

Marshall City Council, Regular Session  
Monday, August 20, 2012

**CALL TO ORDER**

IN REGULAR SESSION Monday, August 20, 2012 at 7:15 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, Metzger, Miller, Reed and Williams.

Also Present: City Manager Tarkiewicz.

Absent: Mayor Dyer (arrived at 7:35 p.m.) and Mankerian.

**Moved** Miller, supported Reed to excuse the absence of Mayor Dyer and Council Member Reed. On a voice vote: **MOTION CARRIED.**

**INVOCATION/PLEDGE OF ALLEGIANCE**

Barry Chaffin of the Church of Christ 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 as presented. On a voice vote: **MOTION CARRIED.**

**PUBLIC COMMENT ON AGENDA ITEMS**

None.

**CONSENT AGENDA**

**Moved** Metzger, supported Booton, to approve the consent agenda:

- A. Adopt a resolution for the November 2012 ballot language for the City Charter amendments:

**CITY OF MARSHALL  
RESOLUTION NO. 2012-28  
CHARTER AMENDMENTS**

The Marshall City Council adopted Resolution No. 2012-20 at its July 2, 2012 meeting. A certified copy of that resolution was then forwarded to the offices of the Governor of the State of Michigan and to the Attorney General of the State of Michigan. The resolution was rejected in its initial form and various modifications were then proposed by the office of the Attorney General.

In consideration of the comments and proposed changes, the resolution has been modified.

The City of Marshall has determined that with the passage of time it is in the best interests of the City to redefine the organizational structure between the City Council, the City Manager, the clerk-treasurer, and the assessor by amending the City Charter to provide that the City Manager shall appoint a clerk, a treasurer and an assessor, who thereafter shall be immediately responsible to the City Manager for the administration of their respective duties.

Further, because the Marshall District Library has been organized under the District Library Establishment Act, Public Act 24 of 1989, the references to a public library contained within the City Charter are obsolete.

**IT IS HEREBY RESOLVED:**

- A. That the existing City of Marshall Charter Article II, Section 2.02(b) shall be amended to read as follows:

**Section 2.02, Qualifications**

**(b) Oath and Bond of Office.** Every elected officer, before entering upon the duties of office, shall take the oath of office prescribed in Section 1 of ARTICLE-~~11~~ 11 of the Constitution of 1963 of the State of Michigan, and shall file the same with the clerk together with any bond which may be required by this charter or by the council. In the case of failure to comply with the provisions of this section within ten (10) days from the date of election, such officers shall be deemed to have declined the office and such office shall thereupon become vacant unless the council shall, by resolution, extend the time which such officer may qualify as above set forth.

- B. That the existing City of Marshall Charter Article II, Section 2.04 shall be amended to read as follows:

***Section 2.04, Compensation and Expenses***

~~The salary of the members of the council, with the exception of the mayor, shall be \$300.00 per year. Salary of the mayor shall be \$500.00 per year. These salaries shall constitute the only remuneration which shall be paid to the members of the council and mayor for the discharge of their official duties.~~ The members of the council, including the mayor, shall receive no salary or other compensation for their services except that expenses incurred on behalf of the city shall be

paid if authorized by the council.

- C. That the existing City of Marshall Charter Article II, Section 2.10 shall be amended to read as follows:

**Section 2.10, Appointment of City Officials.**

~~The clerk-treasurer, assessor, and city attorney shall hold office by virtue of appointment by the mayor and subject to confirmation of two-thirds (2/3) of the council, which body shall also set their compensation. These appointees may be removed for cause by a two-thirds (2/3) vote of the council. All such appointments shall be made at the first regular meeting of the Council in May following each regular city election, and the persons so appointed shall hold office for terms of two (2) years from the first day of June following their appointment.~~

**(a) Clerk, treasurer and assessor.** The clerk, the treasurer and the assessor shall each hold office by virtue of appointment by the City Manager. The compensation of the clerk, the treasurer and the assessor shall be set by the council.

