

**MARSHALL CITY COUNCIL AGENDA**

**MONDAY – 7:00 P.M.**

**OCTOBER 1, 2012**



- 1) **CALL TO ORDER**
- 2) **ROLL CALL**
- 3) **INVOCATION** – Richard Gerten, Family Bible Church
- 4) **PLEDGE OF ALLEGIANCE**
- 5) **APPROVAL OF AGENDA** – Items can be added or deleted from the Agenda by Council action.
- 6) **PUBLIC COMMENT ON AGENDA ITEMS** – Persons addressing Council are required to give their name and address for the record when called upon by the Mayor. Members of the public shall be limited to speaking for a maximum of five (5) minutes on any agenda item.

**7) CONSENT AGENDA**

**A. City Council Minutes**

Work Session..... Monday, September 17, 2012

Regular Session..... Monday, September 17, 2012

**B. City Bills**

Regular Purchases ..... \$ 277,150.10

Weekly Purchases –9/14/12..... \$ 54,036.45

Weekly Purchases –9/21/12..... \$ 448,497.07

**Total..... \$ 779,683.62**

**8) PRESENTATIONS AND RECOGNITIONS**

**A. Garden Club Proclamation**

City Council will present a proclamation to the Marshall Area Garden Club in honor of their 25<sup>th</sup> Anniversary.

**B. Conflict of Interest**

The City Attorney will present his findings regarding the Conflict of Interest Policy complaint filed by Steve Rhodes on September 17, 2012.

**9) INFORMATIONAL ITEMS**

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

**11) OLD BUSINESS**

**12) REPORTS AND RECOMMENDATIONS**

**A. Fire Department Staffing**

City Council will consider the recommendation to staff 7 full-time positions in the Fire Department, pending award notification of the SAFER grant.

**13) APPOINTMENTS / ELECTIONS**

**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.

**Mayor:**

James Dyer

**Council Members:**

Ward 1 - Wayne Booton

Ward 2 - Nick Metzger

Ward 3 - Brent Williams

Ward 4 - Jack Reed

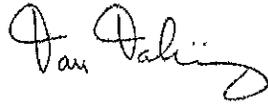
Ward 5 - Jody Mankerian

At-Large - Kathy Miller

15) COUNCIL AND MANAGER COMMUNICATIONS

16) ADJOURNMENT

Respectfully submitted,



Tom Tarkiewicz  
City Manager



October 1, 2012

Page 2

IN A WORK SESSION Monday, September 17, 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.

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

Also Present: City Manager Tarkiewicz and Clerk-Treasurer Bird

Absent: None.

A. City Staff discussed the proposals received for an Income Tax Feasibility Study.

The meeting was adjourned at 6:30 p.m.

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James L. Dyer, Mayor

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Sandra Bird, Clerk-Treasurer

**CALL TO ORDER**

IN REGULAR SESSION Monday, September 17, 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 Dyer.

**ROLL CALL**

Roll was called:

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

Also Present: City Manager Tarkiewicz.

Absent: None.

**INVOCATION/PLEDGE OF ALLEGIANCE**

David Good of the First Baptist Church gave the invocation and Mayor Dyer led the Pledge of Allegiance.

**APPROVAL OF THE AGENDA**

**Moved** Metzger, supported Reed to approve the agenda with removal of item 7A Schedule Public Hearing - Autocam Corporation IFT and the addition of the MSCPA invoice in the amount of \$797,946.33. On a voice vote – **MOTION CARRIED.**

**PUBLIC COMMENT ON AGENDA ITEMS**

None.

**CONSENT AGENDA**

**Moved** Metzger, supported Mankerian to amend the Minutes from Tuesday, September 4, 2012 to reflect the change to Amendment #5 to read "City Council recommends that the Planning Commission consider allowing a significant additional height for development to encourage growth in the area of Prospect Street." On a voice vote – **MOTION CARRIED.**

**Moved** Williams, supported Metzger:

- A. Authorize the purchase of one batch (73 drums) of P-86 Polymer from Chemco Products, Inc in the amount of \$65,700;
- B. Approve one year licenses for amusement devices and music machines for various businesses in the City of Marshall;
- C. Approve minutes of the City Council Regular Session held on Tuesday, September 4, 2012;
- D. Approve city bills in the amount of \$2,776,907.50.

Marshall City Council, Regular Session  
Monday, September 17, 2012  
Unofficial

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

**PRESENTATIONS AND RECOGNITIONS**

None.

**INFORMATIONAL ITEMS**

None.

**PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION**

None.

**OLD BUSINESS**

**Moved** Miller, supported Mankerian to bring back to Council on Monday, December 3, 2012 the two tabled motions to approve the HCOD District as presented by the HNC with the amendments and the formation of an Oaklawn Land Use Committee. On a voice vote – **MOTION CARRIED.**

Council Member Williams recused himself from voting.

Steve Rhodes of 612 Hill Road commented regarding Council Member Williams comments at the September 4, 2012 City Council Meeting and formally filed a Conflict of Interest complaint against the Council Member Williams and Mayor Dyer:

September 16, 2012

Tom Tarkiewicz, City Manager  
Town Hall  
323 W. Michigan Ave.  
Marshall, MI 49068

Dear Mr. Tarkiewicz,

With this letter I am filing a signed written complaint against Council Member Brent Williams for violating the City of Marshall's Conflict of Interest Policy.

