materials	Kalamazoo	\$122,360

The rehabilitation project will take place from August 27th to September 21st and the replacement will take place from September 21st to October 15th. Staff and the contractor will work together to inform the public of any parking lot closures.

City staff will oversee the construction of this project. Funding for these two projects and contingencies (\$12,876) will be included in the bond sale at a total cost of \$145,000 after issuance costs are added.

The project was discussed at the DDA board meeting on July 26, 2012 and approved at a special Board meeting on August 2, 2012, to have the City issue bonds on behalf of the DDA for the financing of the project.

Bond Sale

On June 4, 2012 the City Council adopted the Notice of Intent Resolution Capital Improvement Bonds; this began a 45 day referendum period which has expired. As part of this report, it is recommended that council adopt the attached Resolution Authorizing Issuance and Sale of Limited Tax General Obligation Bond, Series 2012. Should Council decide to adopt this Resolution on August 6, 2012, it will authorize Robert W. Baird and Co. (the "Underwriter") and Miller/Canfield to effect the sale of the bonds on August 13th or 14th. It is anticipated that the funds from the bond sale will be available on September 5, 2012

The following is a breakdown of the funds:

Approximate Use of Funds

Deposit to Construction Fund	\$3,857,601.30
Bond Counsel	\$37,500
Rating Agency Fee	\$9,500
Pricing Advisor	\$5,000
Official Statement	\$3,500
Miscellaneous	\$3,500
Auditor's Consent	\$2,000
Paying Agent	\$500
MAC fee	\$400
Underwriter's Discount	\$39,600
Rounding Amount	\$898.70
Total	\$3,960,000

RECOMMENDATION: It is recommended that the City Council accept the following bids:

- Parrish Excavating of Quincy in the amount of \$739,488 for the 2012 Water System Improvements.
- Stantec Consulting of Ann Arbor in the amount of \$73,000 for the 2012 Water System Improvements Construction Engineering.
- Davis Construction Inc. of Kalamazoo in the amount of \$1,973,600 for the 2012 Waste Water System Improvements.
- Stantec Consulting of Ann Arbor in the amount of \$164,900 for the 2012 Water System Improvements Construction Engineering.
- J Allen and Co. of Galesburg in the amount of \$62,880 for the Parking Lot Replacement.
- Quality Asphalt of Homer in the amount of \$65,883 for the Parking Lot Rehabilitation.

It is also recommended that council adopt the attached Resolution Authorizing Issuance and Sale of Limited Tax General Obligation Bond, Series 2012 to fund the improvements listed above.

FISCAL EFFECTS:

To amend the following revenue budget line items to the stated amounts:

Waste Water fund – Proceeds from bonds/notes (590-000-698.00) to \$2,128,524
Water fund – Proceeds from bonds/notes (591-000-698.00) to \$1,587,438
DDA fund - Proceeds from bonds/notes (298-000-698.00) to \$141,639.30

To amend the following expenditure budget line items to the stated amounts:

Waste Water fund – Current bonds payable (590-539-300.00) to \$203,727
Waste Water fund – Bond Interest (590-539-995.00) to \$96,166
Waste Water fund – Capital Outlay (590-900-970.00) to \$2,185,000

Water fund – Current bonds payable (591-539-300.00) to \$441,273
Water fund – Bond Interest (591-539-995.00) to \$182,825
Water fund – Capital Outlay (591-900-970.00) to \$1,630,000

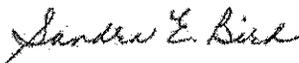
DDA fund – Debt Service (295-000-990.00) to \$45,000
DDA fund – Bond Interest (298-000-995.00) to \$27,803
DDA fund – Capital Outlay (298-000-970.00) to \$145,000

ALTERNATIVES: As suggested by the Council.

Respectfully Submitted,



Carl Fedders
Director of Public Services



Sandra Bird
Clerk-Treasurer



Tom Tarkiewicz
City Manager



Stantec Consulting Michigan Inc.
3754 Ranchero Drive
Ann Arbor MI 48108-2771
Tel: (734) 761-1010
Fax: (734) 761-1200

Stantec

July 27, 2012
File:2075121200

Attention: Mr. Carl Fedders, PE, Director of Public Services

City of Marshall
323 W. Michigan Avenue
Marshall Michigan 49068

**Reference: Recommendation of Award
2012 Water Main Improvements
City of Marshall, Michigan**

Dear Mr. Fedders,

Pursuant to your direction, bids for the above-referenced project were received at the Public Services Building on Monday, July 23, 2012, where they were opened and read aloud at 1:30 PM. A total of five (5) bids were received. The apparent low bidder at the time of the bid opening was Rothenberger Company, Inc., however, an error was found in the bid as shown on the attached bid tab. The bids ranged from a low in the amount of \$739,488.00 for the base bid, submitted by Parrish Excavating, Inc. of Quincy, Michigan, to a high in the amount of \$1,108,649.00 for the base bid submitted by Verdeterre Contracting, Inc. of Canton, Michigan. Our engineer's estimate for this project was in the amount of \$1,016,000.00. A bid tab has been enclosed summarizing all of the bids that were received for the project.

We have contacted the references provided by Parrish Excavating, Inc. and verified their experience with other engineers for whom they have worked with on similar projects. We received favorable recommendations regarding their experience, timeliness, and ability to perform the required work from these references. Based on these references and the bids received, we recommend awarding this contract to Parrish Excavating, Inc.

If you concur with our recommendation and the City awards a contract to Parrish Excavating, Inc., we would be pleased to prepare the contracts, obtain the required bonds and insurance coverages and schedule a preconstruction meeting to initiate this project.

We would like to thank you for this opportunity to provide services for the City of Marshall and we look forward to continuing this relationship in the future.

Regards,

STANTEC CONSULTING MICHIGAN INC.