**(b) Attorney.** The city attorney shall hold office by virtue of appointment by the mayor and subject to confirmation of two-thirds (2/3) of the council, which body shall also set the attorney's compensation. The city attorney may be removed for cause by a two-thirds (2/3) vote of the council. The appointment shall be made at the first regular meeting of the Council in May following each regular city election, and the person so appointed shall hold office for terms of two (2) years from the first day of June following the appointment.

- D. That the existing City of Marshall Charter Article II, Section 2.11 shall be amended to read as follows:

**Section 2.11, Appointment of City Manager.**

The city manager shall be appointed by a two-thirds (2/3) vote of the entire council for an indefinite term. The appointment shall be primarily on the basis of executive and administrative qualifications. The council shall fix the city manager's compensation. ~~The city manager, once appointed, shall become a resident of the city.~~

- E. That the existing City of Marshall Charter Article II, Section 2.15 shall be amended to read as follows:

**Section 2.15, Procedure**

- (a) Meetings. The council shall meet regularly ~~at least twice in~~ every month at such time and places as the council may prescribe by resolution. Special meetings shall be called by the clerk upon written request by the mayor or four (4) members of the council. All meetings shall be open to the public, except as provided by State law, and notice of all meetings shall be made in accordance with State law.

- F. That the existing City of Marshall Charter Article II, Section 2.27 shall be amended to read as follows:

**Section 2.27, Annual Compensation**

The city council shall set the salaries of all administrative officials, department heads and salaried personnel by June 4 30 of every year, except as provided by State law. Such salaries shall be included in the annual budget to be adopted ~~by June 4~~ not later than the first meeting of the council in June.

- G. That the existing City of Marshall Charter Article III, Section 3.01 shall be amended to read as follows:

- (a) Administrative Officials.** The administrative officials of the city shall be the city manager, city clerk, city

treasurer, city assessor and city attorney. The council may create additional administrative offices combine, or separate administrative offices in any manner not inconsistent with law or this charter and shall prescribe the duties thereof in order to insure the proper operation of the city government.

**(b) Oath and Bond of Office.** Every appointed officer, before entering upon the duties of office, shall take the oath of office prescribed by Section 1 of ARTICLE # 11 of the Constitution of 1963 of the State of Michigan, and shall file the same with the clerk together with any bond which may be required by this charter or by the council. In case of failure to comply with the provisions of this section within ten (10) days from the date of appointment, such officers shall be deemed to have declined the office and such office shall thereupon become vacant unless the council shall, by resolution, extend the time in which such officer may qualify as above set forth.

H. That the existing City of Marshall Charter Article III, Section 3.03 shall be amended to read as follows:

**(a) Appointment.** When the city manager is absent from the city, or disabled, a qualified city ~~administrative official~~ employee shall be designated by the city manager, to exercise the powers and perform the duties of the city manager during this absence or disability. The city manager shall file with the city clerk ~~treasurer~~ a list, by name and title, of three qualified city ~~administrative officials~~ employees to exercise such powers and perform such duties. The city ~~administrative officials~~ employees shall be listed in the order by which each shall be designated to temporarily assume the city manager's duties. During this absence of disability, the council may revoke such designation at any time and appoint another city ~~administrative official~~ employee or department head to serve until the city manager shall return or the city manager's disability shall cease.

- I. That the existing City of Marshall Charter Article III, Section 3.05 shall be amended to read as follows:

**Section 3.05, Duties of the City Clerk-Treasurer**

The clerk-treasurer shall:

(a) be clerk of the council and shall attend all meetings of the council and keep a permanent journal of its proceedings.

(b) have power to administer all oaths required by law, this charter or the ordinances of the city.

(c) be custodian of the city seal, and shall affix it to all documents and instruments requiring the seal, attest the same, and shall also be custodian of all papers, documents, and records pertaining to the City of Marshall, the custody of which is not otherwise provided for by this charter and shall attest the same whenever required to do so.