On June 18, 2012, as per the City of Marshall's Conflict of Interest Policy, Council Member Williams delivered a written statement to the Council disclosing his conflict of interest regarding issues related to the Hospital Campus Overlay District (HCOD) and explaining why, despite the fact that his spouse is the current president of the hospital and the incoming CEO, he

would be able to participate in discussion prior to the vote related to the HCOD fairly, objectively and in the public interest.

At that same Council meeting the Council voted unanimously to “*excuse Council Member Williams from voting on the Hospital Campus Overlay District because of Conflict of Interest.*” Subsequently in that same meeting, the Council voted 4 to 1 in favor of allowing Council Member Williams to “*participate in the Hospital Campus Overlay District discussion prior to the vote.*”

Although I believe the Council’s Conflict of Interest Policy is flawed, Council Member Williams and the Council acted in accordance with the existing policy.

However, at a Council meeting on the evening of September 4, 2012, following public input and just prior to the Council taking up discussion that would lead to voting on motions related to the HCOD, Council Member Williams made a public statement in which he stated that “*From this point on of the actual deliberations and the vote, I will not participate. I will be recused from the vote of the Council.*” He followed this statement by proceeding to say, “*But, I want to make a few comments and observations that I’ve seen....*”

He was then allowed to speak for fifteen-plus minutes during which time he repeatedly made statements that, in my professional opinion, had the appearance of stating directly and indirectly how he would vote if he had not recused himself and statements that had the appearance of being directed at his fellow council members with the intention of influencing their voting. In spite of repeatedly referring to his statements as “facts,” they were clearly statements intended to persuade.

My Ph.D. from The Pennsylvania State University is in Communication with a specialty focus on group processes. I have over thirty-five years of experience teaching and working with governing bodies and nonprofit organizations in the area of group decision-making processes, including parliamentary procedure. As noted above, up until Council Member Williams followed his brief statement in which he said “*I have recused myself from voting...*” with his lengthy persuasive statement, there was no violation of the existing policy. However, in my professional opinion, from the moment he said “*However, I want to make a few statements of fact and observation....*” he was in violation of the existing policy. Why do I say this?

When I objected with a point of order, Mayor Dyer indicated that Council Member Williams was making his “recusal statement.” There is nothing in the existing policy, or the vote taken by Council accepting Council Member Williams’s letter declaring a conflict of interest and excusing him from the vote,

or anything in the subsequent vote allowing him to "*participate prior to the vote*" that allowed him to make any kind of "recusal statement." The act of making such a statement as presented just prior to deliberation and voting, that in my professional opinion could directly or indirectly influence Council's voting, violated existing policy.

Furthermore, even though Mayor Dyer subsequently referred to Council Member Williams's statement as a "personal statement," and defended his right to make such a statement, the content of what Council Member Williams said violated the very essence of, and ethical integrity of, what it means to recuse oneself -- an opinion shared by professional colleagues.

In sum, there is nothing in the Conflict of Interest Policy, or any of the votes taken regarding Council Member Williams's recusal, that allowed for making any kind of "recusal statement" or "personal statement" just prior to deliberation and voting that had the appearance of an attempt to indirectly influence voting. Council Member Williams gave up that opportunity when he recused himself by stating "*From this point on of the actual deliberations and the vote, I will not participate. I will be recused from the vote of the Council.*"

Effective governance depends on decision-making by council members that is unbiased and that **appears** to be unbiased. Even the appearance of a conflict of interest can damage a council's credibility and reputation and compromise its ability to make unbiased decisions. When we vote for our fellow citizen's of Marshall to represent us, we place great trust in their behaviors as elected officials. We expect them to remain free from the influence of, or the **appearance of**, any conflicting interest in fulfilling their Council duties and we expect them to exercise great care that no detriment to the City and citizens of Marshall results from conflicts between their personal and/or professional interests and those of the City, its citizens, and the public good.

Sincerely,

Steven C. Rhodes, Ph.D.  
612 Hill Rd.  
Marshall, MI 49068

Professor Emeritus / Director Emeritus  
School of Communication  
Western Michigan University

Marshall City Council, Regular Session  
Monday, September 17, 2012  
Unofficial

September 16, 2012

Tom Tarkiewicz, City Manager  
Town Hall  
323 W. Michigan Ave.  
Marshall, MI 49068

Dear Mr. Tarkiewicz,

With this letter I am filing a signed written complaint against Mayor James Dyer for violating the City of Marshall's Conflict of Interest Policy.

On June 18, 2012, as per the City of Marshall's Conflict of Interest Policy, Council Member Brent Williams delivered a written statement to the Council disclosing his conflict of interest regarding issues related to the Hospital Campus Overlay District (HCOD) and explaining why, despite the fact that his spouse is the current president of the hospital and the incoming CEO, he would be able to participate in making decisions related to the HCOD fairly, objectively and in the public interest.

At that same Council meeting the Council voted unanimously to *"excuse Council Member Williams from voting on the Hospital Campus Overlay District because of Conflict of Interest."* Subsequently in that same meeting, the Council voted 4 to 1 in favor of allowing Council Member Williams to *"participate in the Hospital Campus Overlay District discussion prior to the vote."*

Although I believe the Council's Conflict of Interest Policy is flawed, Council Member Williams, Mayor Dyer, and the Council acted in accordance with the existing policy.