R. Brian Simons, PE
Principal
Tel: (734) 214-2518
Fax: (734) 761-1200
brian.simons@stantec.com

Attachment: Bid Tab



Stantec Consulting Michigan Inc.
3754 Ranchero Drive
Ann Arbor MI 48108-2771
Tel: (734) 761-1010
Fax: (734) 761-1200

Stantec

June 26, 2012
File: 207580010

City of Marshall
323 West Michigan Avenue
Marshall, Michigan 49068

Attention: Mr. Carl Fedders, PE, Director of Public Services

Dear Mr. Fedders:

**Reference: 2012 Water Main Improvements
Construction Engineering Services**

As requested, Stantec Consulting Michigan Inc. (Stantec) is pleased to submit this proposal for providing professional construction engineering services related to the City of Marshall 2012 Water Main Improvements Project. At the current time, we are completing the design phase of the project by finalizing bid-ready contract documents for a June 25, 2012 advertisement date. The water main to be replaced includes the following:

- Approximately 1,300 feet of 6-inch water main on Greenfield Boulevard from Michigan Avenue (I-94 BL) to Verona Road to be replaced with 8-inch water main.
- Approximately 1,900 feet of 6-inch water main on Michigan Avenue (I-94 BL) from Kalamazoo Avenue to Plum Street with 8-inch water.
- Approximately 2,200 feet of 6-inch water main on Marshall Avenue from Michigan Avenue (I-94 BL) to Forest Street with 8-inch water main.

In addition to the above, there will be three (3) hydrant replacements and a valve replacement within the Michigan Avenue right of way between Eagle Street and Madison Street. It is our understanding that this work will be completed under the MDOT permit for the City of Marshall's tree replacement project. Stantec has separately applied for the State of Michigan PA 399 permit and MDOT right of way permits for the Michigan Avenue and Greenfield and Michigan Avenue and Marshall Avenue areas.

The following is a scope of services for providing Construction Engineering and Staking on the project:

Task 1 – Bidding Assistance

In this phase of work, Stantec will provide assistance with the bid letting of the project. A detailed outline for this phase of work is as follows:

- Prepare and distribute Contract Documents to prospective bidders.
- Answer Contractor questions, prepare and distribute addenda to prospective bidders.
- Attend bid opening.
- Review bids and potential Contractors, and recommend award to the City.

Task 2 – Contract Administration

Under this phase of work, Stantec will perform all necessary tasks related to administration of the Contract Documents from the time of project award (to the Contractor) through project close out. Specific work tasks include:

Stantec

June 26, 2012

Mr. Carl Fedders, PE, Director of Public Services

Page 2 of 3

Reference: 2012 Water Main Improvements Construction Engineering Services

- Review insurance and bonds submitted by the Contractor, and finalize executed contracts for the City.
- Coordinate and facilitate a preconstruction meeting with the Contractor and City.
- Review shop drawings for all project materials.
- Respond to Requests for Information (RFI's) from the Contractor.
- Coordinate with the City of Marshall Engineering Department and Water Department personnel throughout the project.
- Process pay applications and make recommendations to the City for payment to the Contractor.
- Provide correspondence throughout the project including shop drawing letters, punch-list letters, field orders, bulletins, change orders and any other correspondence related to administration of the project.
- Prepare and submit to the City all daily Inspection reports.
- Prepare field measured record drawings in hard copy and electronic format per City standards.

Task 3 – Field Services

During this phase of work, Stantec will provide construction survey staking, construction observation, and construction material testing from the time of project initiation in the field, to the completion and punch-list close out of the project. Specific work tasks include:

- Provide survey construction staking for the water main to include centerline and off-set staking of the main line, service leads, gate valves, hydrants, fittings and any other necessary appurtenances.
- Perform full time inspection of water main installation and pavement replacement.
- Perform part time inspection of landscape and surface restoration.
- Perform material testing for compaction of aggregates and bituminous materials.
- Perform material testing for quality control aspects of concrete pavement replacement. Attend to residents' concerns and complaints during construction operations.
- Provide coordination with the Contractor's field superintendent during construction.
- Perform project walkthroughs for punch list purposes and provide follow up inspections with the Contractor until all items are complete.

SCHEDULE

It is anticipated that the contract for the Water Main Improvements will be advertised for bids June 26, 2012 at the same time as the WWTP improvements, with an anticipated Contract Award at the August 6, 2012 board meeting. Construction is anticipated to begin on this contract in mid-September and continue for

Stantec

June 28, 2012
Mr. Carl Fedders, PE, Director of Public Services
Page 3 of 3

Reference: **2012 Water Main Improvements
Construction Engineering Services**

approximately three (3) months, with an anticipated substantial completion date prior to the end of the calendar year. Some restoration of the project site including the establishment of turf should be expected in the spring of 2013.

BUDGET

The following table summarizes Stantec's proposed not-to-exceed fees for this portion of the proposed project.

Task 1	Bidding Phase Services	\$ 2,000
Task 2	Contract Administration Services	\$26,000
Task 3	Field Services (field observation, material testing, and staking)	\$45,000
TOTAL NOT-TO-EXCEED FEE:		\$73,000

Please note that Stantec would request to reserve the right to transfer budget between Tasks 1 – 3 outlined in the scope of work but will not exceed the total amount stated.

Based on the scope of work outlined above, Stantec requests approval for a **Total Time and Materials Not-to-Exceed Fee of \$73,000** for all efforts associated with completing the water main improvements.

If the above proposal meets your approval, we will forward our standard professional services agreement (PSA) for your execution. We appreciate this opportunity to provide the City of Marshall with quality engineering services and look forward to continuing our service in the future. Please do not hesitate to contact us if you have any questions, or require additional information.

Sincerely,

STANTEC CONSULTING MICHIGAN INC.

STANTEC CONSULTING MICHIGAN INC.