(d) give the proper officials of the city ample notice of the expiration or termination of any official bonds, franchises, contracts or agreements.

(e) ~~examine and audit all accounts and claims against the city.~~ perform such other duties as may be prescribed in the capacity of clerk of the city, by law or this charter.

~~(f) be the general accountant of the city and shall keep the books of account of the assets, receipts and expenditures of the city except as otherwise provided by state law or by this charter; the system of accounts of the city shall conform to such uniform system as may be required by law.~~

~~(g) have the custody of all moneys of the city, and all evidences of value belonging to the city, or held in trust by the city.~~

~~(h) receive all moneys belonging to and receivable by the city, including license fees, taxes, assessments, and all~~

~~other charges, belonging to and payable to the city and shall in all cases give a receipt therefore.~~

~~(i) keep and deposit all moneys or funds in such manner and only in such places as the council may determine, and report the same to the city manager, and to the council.~~

~~(j) have such powers, duties and prerogatives in regard to the collection and custody of State, County, School District and City taxes and moneys as are conferred by law to enforce the collection of State, County, Township, School District, and City taxes upon real and personal property.~~

~~(k) perform such other duties as may be prescribed in the capacity of clerk treasurer of the city, by law or this charter.~~

- J. That the existing City of Marshall Charter Article III, Section 3.06 shall be amended to read as follows:

**Section 3.06, Duties of the Deputy Clerk- City Treasurer**

~~—The clerk treasurer may appoint a deputy subject to the written confirmation by the city manager. The clerk treasurer may terminate the status of the deputy upon written notice to the city manager. The deputy clerk treasurer shall have the authority to assume the duties of the clerk treasurer in the clerk treasurer's absence.~~

    The treasurer shall:

(a) be the general accountant of the city and shall keep the books of account of the assets, receipts and expenditures of the city except as otherwise provided by state law or by this charter; the system of accounts of the city shall conform to such uniform system as may be required by law.

(b) have the custody of all moneys of the city, and all evidences of value belonging to the city, or held in trust

by the city.

(c) receive all moneys belonging to and receivable by the city, including license fees, taxes, assessments, and all other charges, belonging to and payable to the city and shall in all cases give a receipt therefore.

(d) keep and deposit all moneys or funds in such manner and only in such places as the council may determine, and report the same to the city manager, and to the council.

(e) have such powers, duties and prerogatives in regard to the collection and custody of State, County, School District and City taxes and moneys as are conferred by law to enforce the collection of State, County, Township, School District, and City taxes upon real and personal property.

(f) perform such other duties as may be prescribed in the capacity of treasurer of the city, by law or this charter.

K. That the existing City of Marshall Charter Article VII shall be abrogated:

#### **ARTICLE VII, LIBRARY**

~~———— The Marshall Public Library shall be continued and maintained as a public library and reading room pursuant to the governing state statutes. The manner of selection of the board of directors and officers thereof, the duties of the board of directors and officers, the control of moneys collected to the credit of the library fund, the acquisition and disposal of real and personal property, the construction and leasing of buildings and property, the appointment and removal of a librarian, library assistants and staff, the fixing of salaries and all other matters pertaining to the operation of the public library and reading room shall be as provided by state law.~~

IT IS FURTHER RESOLVED that the proposed Amendments to the City



Charter relating to organizational structure shall be submitted to the electors in the following form:

**Question #1** – Shall the reference to the Oath of Office prescribed for by the Constitution of the State of Michigan of 1963, art 11, sec 1 in Sections 2.02(b) and 3.01(b) of the Marshall City Charter be set out in those sections as referring to that section in place of the current language which refers to section 1 of Article Two of the Michigan constitution?

Yes \_\_\_\_\_ No \_\_\_\_\_

**Question #2** – Shall Article II, Section 2.04 of the Marshall City Charter be amended to provide that members of the city council, who are currently paid \$300 annually and the mayor who is currently paid \$500 annually, shall receive no compensation for their services?