However, at a Council meeting on the evening of September 4, 2012, following public input and just prior to the Council taking up discussion that would lead to voting on motions related to the HCOD, Council Member Williams made a public statement in which he stated that *"From this point on of the actual deliberations and the vote, I will not participate. I will be recused from the vote of the Council."* He followed this statement by proceeding to say, *"But, I want to make a few comments and observations...."*

Mayor Dyer then allowed Council Member Williams to speak for fifteen-plus minutes during which time, in my professional opinion, he repeatedly made statements that had the appearance of directly and indirectly stating how he would vote if he had not recused himself, and statements that were clearly being heard by his fellow council members. Therefore, he made statements that had

the potential to influence voting. In spite of repeatedly referring to these statements as "facts," they were clearly statements intended to persuade.

When I objected with a point of order, Mayor Dyer indicated that Council Member Williams was making his "recusal statement." There is nothing in the existing policy, or the vote taken by Council accepting Council Member Williams's letter declaring a conflict of interest and excusing him from the vote, or anything in the subsequent vote allowing him to "*participate prior to the vote*" that allowed him to make any kind of "recusal statement" just prior to deliberation and voting that, again in my professional opinion, could directly or indirectly influence Council's voting.

In allowing Council Member Williams to make such global statements just prior to deliberation and voting, Mayor Dyer violated the existing Conflict of Interest Policy.

Furthermore, following Council Member Williams's statement, which I and many others feel was in and of itself a violation of what it means to recuse oneself, Mayor Dyer indicated that Council Member Williams was making a "personal statement" directed at the public and not the other council members sitting in the room.

Specifically, Mayor Dyer stated: "*Council Member Williams was speaking to the public regarding his personal views on the subject knowing that he was not in a position to deliberate.*" There is nothing in the Conflict of Interest Policy, or any of the votes taken regarding Council Member Williams's recusal, that allowed for making any kind of "personal statement" just prior to deliberation and voting. Council Member Williams gave up that opportunity when he recused himself, and Mayor Dyer admitted that when he said that he allowed Council Member Williams to speak because Council Member Williams knew that he was not in a position to deliberate.

Such statements by Mayor Dyer further indicate that he knew that what he was allowing violated the ethical integrity of recusal, and in this case, Council's own Conflict of Interest Policy.

Effective governance depends on decision-making by council members that is unbiased and that **appears** to be unbiased. Even the appearance of a conflict of interest can damage a council's credibility and reputation and compromise its ability to make unbiased decisions. When we vote for our fellow citizens of Marshall to represent us, we place great trust in their behaviors as elected officials. We expect them to remain free from the influence of, or the **appearance of**, any conflicting interest in fulfilling their Council duties and we expect them to exercise great care that no detriment to the City and citizens of Marshall results

from conflicts between their personal and/or professional interests and those of the City, its citizens, and the public good.

Sincerely,

Steven C. Rhodes, Ph.D.  
612 Hill Rd.  
Marshall, MI 49068

Professor Emeritus / Director Emeritus  
School of Communication  
Western Michigan University

**REPORTS AND RECOMMENDATIONS**

**A. CDBG Downtown Signature Building Project:**

**Moved** Miller, supported Metzger to authorize the repayment of the CDBG Downtown Signature Building Project grant to the Michigan State Housing Development Authority in one payment in the amount of \$298,298. On a roll call vote – ayes: Mankerian, Metzger, Miller, Reed, Williams, Booton, and Mayor Dyer; nays: none. **MOTION CARRIED.**

**APPOINTMENTS / ELECTIONS**

None.

**PUBLIC COMMENT ON NON-AGENDA ITEMS**

Doug Jackson asked a question regarding the repayment amount for CDBG Downtown Signature Building Project grant.

**COUNCIL AND MANAGER COMMUNICATIONS**

None.

**ADJOURNMENT**

The meeting was adjourned at 7:28 p.m.

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James L. Dyer, Mayor

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Sandra Bird, Clerk-Treasurer