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Project Engineer
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Fax: (734) 761-1200
chris.elenbaas@stantec.com

R. Brian Simons, PE, MBA, LEED® AP
Principal
Tel: (734) 214-2518
Fax: (734) 761-1200
brian.simons@stantec.com

c. Aaron Ambler, City of Marshall
Glen Wiczorek, Stantec



Stantec Consulting Michigan Inc.
3754 Ranchero Drive
Ann Arbor MI 48108-2771
Tel: (734) 761-1010
Fax: (734) 761-1200

Stantec

July 30, 2012
File:2075107904

Attention: Mr. Carl Fedders, P.E.
Director of Public Services

City of Marshall
323 W. Michigan Avenue
Marshall Michigan 49068

Reference: Recommendation of Award
2012 WWTP and Collection System Improvements
City of Marshall, Michigan

Dear Mr. Fedders,

Bids for the above referenced project were received at the Public Services Building on Monday, July 23, 2012, where they were opened and read aloud at 2:00 PM. A total of four (4) bids were received. The apparent low bidder at the time of the bid opening was L.D. DOCSA. The bids ranged from a low in the amount of \$2,254,000.00 for the base bid, submitted by L.D. DOCSA of Kalamazoo, Michigan, to a high in the amount of \$2,508,660.70 for the base bid submitted by Sorensen Gross Construction Services LLC of Flint, Michigan. Our Engineer's Estimate for this project was in the amount of \$2,277,000.

After the bid opening, we understand that the City is investigating the decision to remove the Industrial Pump Station improvements. With the removal of the Industrial Pump Station improvements, the low bidder changes to Davis Construction, Inc. The bids with the elimination of the Industrial Pump Station improvements ranged from a low in the amount of \$1,973,600.00 submitted by Davis Construction Inc. of Grand Rapids, Michigan, to a high in the amount of \$2,219,813.70 submitted by Sorensen Gross Construction Services, LLC of Flint, Michigan. A bid tab has been enclosed summarizing the bids that were received for the project for the base bid and the revised bid with the elimination of the Industrial Pump Station improvements.

We have contacted the references provided by Davis Construction Inc. and verified their experience with other engineers for whom they have worked with on similar projects. We received favorable recommendations regarding their experience, timeliness, and ability to perform the required work from these references. We have also contacted the subcontractors that Davis Construction Inc. has listed and determined that they all are qualified to perform the work. Based on these references and the bids received, we recommend awarding this contract to Davis Construction Inc.

If you concur with our recommendation and the City awards a contract to Davis Construction Inc., we would be pleased to prepare the contracts, obtain the required bonds and insurance coverages and schedule a preconstruction meeting to initiate this project.

Stantec

July 30, 2012

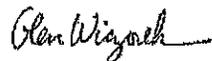
Page 2 of 2

**Reference: Recommendation of Award
2012 WWTP and Collection System Improvements
City of Marshall, Michigan**

We would like to thank you for this opportunity to provide services for the City of Marshall and we look forward to continuing this relationship in the future.

Regards,

STANTEC CONSULTING MICHIGAN INC.



Glen Wiczorek, PE
Senior Associate, Water
Tel: (734) 214-2519
Fax: (734) 761-1200
Glen.wiczorek@stantec.com

Attachment: Bid Tab

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Stantec Consulting Michigan Inc.
3754 Ranchero Drive
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Tel: (734) 761-1010
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Stantec

June 26, 2012
File: 207580010

City of Marshall
323 West Michigan Avenue
Marshall, Michigan 49068

Attention: Mr. Carl Fedders, PE, Director of Public Services

Dear Mr. Fedders:

**Reference: 2012 Wastewater Treatment Plant and Collection System Improvements
Construction Engineering Services**

As requested, Stantec Consulting Michigan Inc. (Stantec) is pleased to submit this proposal for providing professional construction engineering services related to the City of Marshall 2012 Wastewater Treatment Plant and Collection System Improvements Project. At the current time, we are in the bidding phase of the project with bids due July 23, 2012. The Wastewater Treatment Plant and Collection System Improvements include the following:

- Replace one primary sludge pump and associated sludge piping/valves.
- Replace secondary sludge piping/valves.
- Replace the cutter heads on sludge grinders.
- Replacement of variable frequency drives for the return activated sludge pumps.
- Installation of motor control centers, generator, transformers and other electrical improvements.
- Replacement of the control system at the WWTP.
- Replacement of the 12-inch airline to the aeration basin.
- Paving of the WWTP entrance drive and a new automated security gate.
- Cold milling and replacement of WWTP asphalt paved areas.
- Replacement of the control system at fourteen (14) pump stations throughout the City.
- Abandonment of the High School pump station can and installation of a submersible pump station.
- Abandonment of the Industrial pump station can and installation of a submersible pump station including a generator.
- SCADA improvements at the WTP.
- Water Main Improvements at the WWTP.

Stantec

June 26, 2012
Mr. Carl Fedders, PE, Director of Public Services
Page 2 of 4

**Reference: 2012 Wastewater Treatment Plant and Collection System Improvements
Construction Engineering Services**

The following is Stantec's scope of services for providing Construction Engineering on the project:

Task 1 – Bidding Assistance

In this phase of work, Stantec will provide assistance with the bid letting of the project. A detailed outline for this phase of work is as follows:

- Prepare and distribute Contract Documents to prospective bidders.
- Attend and conduct an on-site pre-bid meeting for bidders.
- Answer Contractor questions, prepare and distribute addenda to prospective bidders.
- Attend bid opening.
- Review bids and potential Contractors, and recommend award to the City.
- Prepare a Letter of Recommendation to awarded contractor.

Task 2 – Contract Administration

Under this phase of work, Stantec will perform all necessary tasks related to administration of the Contract Documents from the time of project award (to the Contractor) through project close out. Specific work tasks include:

- Review insurance and bonds from contractor and prepare executed contracts for the City.
- Coordinate and conduct a pre-construction meeting with the City and Contractor.
- Review shop drawings for all project materials.
- Respond to Requests for Information (RFI's) from the Contractor, if necessary.
- Conduct monthly progress meetings
- Process pay applications and make recommendations to the City for payment to the Contractor.
- Provide correspondence throughout the project including shop drawing letters, punch-list letters, field orders, bulletins, change orders and any other correspondence related to administration of the project.
- Prepare and submit to the City all inspection reports.
- Prepare field measured record drawings in hard copy and electronic format per City standards.