Yes \_\_\_\_\_ No \_\_\_\_\_

**Question #3** – Shall Sec. 2.10 of the Marshall City Charter be amended to provide for the city manager to appoint the clerk, treasurer, and assessor in place of the current provision which provides for these offices to be appointed by the mayor subject to confirmation by the council?

Yes \_\_\_\_\_ No \_\_\_\_\_

**Question #4** – Shall Section 2.11 of the Marshall City

Charter be amended to delete the requirement, no longer enforceable under state law, that the city manager shall live in the city?

Yes \_\_\_\_\_ No \_\_\_\_\_

**Question #5** – Shall Article II, Section 2.15 of the Marshall City Charter be amended to provide that the City Council regularly meet every month rather than twice a month as currently provided for in the Charter?

Yes \_\_\_\_\_ No \_\_\_\_\_

**Question #6** – Shall Article II, Section 2.27 of the Marshall City Charter be amended to provide that the City Council will set the salaries of all administrative officials, department heads and salaried personnel by June 30 of each year, and that these salaries be included in the annual budget adopted not later than the first meeting of the Council in June of each year?

Yes \_\_\_\_\_ No \_\_\_\_\_

**Note:** Adoption of this Proposal No. 7 is conditioned on the adoption at this election of Proposal No. 9.

**Question #7** – Shall Marshall City Charter Sections 2.10, 3.01(a), 3.03(a), 3.05 and 3.06 be amended to provide that the combined offices of clerk-treasurer shall be set out in the charter as separate offices with

the current duties of the clerk-treasurer apportioned in these sections to the offices of clerk and treasurer?

Yes \_\_\_\_\_ No \_\_\_\_\_

**Question #8** -- Shall Section 3.03(a) of the City of Marshall charter be amended to increase the number of persons eligible to be designated by the city manager and by the city council to exercise the city manager's powers in the city manager's absence or disability from the city's administrative officials to all employees of the city?

Yes \_\_\_\_\_ No \_\_\_\_\_

Note: Adoption of this proposal No. 9 is conditioned on the adoption at this election of proposal No. 7.

**Question #9** – Shall Article III, Section 3.05 and 3.06 of the Marshall City Charter be amended to reflect that the positions of Clerk and Treasurer are separate and state the duties of each office in the corresponding Section? The Charter currently provides that the Clerk-Treasurer is one office, and this amendment would allow the position to be split into two separate offices along with their relevant duties.

Yes \_\_\_\_\_ No \_\_\_\_\_

IT IS FURTHER RESOLVED that the proposed Amendment to the City Charter relating to a municipal library shall be submitted to the electors in the following form:

**Question #10** – Shall the Charter of the City of Marshall, Article VII be deleted; to remove the requirement of a City-operated library and the remaining chapters in the Charter be renumbered?

Yes \_\_\_\_\_

No \_\_\_\_\_

IT IS FURTHER RESOLVED that the City Clerk shall forthwith transmit a copy of the proposed Amendments to the City Charter to the Governor of the State of Michigan for his approval, and transmit a copy of the proposed Amendments to the City Charter to the Attorney General of the State of Michigan for his approval, as required by law.

IT IS FURTHER RESOLVED that the proposed Amendments to the City Charter shall be, and the same are hereby ordered, to be submitted to the qualified electors of this City at the general election to be held in the City on Tuesday, November 6, 2012, and the City Clerk is hereby directed to give notice of the election and notice of registration, therefore, in the manner prescribed by law and to do all things and to provide all supplies necessary to submit such Amendments to the City Charter to the vote of the electors as required by law.

IT IS FURTHER RESOLVED that the proposed Amendments to the City Charter shall be published in full together with the existing Charter provision altered thereby in the Marshall Advisor/Chronicle (Election Notice) not less than ten (10) days prior to the election.

IT IS FURTHER RESOLVED that the canvass and determination of the votes on said question shall be made in accordance with the laws of the State of Michigan.