User: ctanner

DB: Marshall

EXP CHECK RUN DATES 10/04/2012 - 10/04/2012

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OPEN

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
9904348777	AIRGAS USA LLC	CYLINDER RENTAL	82.84
9008487000	AIRGAS USA LLC	AR CD25300	117.05
3189	ALLEN TRENCH SAFETY	TRENCH BOX FOR SEWER REPAIR ON S KAZOO	169.00
9966780	ALTEC INDUSTRIES INC	DIVIDER & SHELF FOR 324	116.01
34563	AMERT-ALARM	ADDITIONAL CAMERA	289.40
11-689029	ARROW UNIFORM	CUST #010198-02	49.83
11-689030	ARROW UNIFORM	CUST #010198-04	62.30
11-689034	ARROW UNIFORM	CUST #010198-05	20.00
11-689025	ARROW UNIFORM	CUST #010198-01	26.37
11-689032	ARROW UNIFORM	CUST #010198-03	135.58
27365	ATOMIC CLEANING SYSTE	PRESSURE WASHER REPAIR	62.10
87630	BELL EQUIPMENT COMPAN	WAFER, CONVOLUTED POLY	829.11
62326	BOSHEARS FORD SALES I	2010 FORD CROWN VIC	489.30
62068	BOSHEARS FORD SALES I	2010 FORD CROWN VIC	56.00
401	BRUBAKER, KIM	ADVERTISEMENT REIMBURSEMENT	620.00
62327	BUDGET DRAIN CLEANING	SEKVICE CALL AT MH	190.00
184928	C.E.M. SUPPLY INC	#5 ENGINE - VACUUM MOTOR	206.64
12-024	CALHOUN COUNTY CONS D	2012 4TH QTR DISPATCH	50,483.50
5002-00459	CAPITAL ONE PUBLIC FU	ACCT #5002-00459	97,531.48
5002-00465	CAPITAL ONE PUBLIC FU	ACCT# 5002-00465	26,134.88
83171	CARR BROTHERS & SONS	CLASS II SAND (SCREENINGS)	315.00
2282	CB HALL ELECTRIC COMP	LIGHT IN SLEEPING QUARTERS	100.00
52338	COGITATE INC	MMS STATE TRUNKLINE SUPPORT	155.00
80604	GRT, INC	BACKUP DR APPLIANCE SERVICE	339.00
661550004	CRYSTAL FLASH ENERGY	FUEL	845.66
661550005	CRYSTAL FLASH ENERGY	DYED DIESEL FUEL	1,240.59
109745	D & D MAINTENANCE SUP	JANITORIAL SUPPLIES	279.37
671	DAMRON BROTHERS ASPHA	126 LINCOLN - ASPHALT WORK FOR NEW WATE	600.00
416619	DARLING ACE HARDWARE	ADPTR TERMINAL, HALOGEN BULBS, CONNECTO	20.45
416633	DARLING ACE HARDWARE	SLCN MARINE SLNT	5.99
416555	DARLING ACE HARDWARE	STIHL BAR & CHAIN OIL	30.98
416936	DARLING ACE HARDWARE	WALLPLATE, CONNECTOR TWIST-ON	9.48
417034	DARLING ACE HARDWARE	A.F. MISC SUPPLIES	83.95
416601	DARLING ACE HARDWARE	HAUNTED TRAIL SUPPLIES	20.99
416026	DARLING ACE HARDWARE	MISC SUPPLIES	36.09
491997A	DAVIS, MATT	CARPET & VINYL	1,919.30
59738	DORNBOSS SIGN & SAFETY	CO-12X18 RWHIP	49.85
59430	DORNBOSS SIGN & SAFETY	SIGNS	995.12
59429	DORNBOSS SIGN & SAFETY	SIGNS	202.76
467	ED'S DECORATING	INTERIOR PAINTING - APT 419	175.00
3039497	EDWARDS INDUSTRIAL SA	HOSE ASSY	86.57
MIMA141575	FASTENAL COMPANY	CHAIN & CABLE LUBE	98.19
12-08281360H	FIRE FORCE INC	CHISM'S FIRE BOOTS	227.50
2608	GLGC PLUMBING COMPANY	WALTERS DIMMICK METER	130.04
882	GOODWIN'S PLUMBING, L	INSTALL NEW DRINKING SPOUT	188.45
142001-2012	GOVERNMENT FINANCE OF	MEMBERSHIP - SANDRA BIRD	170.00
9920293512	GRAINGER	HOSE FEMALE END REPAIR	29.68
20385	GRANT'S WOODSHOP INC	STAKES	242.00
22789	GREAT LAKES ENVIRONME	ANNUAL WET TEST	1,300.00
65787	HERMANS MARSHALL HARD	SHIPPING TAPE	7.29
65793	HERMANS MARSHALL HARD	STAPLES	3.99
66236	HERMANS MARSHALL HARD	BUSHING, ADAPTER	3.38
66757	HERMANS MARSHALL HARD	BOLTS, WASHERS	10.05
66233	HERMANS MARSHALL HARD	KEY, TOTES	63.97
65769	HERMANS MARSHALL HARD	ZIP TIES	4.69
66218	HERMANS MARSHALL HARD	SCREWS, ANCHORS	10.08
66240	HERMANS MARSHALL HARD	SCREWS, CONSTRUCTION ADH	17.47
65781	HERMANS MARSHALL HARD	CONDUIT	6.49
12-04	HINKLEY, STEVEN	MICHIGAN SPEED MEASUREMENT TRAINING	125.00
RMS000186	INTERACT PUBLIC SAFET	ANNUAL RMS MAINTENANCE SUBSCRIPTION	1,000.00
78403	J & K PLUMBING SUPPLY	SUPPLIES	5.08
125795	KAR LABORATORIES INC	ANNUAL MONITORING	585.00
126164	KAR LABORATORIES INC	CYANIDE ANALYSIS	100.00
126163	KAR LABORATORIES INC	MERCURY ANALYSIS	260.00
58504.96	KIDDER HEATING & AIR	SERVICE CALL	79.00
58528.96	KIDDER HEATING & AIR	SERVICE CALL	244.00
25427	LAKELAND ASPHALT CORP	BITUMINOUS AGGREGATES	111.28
201150.00-2120835	LAWSON-FISHER ASSOCIA	FERC PART 12D	4,224.56
200026.10-2120806	LAWSON-FISHER ASSOCIA	LICENSING ACTIVITIES	2,384.36
717729	LEXISNEXIS OCC HEALTH	REPORT CHARGES	46.00
1528265-20120831	LEXISNEXIS RISK DATA	ACCT #1528265	139.56
1	MAGIC MAIDS	APTS #109 & #220	200.00
N3518258	MALLFINANCE INC	LEASE PAYMENT	608.97
091612	MARSHALL FRAMING STUD	GLASS INSTALLED FOR WALKING MAP	34.00
MARSHALL L	MARSHALL LUMBERTOWN	2 X 10 X 12 #2 & BTR	22.46
1023596	MARSHALL LUMBERTOWN	3" EXT SCR STAR DR 3#	23.99
1023576	MARSHALL LUMBERTOWN	FURRING STRIP	11.94