Stantec

June 26, 2012

Mr. Carl Faddens, PE, Director of Public Services

Page 3 of 4

**Reference: 2012 Wastewater Treatment Plant and Collection System Improvements
Construction Engineering Services**

Task 3 -- Field Services

During this phase of work, Stantec would provide construction observation, from the time of project initiation in the field, to the completion and punch-list close out of the project. Specific work tasks include:

- Perform part-time inspection of the WWTP Improvements (approximately 5 month duration, 2 visits per month).
- Perform full-time inspection of the WWTP Water Main Improvements (approximately 1 week duration).
- Perform part-time inspection of the High School Pump Station Improvements (approximately 2 1/2 month duration, 2 visits per week).
- Perform part-time inspection for the Industrial Pump Station Improvements (approximately 2 1/2 month duration, 2 visits per week).
- Attend to residents' concerns and complaints during construction operations.
- Provide coordination with the Contractor's field superintendent during construction.
- Perform project walkthroughs for punch list purposes and provide follow up inspections with the Contractor until all items are complete.
- Assist with start-up and training.

SCHEDULE

It is anticipated that the contract for the Wastewater Treatment Plan and Collection System Improvements will be advertised for bids June 25, 2012 at the same time as the Water Main Improvements and a Contract Award following. Construction is anticipated to begin on this contract in mid-September and continue for approximately eleven (11) months, with an anticipated substantial completion date near July of 2013. Some restoration of the project site including the establishment of turf should be expected in the summer of 2013.

BUDGET

The following table summarizes Stantec's proposed not-to-exceed fees for this portion of the proposed project.

Task 1	Bidding Phase Services	\$ 3,900
Task 2	Contract Administration Services	\$80,000
Task 3	Field Services (field observation, material testing, and staking)	\$81,000
TOTAL NOT-TO-EXCEED FEE		\$164,900

Based on the scope of work outlined above, Stantec requests approval for a **Total Not-to-Exceed Fee of \$164,900** for all efforts associated with completing the Wastewater Treatment Plant and Collection System Improvements.

Stantec

June 26, 2012

Mr. Carl Fedders, PE, Director of Public Services

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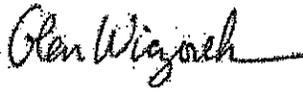
**Reference: 2012 Wastewater Treatment Plant and Collection System Improvements
Construction Engineering Services**

If the above proposal meets your approval, we will forward our standard professional services agreement (PSA) for your execution. We appreciate this opportunity to provide the City of Marshall with quality engineering services and look forward to continuing our service in the future. Please do not hesitate to contact us if you have any questions, or require additional information.

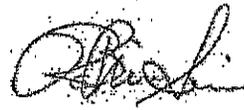
Sincerely,

STANTEC CONSULTING MICHIGAN INC.

STANTEC CONSULTING MICHIGAN INC.



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chris.elenbaas@stantec.com



R. Brian Simons, PE, MBA, LEED AP
Principal
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brian.simons@stantec.com

c. Alec Egnatuk, City of Marshall

**City of Marshall
County of Calhoun, State of Michigan**

**RESOLUTION AUTHORIZING ISSUANCE AND SALE OF
LIMITED TAX GENERAL OBLIGATION BONDS, SERIES 2012**

A RESOLUTION TO APPROVE:

- Issuance of up to \$4,500,000 of Bonds for capital improvements to the City's water and sewer systems and parking lots;
- Bonds to be a First Budget Obligation secured by pledge of City's Full Faith and Credit;
- Negotiated Sale of Bonds;
- Appointment of Robert W. Baird & Co., Incorporated as Underwriter;
- Clerk-Treasurer authorized to sell Bonds without further Council Resolution;
- Other matters relative to sale and delivery of Bonds.

PREAMBLE

WHEREAS, the City of Marshall, County of Calhoun, State of Michigan (the "City") has previously determined it to be necessary for the public health, safety and welfare of the City and its residents to acquire and construct capital improvements to the City's water supply system, sewage disposal system, and parking lots (the "Capital Improvements"); and

WHEREAS, under the provisions of Section 517 of Act 34, Public Acts of Michigan, 2001, as amended ("Act 34") a city may issue municipal securities to pay the cost of any capital improvement items within the limitations provided by law; and

WHEREAS, the issuance by the City of bonds in an amount not to exceed \$4,500,000 for the purpose of paying the costs to acquire and construct the Capital Improvements (the "Bonds") appears to be the most practical means to that end; and

WHEREAS, as required by Act 34, on June 9, 2012 the City published in *The Marshall Advisor/Chronicle* a Notice to Electors of Intent to Issue Bonds and Right of Referendum thereon which described issuance of the Bonds in an amount not to exceed \$4,500,000 for the purpose of paying costs of the Capital Improvements; and

WHEREAS, more than 45 days have elapsed since the date of publication of the Notice to Electors, and the City Clerk has advised the City Council that no valid petition for referendum on issuance of the Bonds was filed with the City Clerk during the referendum period; and

WHEREAS, the aggregate outstanding balance of municipal securities issued under Section 517 of Act 34 by a city shall not exceed 5% of the state equalized valuation of the property assessed in that city, and the outstanding balance of all municipal securities issued under Section 517 of Act 34 by the City will not exceed this limit after the issuance of the Bonds; and

WHEREAS, the City is currently qualified by the Michigan Department of Treasury under Act 34 to issue debt without applying for prior approval from State Treasury; and

WHEREAS, the City has received a proposal from Robert W. Baird & Co., Incorporated to act as managing underwriter for the Bonds (the "Underwriter") at a negotiated sale; and

WHEREAS, Act 34 permits the City to authorize, within limitations which shall be contained in the authorization resolution of the governing body, an officer to sell and deliver and receive payment for obligations, approve interest rates or methods for fixing interest rates, prices, discounts, maturities, principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, the place of delivery and payment, and other matters and procedures necessary to complete the transactions authorized; and

WHEREAS, the City Council wishes to authorize the Clerk-Treasurer to sell and deliver and receive payment for the Bonds without the necessity of the City Council taking further action prior to sale and delivery of the Bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. General Obligation Limited Tax Bonds. Bonds of the City designated as the LIMITED TAX GENERAL OBLIGATION BONDS, SERIES 2012 shall be issued in the aggregate principal amount of not to exceed Four Million Five Hundred Thousand Dollars (\$4,500,000), as finally determined by the Clerk-Treasurer at the time of sale of the Bonds, for the purpose of paying the costs of the Capital Improvements including payment of legal, engineering, financial and other expenses incident thereto.