#### CERTIFICATION

I, Sandra Bird, Clerk-Treasurer for the City of Marshall, Calhoun County, Michigan do hereby certify that the foregoing Resolution No. 2012-28 was offered by Councilperson Metzger and supported by Councilperson Booton, and the same was duly passed at a regular meeting of the City Council in Town Hall held on the 20th day of August, 2012 and that the vote was as follows:

Yeas: Booton, Metzger, Miller, Reed and Williams

Nays: None.

Absent: Mayor Dyer and Mankerian

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Sandra Bird

- B. Authorize the Clerk Treasurer to sign the Mutual Aid Agreement with Consumer's Energy Company;
- C. Adopt the revisions to the City of Marshall – Standard Rules and Regulations;
- D. Approve minutes of the City Council Regular Session held on Monday, August 6, 2012 and the Work Session minutes for Monday, August 13, 2012;
- E. Approve city bills in the amount of \$1,280,243.58.

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

#### **PRESENTATIONS AND RECOGNITIONS**

None.

#### **INFORMATIONAL ITEMS**

Event Reports were given for the 81<sup>st</sup> Historic Fly and Drive-In and the Baker's Dozen Beer Run.

#### **PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION**

None.

#### **OLD BUSINESS**

None.

#### **REPORTS AND RECOMMENDATIONS**

##### **A. 2013 Storm Sewer Improvements:**

**Moved** Metzger, supported Booton to approve the proposal from FTCH for the 2013 Storm Sewer Improvements for the not to exceed cost of \$49,100 and approve the resolution stating the intent to reimburse expenditures from the anticipated bond proceeds. On a roll call vote – ayes: Metzger, Miller, Reed, Williams, and Booton; nays: none. **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN  
RESOLUTION #2012-30**

**RESOLUTION STATING INTENT TO  
REIMBURSE EXPENDITURES FROM BOND PROCEEDS FOR THE 2013  
STORM SEWER IMPROVEMENTS**

A RESOLUTION TO PROVIDE FOR:

Statement of Intent to reimburse expenditures from bond proceeds required by Internal Revenue Code for tax-exempt debt.

**WHEREAS**, the City of Marshall, County of Calhoun, State of Michigan (the "City") is developing a plan to improve various infrastructure in the storm sewer system (the "Project"); and

**WHEREAS**, the City may receive a Motor Vehicle Highway Bond to finance the Project.

**WHEREAS**, the Internal Revenue Service has issued Treasury Regulation § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended, governing proceeds of debt used for reimbursement, pursuant to which the City must declare official intent to reimburse expenditures with proceeds of such debt before making the expenditures.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. The City hereby makes the following declaration of official intent for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

(1) As of the date of this resolution the City reasonably expects to reimburse itself for the expenditures described in (2) below with proceeds of debt to be incurred by the City.

(2) The expenditures described in this paragraph (2) are to pay certain costs associated with the Project which were or will be paid subsequent to sixty (60) days prior to the date hereof or which will be paid prior to the issuance of the debt from the general funds or capital fund of the City.

(3) As of the date hereof, the maximum principal amount of debt expected to be issued for reimbursement purposes, including reimbursement of debt issuance costs, One Million Six Hundred Thousand Dollars (\$1,600,000) which debt may be issued in one or more series and/or together with debt for other purposes.

(4) A reimbursement allocation of the expenditures described in paragraph (2) above with the proceeds of the borrowing described herein

will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Project are placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the debt to be issued for the Project to reimburse the City for a capital expenditure made pursuant to this Resolution.

(5) The expenditures for the Project are "capital expenditures" as defined in Treas. Reg. § 1.150-1(b), which are any costs of a type which are properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of "placed in service" under Treas. Reg. § 1.150-2(c)) under general Federal income tax principles (as determined at the time the expenditure is paid).