Uses: ctanner

DB: Marshall

EXP CHECK RUN DATES 10/04/2012 - 10/04/2012

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OPEN

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
11700	MARSHALL MEDICAL ASSO	PHYSICALS, DRUG SCREEN	918.00
26767	MARSHALL METAL PRODUC	COIN BLOCKER	983.63
3979	MARSHALL TIRE CITY	TIRES	608.26
3605	MARSHALL TIRE CITY	2011 FORD CROWN VICTORIA	1,078.79
112445	MED-TECH RESOURCE, IN	FIREFIGHTER GEAR BAG	39.33
83263907.001	MEDLER ELECTRIC COMPA	FUSE	57.30
83263907.002	MEDLER ELECTRIC COMPA	FUSE	225.21
83261496.003	MEDLER ELECTRIC COMPA	6" PLASTIC BUSHING	35.24
83261496.002	MEDLER ELECTRIC COMPA	FUSE, BUSHING & ELBOW	285.25
83263926.001	MEDLER ELECTRIC COMPA	RETURNED FUSES, BUSHINGS	(480.01)
AA346275	MICHIGAN DEPT OF TRAN	REHABILITATE PARALLEL TAXIWAY	12,898.00
8075	MICHIGAN ECONOMIC DEV	MEMBERSHIP DUES	260.00
M 08-12	MICHIGAN SOUTH CENTRA	NATURAL GAS - AUGUST 2012	1,080.20
RC-A0006104	MICHIGAN STATE UNIVER	FIRST LINE SUPERVISION - OTTJEPKA	525.00
369518	MISSION CAR WASH	CAR WASHES - MARCH - JUNE	188.00
46422812	MSC INDUSTRIAL SUPPLY	EAR PLUGS	62.28
46275902	MSC INDUSTRIAL SUPPLY	MARKING PAINT - GREEN	110.40
46838662	MSC INDUSTRIAL SUPPLY	VEHICLE BRUSH	26.54
45636692	MSC INDUSTRIAL SUPPLY	HARD HAT	17.42
INV63867	MUNICIPAL SUPPLY CO	METER GASKETS	262.50
RINV01422021	MY ALARM CENTER	MONITORING 10/1/12--12/31/12	75.00
327785	NAPA OF MARSHALL	SEALED BACKUP LAMP	13.70
12-467	NU-TWIST SCREEN PRINT	T-SHIRTS	168.90
12-503	NU-TWIST SCREEN PRINT	T-SHIRTS - HAUNTED TRAIL LOGO	228.50
369415	NYE UNIFORM COMPANY	BADGE	110.59
382872	NYE UNIFORM COMPANY	CUSTOM COLLAR BRASS	57.50
2088	OERTHERS	SEVEN CONCENTRATE	16.49
5671776	POWER LINE SUPPLY	ROD GROUND	205.62
5671813	POWER LINE SUPPLY	PAD CUSHION	126.00
5671812	POWER LINE SUPPLY	LANYARD	213.47
5671811	POWER LINE SUPPLY	TOOLS	277.44
5668989-5671389	POWER LINE SUPPLY	RUBBER TESTING & CREDIT	1,974.00
5673858	POWER LINE SUPPLY	ARC RATED RAIN COAT	90.00
5673859	POWER LINE SUPPLY	ARC FLASH - MATT PARKS	280.00
5673626	POWER LINE SUPPLY	T-BRACKET	398.70
265165	PURITY CYLINDER GASES	CUTTING TORCH SUPPLIES	573.05
265166	PURITY CYLINDER GASES	CUTTING TORCH SUPPLIES	47.67
295	QUALITY LAWN CARE	GRASS CUTTING	1,614.00
300	QUALITY LAWN CARE	GRASS CUTTING	750.00
RR112461	REHMANN ROBSON PC	AUDIT FOR Y/E 6/30/12	14,000.00
RR112462	REHMANN ROBSON PC	AUDIT PAYMENT #2 Y/E 06/30/12	14,000.00
17213	RS TECHNICAL SERVICE	CL2 FEED INJECTOR	45.90
58782158	SAFETY-KLEEN	WASTE OIL CREDIT	(132.50)
7208	SANDERS FURNITURE & A	REFRIGERATOR	460.00
90576	SHAFFER REDI-MIX INC	5 SACK LIMESTONE	1,069.35
7369	SIGNWORLD CONCEPTS	PARK SIGNS	3,809.00
7468	SIGNWORLD CONCEPTS	DESIGN, PRINT & CVT DECAL	30.00
142541-JN	SIRENNET.COM	CAPRICE INTERSECTOR BRACKETS	34.17
232909	SOLOMON CORPORATION	37 1/2 KVA TRANSFORMERS	12,555.00
23942	STANDARD PRINTING & O	DELIVERY CHARGE	7.00
23813	STANDARD PRINTING & O	BUSINESS CARDS	161.04
7000171148	STAPLES	CALCULATOR - CANON	69.98
7000171147	STAPLES	INK CRTDGS, HIGHLIGHTERS	219.80
7000171354	STAPLES	HIGHLIGHTERS	(2.00)
D21099	SURVALENT TECHNOLOGY	SOFTWARE MAINTENANCE	5,250.00
060512	SYKORA, TIM	MMS QUARTERLY TRAINING REIMBURSEMENT	175.39
5293	TOM'S BODY SHOP	3M STRIPE TAPE	31.38
67496	TRI AIR TESTING INC	TESTING	145.00
530339964	UTILITIES INSTRUMENTA	SERVICES AT POWER PLANT - GEN #2	1,104.00
			277,325.49