2. Bond Details. The principal of the Bonds shall be payable at The Bank of New York Mellon Trust Company, National Association (the "Transfer Agent"). The Bonds shall be registered as to principal and interest and shall be in the denomination of \$5,000 or integral multiples of \$5,000 not exceeding for each maturity the maximum principal amount of such maturity, dated as of the date of delivery thereof or such other date as may be determined by the Clerk-Treasurer at the time of sale of the Bonds, and numbered as determined by the Transfer Agent. The Bonds may be issued in book-entry-only form through The Depository Trust Company in New York, New York ("DTC").

The Bonds shall mature as serial bonds or term bonds on the dates and in the amounts as shall be determined by the Clerk-Treasurer at the time of sale of the Bonds, provided that the date of the first maturity shall not be earlier than 2013, and that the date of the final maturity shall not be later than 2032. The Bonds shall bear interest at a rate or rates to be determined by the Clerk-Treasurer at the time of sale of the Bonds, but in any event not exceeding the interest rate shown in Section 13 below, payable on April 1, 2013 or such other initial interest payment date as shall be determined at the time of sale of the Bonds, and semi-annually thereafter on October 1st and April 1st and of each year, by check drawn on the Transfer Agent mailed to the registered owner at the registered address, as shown on the registration books of the City maintained by the Transfer Agent. Interest shall be payable to the registered owner of record as of the fifteenth day of the month prior to the payment date for each interest payment. The date of determination of the registered owner for purposes of payment of interest as provided in this

paragraph may be changed by the City to conform to market practice in the future. The principal of the Bonds shall be payable at the corporate trust office of the Transfer Agent upon presentation and surrender of the appropriate bond. Notwithstanding the foregoing, if the Bonds are held in book-entry form by DTC, payment shall be made in the manner prescribed by DTC.

The Clerk-Treasurer is authorized to execute an agreement with the Transfer Agent on behalf of the City. The City may designate a new Transfer Agent by notice mailed to the registered owner of each of the Bonds at such time outstanding not less than sixty (60) days prior to an interest payment date.

The Clerk-Treasurer is authorized to execute such custodial or other agreement with DTC as may be necessary to accomplish the issuance of the Bonds in book-entry-only form.

The Bonds shall be subject to mandatory or optional redemption prior to maturity as determined by the Clerk-Treasurer at the time of sale of the Bonds. Unless waived by any registered owner of bonds to be redeemed, official notice of redemption shall be given by the Transfer Agent on behalf of the City and shall conform to the requirements set forth in the Bond. Such notice shall be dated and shall contain at a minimum the following information: original issue date; maturity dates; interest rates; CUSIP numbers, if any; certificate numbers (and in the case of partial redemption) the called amounts of each certificate; the redemption date; the redemption price or premium; the place where bonds called for redemption are to be surrendered for payment; and that interest on bonds or portions thereof called for redemption shall cease to accrue from and after the redemption date.

In addition, further notice shall be given by the Transfer Agent in such manner as may be required or suggested by regulations or market practice at the applicable time, but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed herein.

The Bonds shall be executed in the name of the City with the manual or facsimile signatures of the Mayor and the City Clerk, and the corporate seal of the City shall be manually impressed or a facsimile thereof shall be printed on the Bonds. No Bond authorized under this resolution shall be valid until authenticated by an authorized representative of the Transfer Agent. The Bonds shall be delivered to the Transfer Agent for authentication and be delivered by the Transfer Agent to the purchaser or other person in accordance with instructions from either the Clerk-Treasurer or the Treasurer of the City upon payment of the purchase price for the Bonds in accordance with the Bond Purchase Agreement for the Bonds. Executed blank bonds for registration and issuance to transferees shall simultaneously, and from time to time thereafter as necessary, be delivered to the Transfer Agent for safekeeping.

3. Bond Form. The Bonds shall be substantially in the following form with such changes as may be necessary to conform the Bonds to the final terms of sale:

United States of America
State of Michigan
County of Calhoun

CITY OF MARSHALL
LIMITED TAX GENERAL OBLIGATION BOND, SERIES 2012

<u>Interest Rate</u>	<u>Date of Maturity</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
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Registered Owner: Cede & Co.

Principal Amount:

The CITY OF MARSHALL, County of Calhoun, State of Michigan (the "City"), acknowledges itself to owe and for value received, hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the Date of Maturity specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon (computed on the basis of a 360-day year consisting of twelve 30-day months) from the Date of Original Issue specified above or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on April 1, 2013 and semiannually thereafter. Principal of this bond is payable upon presentation and surrender hereof at the principal corporate trust office of The Bank of New York Mellon Trust Company, National Association, Detroit, Michigan, or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner of record not less than sixty (60) days prior to any interest payment date (the "Transfer Agent"). Interest on this bond is payable by check or draft mailed by the Transfer Agent to the person or entity who or which is as of the fifteenth (15th) day of the month prior to each interest payment date, the registered owner of record, at the registered address.

This bond is one of a series of bonds of even Date of Original Issue aggregating the principal sum of [principal] for the purpose of paying costs to acquire and construct capital improvements for use by the City under and in pursuance of the provisions of Act 34, Public Acts of Michigan, 2001, as amended, and a resolution of the City Council adopted on [date].