(6) No proceeds of the borrowing paid to the City in reimbursement pursuant to this Resolution will be used in a manner described in Treas. Reg. § 1.150-2(h) with respect to abusive uses of such proceeds, including, but not limited to, using funds corresponding to the proceeds of the borrowing in a manner that results in the creation of replacement proceeds (within Treas. Reg. § 1.148-1) within one year of the reimbursement allocation described in paragraph (4) above.

2. This declaration is executed to indicate the intent of the City only, and does **NOT** bind the City to acquire and construct any improvements or to issue any bonds or other obligations of the City.

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

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Sandra Bird, Clerk-Treasurer

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 Regular meeting held on August 20, 2012 at 7:00 o'clock 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.

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Sandra Bird, Clerk-Treasurer

**B. Chapel Building Lease Agreement:**

**Moved** Metzger, supported Miller, to authorize the Clerk-Treasurer to sign the Chapel Building Lease with the Marshall Community Foundation. On a roll call vote – ayes: Miller, Reed, Williams, Booton, and Metzger; nays: none. **MOTION CARRIED.**

**C. Proposed Establishment of a Redevelopment Project Area:**

**Moved** Miller, supported Metzger, to approve the resolution establishing the Downtown Redevelopment Project Area. On a roll call vote – ayes: Reed, Williams, Booton, Metzger, and Miller; nays: none. **MOTION CARRIED.**

**RESOLUTION NO.2012-29  
CITY OF MARSHALL  
DOWNTOWN REDEVELOPMENT PROJECT AREA**

**WHEREAS**, the City of Marshall certifies that the Marshall Downtown Development Authority was established pursuant to Public Act 197 of the Public Acts of Michigan of 1975, and with the City of Marshall Ordinance number 2.24 dated August 3, 1981; and

**WHEREAS**, the City of Marshall wishes to establish the Marshall Downtown Development Authority Area as its redevelopment project area as required in Public Act 501 of the Public Acts of 2006; and

**WHEREAS**, the legal description for the Downtown Development Authority Area and the newly designated redevelopment project area is attachment #1; and

**WHEREAS**, attachment #2 is a map outlining the Downtown Development Authority Area and newly designated redevelopment project area;

**NOW, THEREFORE BE IT RESOLVED**, the City of Marshall by copies of this resolution submits this document with attachments to the Michigan Liquor Control Commission in compliance of its regulations to establish a redevelopment project area for purposes of securing liquor licenses under Public Act 501 of the Public Acts of 2006.

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



Nayes: None.

Resolution Declared Adopted

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Sandra Bird, Clerk-Treasurer

I, Sandra Bird, being duly sworn as the Clerk-Treasurer for the City of Marshall, hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on August 20, 2012 and that said meeting was conducted and that the minutes of said meeting were kept and will be or have been made available.

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Sandra Bird, Clerk-Treasurer

**D. Fourth Quarter Investment Portfolio Report:**

City Council received and placed on file the Fourth Quarter Investment Portfolio for the City of Marshall.

**E. FY 2013 Mid-Year Budget Amendment:**

**Moved** Mankerian, supported Metzger, to approve the recommendation to adopt the FY 2013 Mid-Year Budget Amendment. On a roll call vote – ayes: Booton, Mankerian, Metzger, and Miller; nays: none. **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN  
RESOLUTION #2012-31**

**City of Marshall Authorizing Resolution  
To Amend FY 2013 Adopted Budget**

**Decrease City-wide Workers Compensation Expenditure Budgets.**

WHEREAS, the City was recently informed of a decrease in the projected FY 2013 workers compensation rates resulting from reduced loss claims;

THEREFORE, BE IT RESOLVED, that the following expenditure budgets be decreased by (\$28,617) for the projected net savings in workers compensation costs:

<u>Fund</u>	<u>Budget Amendment</u>	
101	\$14,104.33	General Fund
202	683.81	MVH Major Roads
203	433.75	MVH Local Roads
208	2,132.47	Recreation
225	789.00	Compost
295	548.45	Airport
298	1,050.94	DDA
536	1,832.84	Marshall House
582	(650.68)	Electric
588	599.91	DART
590	811.64	Waste Water
591	5,038.18	Water
636	146.87	Data Processing
661	<u>1,095.49</u>	Motor Pool
Total	\$28,617.00	