- 175.39

277,150.10

User: ctanner

DB: Marshall

EXP CHECK RUN DATES 09/14/2012 - 09/14/2012  
UNJOURNALIZED  
OPEN

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
269789280609-0912	A T & T	269 789-2806 635 7	57.09
269789261509-12	A T & T	269 789-2615 963 4	63.60
269781907009-12	A T & T	269 781-9070 573 1	40.97
269781444709-12	A T & T	269 781-4447 749 4	134.80
269789467109-12	A T & T	269 789-4671 266 9	157.32
269789463009-12A	A T & T	269 789-4630 541 5	266.21
269781981509-12A	A T & T	269 781-9815 267 0	1,530.10
33546	AIRWAY OXYGEN INC CLY	ACCT #33546, DEBRA BURROWS	134.92
153506	ALERE HOME MONITORING	PATIENT #153506, MICHAEL RAPELJE	1,000.00
Z1406436MI	AMERICAN MESSAGING	ACCT #Z1-406436	103.80
287238047810X-0912	AT&T MOBILITY	ACCT #287238047810	41.44
26-024200-06A	BAC FIELD SERVICES CO	REFUND UTILITY OVERPAYMENT	147.34
53-001-182-01	BERRY, AARON	REFUND OVERPAYMENT	1,248.08
53-004-183-00	BRIAN CHARBONNEAU	REFUND	1,839.67
16334234-2179	BRONSON BATTLE CREEK	ACCT #016334234-2179, JOHN RODGERS	152.02
091112	BROWN, RICHARD	ENERGY OPTIMIZATION	100.00
090712	CALHOUN COUNTY TREASU	MTT #415385 ADJUSTMENTS (2011)	18,189.61
091612	CHARLIE FISHER	RENEWAL FOR CDL A WITH O AND N	53.00
090712	CODY BURGHDOFF	ADDING CLASS A WITH TANKER	18.00
910	CORNERSTONE INSPECTIO	AUGUST SERVICES	1,187.00
090612	CROME, SHARON	ENERGY OPTIMIZATION	215.00
1155180-0812	CULLIGAN	ACCT #1155180	24.00
1005209	FAYETTE REGIONAL HEAL	ACCT #1005209, DENNIS DIXON	727.52
415385	FELDEPAUSCH REALTY AND	MTT #415385 2012 REFUND	15,371.69
30-054200-24A	FISBIGER, BRANDON	REFUND UTILITY OVERPAYMENT	11.59
17-006200-01	FULMER, JOHN	REFUND UTILITY OVERPAYMENT	75.22
091012	GRAND HOTEL	BOX LUNCHEES FOR BUS RIDE HOME	586.50
18-014800-04	HAMILTON, RAYMOND	REFUND UTILITY OVERPAYMENT	4.26
V1499199H	HAYES GREEN BEACH HOS	ACCT #V1499199 H, JAMES TRUDEAU	581.92
383999	HUB INTERNATIONAL MID	POLICY #S1805444	259.00
384215	HUB INTERNATIONAL MID	POLICY # S1805444	(250.00)
383997	HUB INTERNATIONAL MID	POLICY #4692583	320.00
9-013600-09	LINDA POWERS	REFUND UTILITY DEPOSIT	13.72
14-006600-05	LORI OLSEN	REFUND UTILITY DEPOSIT	13.60
131531101500	MARENGO TOWNSHIP	PROPERTY TAXES	321.66
12-2189	MARSHALL AREA FIRE FI	RUN #12-2189, JOZLYN CHISM	494.65
7-019800-04	MARSHALL COMMUNITY CU	REFUND UTILITY OVERPAYMENT	69.57
16-360-003-00	MARSHALL TOWNSHIP	PROPERTY TAXES	1,385.08
52940	MICHIGAN EAR INSTITUT	ACCT #52940, KATHRYN TARKIEWICZ	1,000.00
SV9185-12	MICHIGAN RURAL WATER	2012 COMMUNITY MEMBERSHIP DUES	650.00
1667-A0006169	MICHIGAN STATE UNIVER	STRATEGIC PLANNING - SCOTT MCDONALD	350.00
15-010000-03A	MORGAN, BETH & TRAVIS	REFUND UTILITY OVERPAYMENT	50.92
20110203	OAKLAWN HOSPITAL	ACCT #20278667, JAMES KOLODICA	214.77
20109787	OAKLAWN HOSPITAL	ACCT #20264822, LEE FRIEND	1,000.00
20116326	OAKLAWN HOSPITAL	ACCT #20264096, STEVEN WASHBURN	809.51
20116411	OAKLAWN HOSPITAL	ACCT #20272383, STEVEN WASHBURN	39.86
20109985	OAKLAWN HOSPITAL	ACCT #20275206, DEBRA BURROWS	214.77
20118198	OAKLAWN HOSPITAL	ACCT #20276527, AMANDA LANKERD	36.32
20109805	OAKLAWN HOSPITAL	ACCT #20278067, ROGER ROBERTS	42.48
20104359	OAKLAWN HOSPITAL	ACCT #20261543, CRYSTAL ROBERTS	104.57
RBI164	RADIOLOGY CONSULTANTS	ACCT #RBI164, STEVEN WASHBURN	17.69
4844326	REGIONAL MEDICAL LABO	ACCT #4844326, CYNTHIA RODGERS	99.36
P4835631	REGIONAL PATHOLOGY CO	ACCT #P4835631, CASSANDRA HEITFELD	91.24
PM20271232XP	REGIONAL PATHOLOGY CO	ACCT #PM2027123XP, NATALIE HUESTIS	114.35
091112	RON ASHBY II	LICENSE FEE	18.00
44088	SENIOR HOME HEALTH CA	WALBECK, DEBORAH - ACCT #44088	232.12
091012	SOMI AREA 19	PLAYGROUND FUNDRAISER	1,400.00
11-000000-20	STULBERG, SUE	REFUND UTILITY DEPOSIT	8.48
091012	TERI TRUDEAU	TIP \$ FOR MACKINAC ISLAND TRIP	275.00
090712	TWISS, DAVID	12 MONTH REFUND RESIDENTIAL A TO A-1	427.64
2795744669	VERIZON WIRELESS	ACCT #683169426-00001	88.75
2793953387	VERIZON WIRELESS	ACCT #987146080-00001	38.01
20-000800-35A	ZUZELSKI, JOANNE & JA	REFUND UTILITY OVERPAYMENT	22.66
			54,036.45