The limited tax full faith, credit and resources of the City are pledged for the payment of the bonds of this issue, and the City has pledged that it shall pay the principal of and interest on the bonds of this issue as they mature as a first budget obligation from its general fund and, after taking into account funds which the City may have legally available for payment of principal of and interest on the bonds of this issue, shall levy annually ad valorem taxes on all taxable property in the City sufficient to pay the principal of and interest on the bonds of this issue subject to applicable constitutional, statutory and charter tax rate limitations.

Bonds of this issue maturing on or prior to [date] are not subject to redemption prior to maturity.

Bonds or portions of bonds in multiples of \$5,000 of this issue maturing on or after [date] shall be subject to redemption prior to maturity without a premium, at the option of the City, in such order as the City shall determine and within any maturity by lot, on any date on or after [date], at par plus accrued interest to the date fixed for redemption.

[MANDATORY REDEMPTION]

[The bonds of this issue maturing [date], [date], and [date] (the "Term Bonds") are subject to mandatory sinking fund redemption by lot prior to maturity on [date], in the years and amounts set forth below, at a price equal to 100% of the principal amount to be redeemed, plus accrued interest to the date of redemption.]

<u>[Term Bonds due [date]]</u>		<u>Term Bonds due [date]</u>	
<u>Redemption Dates</u>	<u>Principal Amounts</u>	<u>Redemption Dates</u>	<u>Principal Amounts</u>
[date]	[amount]	[date]	[amount]
[date]	[amount]	[date]	[amount]
[date] (maturity)	[amount]	[date] (maturity)	[amount]

[The principal amount of Term Bonds to be redeemed on the dates set forth above shall be reduced, in the order determined by the City, by the principal amount of Term Bonds of the same maturity which have been previously redeemed (other than as a result of a previous mandatory redemption requirement), or purchased or acquired by the City and delivered to the Transfer Agent for cancellation; provided, that each such Term Bond has not previously been applied as a credit against any mandatory redemption obligation.]

In case less than the full amount of an outstanding bond is called for redemption, the Transfer Agent upon presentation of the bond called in part for redemption shall register, authenticate and deliver to the registered owner a new bond of the same maturity and in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to each registered owner of bonds or portions thereof to be redeemed by mailing such notice not less than thirty (30) days [and not more than sixty (60) days] prior to the date fixed for redemption to the registered owner at the address of the registered owner as shown on the registration books of the City. Bonds shall be called for redemption in multiples of \$5,000, and bonds of denominations of more than \$5,000 shall be treated as representing the number of bonds obtained by dividing the denomination of the bonds by \$5,000, and such bonds may be redeemed in part. The notice of redemption for bonds redeemed in part shall state that, upon surrender of the bond to be redeemed, a new bond or bonds in the same aggregate principal amount equal to the unredeemed portion of the bonds surrendered shall be issued to the registered owner thereof with the same interest rate and maturity. No further interest on bonds or portions of bonds called for redemption shall accrue after the date fixed for redemption, whether the bonds have been presented for redemption or not, provided funds are on hand with the Transfer Agent to redeem the bonds or portion thereof.

Any bond may be transferred by the person in whose name it is registered, in person or by the registered owner's duly authorized attorney or legal representative, upon surrender of the bond to the Transfer Agent for cancellation, together with a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any bond is surrendered for transfer, the Transfer Agent shall authenticate and deliver a new bond or bonds, in like aggregate principal amount, interest rate and maturity. The Transfer Agent shall require the bondholder requesting the transfer to pay any tax or other governmental charge required to be paid with respect to the transfer. The Transfer Agent shall not be required to issue, register the transfer of, or exchange any bond during a period beginning at the opening of business 15 days before the day of the mailing of a notice of redemption of bonds selected for redemption and ending at the close of business on the day of that mailing.

It is hereby certified and recited that all acts, conditions and things required to be done, exist and happen, precedent to and in the issuance of this bond and the series of bonds of which this is one, in order to make them valid and binding obligations of the City have been done, exist and have happened in regular and due form and time as provided by law, and that the total indebtedness of the City, including this bond and the series of bonds of which this is one, does not exceed any constitutional, statutory or charter debt limitation.

This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.

IN WITNESS WHEREOF, the City, by its Council, has caused this bond to be signed in the name of the City by [the facsimile signatures of] its Mayor and Clerk, and a facsimile of its corporate seal to be [manually impressed/printed] hereon, all as of the Date of Original Issue.

CITY OF MARSHALL
County of Calhoun, State of Michigan

By _____ [signature] _____
Mayor

(Seal)

Countersigned:

By _____ [signature] _____
City Clerk

[INSERT STANDARD FORMS OF TRANSFER AGENT'S CERTIFICATE OF AUTHENTICATION and ASSIGNMENT]

4. Debt Retirement Fund. The Treasurer of the City is directed to open a separate depository or trust account with a bank or trust company to be designated as the LIMITED TAX GENERAL OBLIGATION BONDS, SERIES 2012 DEBT RETIREMENT FUND (the "Debt Retirement Fund"). The Debt Retirement Fund may be pooled or combined with other debt retirement funds for issues of bonds of like character as provided by Act 34 or other state law. An amount sufficient to assure timely payment of the principal of and interest on the Bonds shall be transferred each year from the general fund of the City or other funds legally available therefor into the Debt Retirement Fund. In addition, a portion of the proceeds of sale of the Bonds may be deposited in the Debt Retirement Fund as provided in Section 5 below. The moneys deposited in the fund shall be used solely for the purpose of paying the principal of and interest on the Bonds and, as may be necessary, to rebate arbitrage earnings, if any, to the United States Department of Treasury as required by the Internal Revenue Code of 1986, as amended (the "Internal Revenue Code") for the Bonds.

In the event a deposit of trust is made of cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional or mandatory redemption, the principal of, premium, if any, and interest on the Bonds, this Resolution shall be defeased and the owners of the Bonds shall have no further rights under this Resolution except to receive payment of the principal of, premium, if any, and interest of the Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Bonds as provided herein.