**Provide Increased Funding for One (1) Crossing Guard Part-time Position.**

WHEREAS, City Council authorized at the August 6, 2012 Council Regular meeting increased funding of \$4,000 to fund one (1) part-time crossing guard position, eliminated from the FY 2013 Adopted Budget;

WHEREAS, the position will provide improved safety for the Marshall community;

WHEREAS, the funding source is provided by offset savings in the General Fund, Police Department workers compensation expenditure budget line item;

THEREFORE, BE IT RESOLVED, that the General Fund Crossing Guard Department, Part-time Salaries budget line item 101-316-703.00 be increased by \$4,000 for one (1) part-time crossing guard position.

**Provide Increased Funding for Council Actions Approved in June and July, 2012 Council Meetings for Architect Services for the City/State Joint Police**

**Facility, Architect Services for the Fire Station, City's Share of the Marshall Area Economic Development Alliance Start-up Costs and Leaf Collection Services.**

WHEREAS, Council approved increased funding for the following items not funded in the FY 2013 budget with the funding source from General Fund Use of Prior Year Fund Balance Reserves:

- a) \$13,798 Architect services for the City/State joint police facility
  - b) \$35,100 Architect services for the fire station
  - c) \$50,000 City's share of the Marshall Area Economic Development Alliance start-up costs
  - d) \$75,000 Leaf collection services
- \$173,898 Total

WHEREAS, during the FY 2013 budget development process, staff included \$170,000 expenditure in the General Fund, Non-Department, Transfer to Other Funds budget line item for contribution to the MVH Local Roads Fund road report capital improvements. \$220,000 was also included in the revenue of the MVH Local Roads, Proceeds from Sale of Bonds revenue for road report capital improvements. The budgeted revenue in the MVH Local Road Funds is overstated by \$170,000;

WHEREAS, the source of funding will be the decrease of (\$170,000) in the General Fund Non-Department, Transfers to Other Funds budget line item 101-294-999.00 for the decrease in the contribution to MVH Local Roads Fund;

THEREFORE, BE IT RESOLVED, that the funding be increased by \$98,898.00 for the General Fund Non-Department, Contracted Services budget line item 101-294-820.00 for the police and fire buildings architectural services and MAEDA start-up money. And that the funding be increased by \$75,000 for the General Fund Streets Department, Payroll budget line item 101-441-702.00 for leaf collection services. The source of funding will be the decrease of (\$170,000) in the General Fund Non-Department, Transfers to Other Funds expenditure budget line item 101-294-999.00 for the decrease in the contribution to MVH Local Roads Fund.

**As Amended, August 20, 2012**

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Sandra Bird, Clerk-Treasurer

I, Sandra Bird, being duly sworn as the Clerk-Treasurer for the City of Marshall, hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on August 20, 2012 and that said meeting was conducted and that the minutes of said meeting were kept and will be or have been made available.

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Sandra Bird, Clerk-Treasurer

### **APPOINTMENTS / ELECTIONS**

#### **A. Local Development Finance Authority:**

**Moved** Miller, supported Williams, to approve the appointment of Mark Oerther to the Local Development Finance Authority with a term expiring June 2, 2013. On a voice vote – **MOTION CARRIED.**

### **PUBLIC COMMENT ON NON-AGENDA ITEMS**

Ginger Williams of 606 Ventura Way spoke regarding the some concerns with Oaklawn and the downtown.

Brian Munger spoke regarding the conference call during the Council Work Session.

### **COUNCIL AND MANAGER COMMUNICATIONS**

None.

### **ADJOURNMENT**

The meeting was adjourned at 8:00 p.m.

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James L. Dyer, Mayor

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Sandra Bird, Clerk-Treasurer