EXP CHECK RUN DATES 09/21/2012 - 09/21/2012  
 UNJOURNALIZED  
 OPEN

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
080212	ANN ADAMS	REIMBURSEMENT FOR MEDICAL EXPENSES	22.70
13-53-001-118-00	BARLOND, MARK & RENEE	REFUND TAX OVERPAYMENT	1.01
091812	BEARDSLEE LAW OFFICES	CHARGES THROUGH 09/14/12	1,127.25
7016312/0008/1012	BLUE CROSS BLUE SHIEL	PPO GROUP #7016312/0008	75,847.11
7016312/0005-1012	BLUE CROSS BLUE SHIEL	GROUP #7016312/0005	1,810.07
7016312/0007-1012	BLUE CROSS BLUE SHIEL	GROUP #7016312/0007	47,547.26
060512	BRONSON METHODIST HOS	JUDITH TRAVIS, ACCT #436746	37.69
091512	BURGHODORF, CODY	BOOT ALLOWANCE	41.34
20550-0912	CARL FEDDERS	OPTICAL REIMBURSEMENT	73.00
13-53-003-605-00	CHEMICAL BANK	REFUND TAX OVERPAYMENT	220.88
580635	COMMERCIAL OFFICE PRO	MAT, TAPE, SURGE PROTCTR, LABELS, APPTB	183.83
931	CORNERSTONE INSPECTIO	INSPECTIONS	589.00
13-53-001-126-00	DEVON TITLE AGENCY	REFUND TAX OVERPAYMENT	1,683.75
7018274-0912	EARTHLINK BUSINESS	ACCT #7018274	2,246.66
13-53-008-901-00	EQUITY TRUST COMPANY	REFUND TAX OVERPAYMENT	108.47
13-53-003-305-08	FLAGSTAR BANK	REFUND TAX OVERPAYMENT - 913 FOREST	3,971.96
13-53-003-900-20	FOUST, NANCY	REFUND TAX OVERPAYMENT	1.00
970193	GRIFFIN PEST SOLUTION	619 HOMER RD	32.00
22482	HEMMINGSEN'S DRUG STO	ACCT # 771, DAVID ADAMS	67.46
7-017100-03	JAMES RAMEY	REFUND UTILITY DEPOSIT	2.81
13-53-025-004-00	KESSELRING, DANIEL &	REFUND TAX OVERPAYMENT	550.80
091812	LAKE MICHIGAN MAILERS	POSTAGE	500.00
072712	LARRY STEEN	REIMBURSEMENT FOR MEDICAL EXPENSES	3.32
32-027600-29	LEINHART, KATHRINE	REFUND UTILITY DEPOSIT	67.63
063012	LINCARE INC	CAROL HAGAMAN, D.O.S. 06/30/12	65.79
99007320387-0912	LOWE'S	ACCT #9900 732038 7	4,767.04
82130231059095-091	LOWES BUSINESS ACCOUN	ACCT 821 3023 105909 5	621.26
6187-0912	MARSHALL COMMUNITY CU	6187 - RODGERS	325.31
3648-912	MARSHALL COMMUNITY CU	3648 - KIESSLING	312.44
7681-0912	MARSHALL COMMUNITY CU	7681 - TARKIEWICZ	125.31
3507-0812	MARSHALL COMMUNITY CU	3507 - MCDONALD	897.80
4562-0912	MARSHALL COMMUNITY CU	4562 - HUESTIS	463.46
2998-0912	MARSHALL COMMUNITY CU	2998 - DIXON	515.18
4570-0912	MARSHALL COMMUNITY CU	4570 - FEDDERS	1,184.58
2113-0912	MARSHALL COMMUNITY CU	2113 - TRUDEAU	1,835.48
S3261496.001	MEDLER ELECTRIC COMPA	FUSES, BUSHINGS, ELBOWS	249.67
WINTER TIPS	MICHIGAN CHAPTER APWA	MIKE HACKWORTH, PHIL DAMON - REGISTRATT	174.00
9-015600-01	MOON, MARK	REFUND UTILITY DEPOSIT	99.11
200647-CAT	MSHDA	REFUND OF GRANT FOR CRONIN BUILDING PRO	298,298.00
31-019600-05	NOFFERT, RHONDA & PAU	REFUND UTILITY DEPOSIT	120.95
36418	OAKLAWN HOME MEDICAL	AMBROSE, KATHERIN	234.00
20118168	OAKLAWN HOSPITAL	ACCT #20280238, THOMAS FITZPATRICK	77.08
20118419	OAKLAWN HOSPITAL	LEISA CLARK, ACCT #20280047	19.42
20116210	OAKLAWN HOSPITAL	KATHERINE AMBROSE, ACCT #20273866	36.32
DOS061812	OAKLAWN PSYCHOLOGICAL	PATNT: CALEL MORSE, SUB: N. HUESTIS	118.93
228155KOE36-Z	PATHOLOGY LABORATORY	KOEHLER, DESSIE - ACCT #228155KOE36-Z	195.35
061512	PEGGY HIGGINS	PEGGY HIGGINS, D.O.S. 06/15/12	15.19
061412	REGIONAL MEDICAL LABO	ACCT #4637323, STEVEN KELLY	33.62
4953715	REGIONAL MEDICAL LABO	ACCT #4953715, PAMELA SCHWARTZ	23.03
4967727	REGIONAL MEDICAL LABO	ACCT #4967727, JOHN RODGERS	7.50
4844259	REGIONAL MEDICAL LABO	ACCT #4844259, JOHN RODGERS	113.40
249-003485909	REPUBLIC SERVICES #24	BLUES FEST SERVICES	159.00
072712	RON GOODWIN	REIMBURSEMENT FOR MEDICAL EXPENSES	39.80
062512	SENIOR HOME HEALTH CA	BRUCE ELZINGA, D.O.S. 06/25/12	99.96
6035517820348893-1	STAPLES	ACCT #6035 5178 2034 8893	419.02
091412	U S POSTMASTER	ROLL OF STAMPS	45.00
20-004100-32	WILLIAMS, TODD	REFUND UTILITY DEPOSIT	16.87