5. Deposit of Bond Proceeds. The City Treasurer shall establish a fund designated as the LIMITED TAX GENERAL OBLIGATION BONDS, SERIES 2012 IMPROVEMENT FUND (the "Improvement Fund"). Upon receipt of the proceeds of sale of the Bonds, the accrued interest and premium, if any, shall be deposited in the Debt Retirement Fund and used to pay interest on the Bonds on the first interest payment date. At the discretion of the Clerk-Treasurer, the City may deposit all or a portion of any premium received upon delivery of the Bonds in the Improvement Fund. The remaining proceeds received upon delivery of the Bonds shall be deposited to the Improvement Fund.

Except for investment pending disbursement the moneys in the Improvement Fund shall be used solely and only to pay costs of the Capital Improvements being financed with proceeds of the Bonds, any legal, financing or other expenses incidental thereto or to the issuance of the Bonds, and as may be necessary to rebate arbitrage earnings, if any, to the United States Department of Treasury as required by the Internal Revenue Code. Any balance remaining in the Improvement Fund after completion of the portion of the Capital Improvements being financed with proceeds of the Bonds may be used (a) for any other projects of the City if bond counsel advises the City that such use is permitted by state law and will not cause the interest on the Bonds to be included in gross income for federal income tax purposes within the meaning of the Internal Revenue Code, or (b) shall be paid into the Debt Retirement Fund and used to pay principal of or interest on the Bonds.

6. Full Faith and Credit Pledge. The City expressly and irrevocably pledges its full faith and credit for the prompt and timely payment of the principal of and interest on the Bonds.

The Bonds shall be payable, as a first budget obligation, from the general fund of the City, and the City shall levy annually ad valorem taxes on all the taxable property in the City which, taking into consideration estimated delinquencies in tax collections, shall be fully sufficient to pay the principal and interest on the Bonds provided, however, that if at the time of making any such tax levy there shall be other legally available funds for the payment of principal of and interest on the Bonds, including but not limited to revenues received from the City's water supply system, sewage disposal system, and parking lots, then credit therefor may be taken against the levy for payment of the Bonds. The levy shall be subject to constitutional, statutory and charter tax rate limitations.

7. Tax Covenant. The City shall not invest, reinvest or accumulate any moneys deemed to be proceeds of the Bonds pursuant to the Internal Revenue Code in such a manner as to cause the Bonds to be "arbitrage bonds" within the meaning of the Internal Revenue Code. The City hereby covenants that, to the extent permitted by law, it will take all actions within its control and that it shall not fail to take any action as may be necessary to maintain the exemption of interest on the Bonds from gross income for federal income tax purposes, including but not limited to, actions relating to the rebate of arbitrage earnings, if applicable, and the expenditure and investment of Bond proceeds and moneys deemed to be Bond proceeds, all as more fully set forth in the Non-Arbitrage and Tax Compliance Certificate to be delivered by the City on the date of delivery of the Bonds.

8. Bank Qualification. The City designates the Bonds as "qualified tax-exempt obligations" for purposes of deduction of interest expense by financial institutions under the Internal Revenue Code.

9. Appointment of Managing Underwriter. The City Council hereby determines to sell the Bonds at a negotiated sale instead of a competitive sale for the reason that a negotiated sale will permit the City to enter the market on short notice at a point in time which appears to be most advantageous, and thereby possibly obtain a lower rate of interest on the Bonds.

Robert W. Baird & Co., Incorporated is hereby named as managing underwriter for the Bonds. The City reserves the right to name additional co-managers and/or to develop a selling group. The Clerk-Treasurer is authorized to negotiate a Bond Purchase Agreement with the Underwriter. By adoption of this resolution the City assumes no obligations or liability to the Underwriter for any loss or damage that may result to the Underwriter from the adoption of this resolution, and all costs and expenses incurred by the Underwriter in preparing for sale of the Bonds shall be paid from the proceeds of the Bonds, if the Bonds are issued, except as may be otherwise provided in the Bond Purchase Agreement to be signed by the City at the time of sale of the Bonds.

10. Bond Counsel. The City Council acknowledges that Miller, Canfield, Paddock and Stone, P.L.C., represents Robert W. Baird & Co., Incorporated and many other municipal bond underwriters, banks, and financial institutions in connection with matters unrelated to issuance of the Bonds by the City. The City hereby requests Miller, Canfield, Paddock and Stone, P.L.C. to continue as bond counsel to the City for the Bonds.

11. Municipal Bond Ratings. The Clerk-Treasurer is hereby authorized to apply for bond ratings from such municipal bond rating agencies as deemed appropriate, in consultation with the Underwriter.

12. Municipal Bond Insurance. If the Underwriter recommends that the City consider purchase of municipal bond insurance, then the Clerk-Treasurer is hereby authorized and directed to negotiate with insurers regarding acquisition of municipal bond insurance, and, in consultation with the Underwriter, to select an insurer and determine which Bonds, if any, shall be insured.

13. Preliminary Official Statement. The Clerk-Treasurer is authorized to approve circulation of a Preliminary Official Statement describing the Bonds and to deem such Preliminary Official Statement "final" for purposes of compliance with Securities and Exchange Commission Rule 15c2-12 ("Rule 15c2-12").

14. Sale of Bonds. The Clerk-Treasurer is hereby authorized, on behalf of the City, subject to the provisions and limitations of this resolution, to negotiate sale of the Bonds to the Underwriter, and to accept an offer by the Underwriter to purchase the Bonds without further resolution of this City Council. This authorization includes, but is not limited to, determination of original principal amount of the Bonds; the prices at which the Bonds are sold; underwriter's discount for the Bonds, the date of the Bonds; the schedule of principal maturities and whether the Bonds shall mature serially or as term bonds; the provisions for early redemption including mandatory redemption of term bonds, if any; and the interest rates and payment dates of the Bonds.

The net interest cost of the Bonds shall not exceed 6.00%. The first maturity of principal on the Bonds shall occur no earlier than 2013, and the date of the final maturity shall not be later than 2032. The underwriter's discount for the Bonds shall not be greater than 2.00% of the principal amount of the Bonds.