448,445.87

Prescription Reimbursements 51.20

Total Cash Disbursements \$448,497.07

## **Marshall Area Garden Club 25<sup>th</sup> Anniversary Proclamation**

**WHEREAS**, 25 years ago community members established the Marshall Area Garden Club in 1987;

**WHEREAS**, the objectives of the club are to stimulate the love of gardening, encourage home and community beautification, promote better horticultural practice, and encourage all forms of conservation;

**WHEREAS**, West End Gardens within the street median were designed, planted and are maintained by the club;

**WHEREAS**, the Garden Club has designed, planted and maintains the Carver Park wheelchair accessible beautification project;

**WHEREAS**, other beautification projects have included the Fountain Circle Flower Beds, the Post Office Landscaping project, the planting of over 60 American Liberty Elm trees, the sculpture garden at the Marshall District Library and a Blue Star Marker to honor military service people;

**WHEREAS**, the Garden Club annually provided flower arrangements for the Calhoun County Fair, Historical Society Home Tour, and United Way kick-off breakfast;

**WHEREAS**, educational and conservation programs have been presented and supported year after year;

**WHEREAS**, the City of Marshall has benefited immensely from the leadership, dedication, and efforts of Garden Club members.

**NOW, THEREFORE**, be it resolved that I, James Dyer, Mayor of Marshall, proclaim October 16, 2012 Marshall Area Garden Club Recognition Day. I encourage all residents to visit and view the public landscaping projects sponsored by the Garden Club and to thank club members for their beautification of our City.

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James L. Dyer, Mayor



**ADMINISTRATIVE REPORT**  
**October 1, 2012 - CITY COUNCIL MEETING**

**REPORT TO:** Honorable Mayor and City Council

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

**SUBJECT:** Fire Department Staffing Report

**BACKGROUND:** The FY 2013 General Fund Fire Department budget has a staffing level of six firefighters, 30 part paid volunteers, and Fire Chief. The previous budget had one additional firefighter. In August, a firefighter retired and this position was not immediately filled. The City applied for a SAFER grant from the Department of Homeland Security which if granted would fund one firefighter for two years. In March, a firefighter was injured off the job and is still unavailable for firefighting duties.

**STAFFING PLAN:** Between July 12 and August 2, there have been nine portions of shifts that only one firefighter was on duty. The Fire Department has since filled this through the use of overtime with the fulltime staff and the Fire Chief working shifts as needed.

The City is currently advertising for fire fighter positions. The deadline for applications is September 28th. The plan is to interview and have a priority list of potential hires by October 20th. This will allow for the quick placement of new firefighters.

There are several unknowns with the staff including the return of the injured fire fighter and the SAFER grant. The SAFER grant will begin award announcements in October but it is unknown when the final grant recipient will be chosen and when the City may be notified.

Our current staffing is six (6) full-time positions, and the future staffing plan will allow seven (7) full-time positions in the Fire Department. This will be accomplished through the use of overtime, part paid manpower and the Fire Chief covering shifts until the SAFER grant is announced.

**RECOMMENDATION:** It is recommended that the City staff 7 full-time positions in the Fire Department, pending award notification of the SAFER grant.

**FISCAL EFFECTS:** None at this time.

**ALTERNATIVES:** As suggested by the Council.

Respectfully submitted,

Robert Kiessling  
Fire Chief

Tom Tarkiewicz  
City Manager

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

f 269.781.3835

cityofmarshall.com