In making such determinations the Clerk-Treasurer is authorized to rely upon data and computer runs provided by the Underwriter or a pricing consultant which may be retained by the Clerk-Treasurer. Approval of the matters delegated to the Clerk-Treasurer under this resolution may be evidenced by execution of the Bond Purchase Agreement or the Official Statement by the Clerk-Treasurer. The Clerk-Treasurer is authorized to sign the Bond Purchase Agreement on behalf of the City.

15. Final Official Statement. After sale of the Bonds, the Clerk-Treasurer is authorized to prepare, execute and deliver a final Official Statement describing the Bonds.

16. Continuing Disclosure Undertaking. In order to enable the Underwriter to comply with the requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission, the City hereby agrees to undertake Continuing Disclosure as issuer of the Bonds. The Clerk-Treasurer of the City is authorized to execute such Continuing Disclosure Undertaking on behalf of the City in such form as she shall, in consultation with bond counsel, determine appropriate.

17. Other Actions. In the event that the Clerk-Treasurer is not available to undertake responsibilities delegated to her under this resolution, then the City Manager or a person designated by the Clerk-Treasurer or the City Manager is authorized to take such actions. The officers, administrators, agents and attorneys of the City are authorized and directed to take all other actions necessary and convenient to facilitate issuance and sale of the Bonds, and to execute and deliver all other agreements, documents and certificates and to take all other actions necessary or convenient to complete the issuance, sale and delivery of the Bonds in accordance with this resolution, and to pay costs of issuance including but not limited to rating agency fees, costs of printing the Bonds and the preliminary and final official statements, publication of notices, pricing consultant fees, transfer agent fees, bond counsel fees, and any other costs necessary to accomplish sale and delivery of the Bonds.

18. Conflicting Resolutions. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

I hereby certify that the foregoing is a true and complete copy of a resolution duly adopted by the City Council of the City of Marshall, County of Calhoun, State of Michigan, at a _____ meeting held on _____, 2012, at ___:___ p.m., prevailing Eastern Time, 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 as required by said Act 267.

I further certify that if said meeting was a Special meeting, then notice of said Special meeting was given to each member of the Council in accordance with the rules of procedure of the Council.

I further certify that the following Members were present at said meeting: _____
_____ and that the following Members were absent:
_____.

I further certify that Member _____ moved for adoption of said resolution and that Member _____ supported said motion.

I further certify that the following Members voted for adoption of said resolution: _____
_____ and that the following Members voted against adoption of said resolution: _____.

City Clerk



ADMINISTRATIVE REPORT
August 6, 2012 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council

FROM: Carl Fedders, Director of Public Services
Michael Hackworth, DPW Superintendent
Cheryl Vosburg, Environmental Coordinator
Tom Tarkiewicz, City Manager

SUBJECT: Michigan Avenue Tree Replacement Project

BACKGROUND: In December of last year, staff began to meet and discuss the possibility of replacing the Linden trees along Michigan Avenue. The current trees are past their life expectancy and a number of them have already been removed. Staff took direction from the DDA design committee which utilized the services of Outdoor Living, Inc. to select a mono species planting. Fifty-three Cleveland Select Pear trees will be planted with custom made decorative grates. Staff conducted a mandatory pre bid meeting at which seven different companies where present.

Only one bid was received:

Quality Excavators, Inc.	Olivet	\$171,458
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Staff has secured donations from the Cronin Foundation, the Marshall Community Foundation, and individual tree sponsorships of approximately 35 trees. In addition to these confirmed funding sources, the DDA capital improvements line item includes \$25,000 towards the project. To date, just over \$100,000 has been raised.

Staff is also awaiting responses from a number of other potential funding sources which would make up the shortfall. The status of these funding sources may not be known until the project is under construction as per plan. A number of options were considered to deal with the shortfall, but at this time it is recommended that the fundraising efforts continue and the project be awarded.

The project was discussed at the DDA board meeting on July 26, 2012 and has been forwarded to City Council with their recommendation for approval of the bid.

RECOMMENDATION: The DDA recommends that the City Council accept the bid from Quality Excavators Inc. in the amount of \$171,458 for the Michigan Avenue Tree Replacement Project.

FISCAL EFFECTS: The funding of the project will come from grants and donations.

ALTERNATIVES: As suggested by the Council.

Respectfully submitted,

Carl Fedders
Director of Public Services

Tom Tarkiewicz
City Manager

Cheryl Vosburg
Environmental Coordinator

Michael Hackworth
DPW Superintendent

323 W. Michigan Ave.
Marshall, MI 49068

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ADMINISTRATIVE REPORT
August 6, 2012 – CITY COUNCIL MEETING

TO: City Council Members

FROM: Mayor James L. Dyer

SUBJECT: Brooks Nature Area Board Appointments

BACKGROUND: Dave Fhaner, Patti Hoch-Melluish, and James Coury have expressed interest in being reappointed to the Brooks Nature Area Board.

RECOMMENDATION: I am submitting to City Council for confirmation the reappointment of Dave Fhaner, Patti Hoch-Melluish, and James Coury to the Brooks Nature Area Board with terms ending August 15, 2015.

FISCAL EFFECTS: None

ALTERNATIVES: As suggested by City Council.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James L. Dyer", written in a cursive style.

James L. Dyer
Mayor

323 W. Michigan Ave.

Marshall, MI 49068

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ADMINISTRATIVE REPORT
August 6, 2012 – CITY COUNCIL MEETING

TO: City Council Members
FROM: Mayor James L. Dyer
SUBJECT: Parks, Recreation, and Cemetery Board
Appointments

BACKGROUND: Dave Fhaner and Mitch McComb have expressed interest in being reappointed to the Parks, Recreation, and Cemetery Board.

RECOMMENDATION: I am submitting to City Council for confirmation the reappointment of Dave Fhaner and Mitch McComb to the Parks, Recreation, and Cemetery Board with terms ending July 1, 2015.

FISCAL EFFECTS: None

ALTERNATIVES: As suggested by City Council.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James L. Dyer", with a long horizontal flourish extending to the right.

James L. Dyer
Mayor

323 W. Michigan Ave.

Marshall, MI 49068

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