



MARSHALL CITY COUNCIL AGENDA

MONDAY – 7:00 P.M.

March 18, 2013

- 1) CALL TO ORDER
- 2) ROLL CALL
- 3) INVOCATION –
- 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. Michigan Department of Transportation Local Bridge Program Grant

City Council will consider the recommendation to adopt the resolutions in support of the submittal of a grant from the Michigan Department of Transportation Local Bridge Program for the Monroe Street Bridge over Rice Creek and Marshall Avenue Bridge over the Kalamazoo River

B. Poppy Sales

City Council will consider the recommendation to approve the request by the American Legion to conduct their Annual Poppy Sales on May 17 and 18, 2013.

C. City Council Minutes

Work Session..... Monday, March 4, 2013
 Regular Session..... Monday, March 4, 2013

D. City Bills

Regular Purchases..... \$ 233,825.53
 Weekly Purchases –3/1/13..... \$44,272.73
 Weekly Purchases –3/8/13..... \$52,130.84
Total \$ 330,229.10

8) PRESENTATIONS AND RECOGNITIONS

A. Airport Board Update

David Mead, Airport Board Chair, will provide an update on airport activities.

9) INFORMATIONAL ITEMS

A. Cronin Building Redevelopment

10) PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

11) OLD BUSINESS

Mayor:

James Dyer

Council Members:

Ward 1 - David Revore

Ward 2 - Nick Metzger

Ward 3 - Brent Williams

Ward 4 - Jack Reed

Ward 5 - Jody Mankerian

At-Large - Kathy Miller



12) REPORTS AND RECOMMENDATIONS

A. Calhoun County Consolidated Dispatch Authority Funding Resolution

City Council will consider the recommendation to adopt the resolution to support the placement of a telephone surcharged based funding mechanism for the CCCDA on the August 2013 Countywide ballot.

B. Memorandum of Understanding with the Marshall Area Firefighters Ambulance Authority

City Council will consider the recommendation to authorize the Clerk to sign the Memorandum of Understanding with the Marshall Area Firefighters Ambulance Authority.

C. Regional Law Enforcement Center and Fire Station/City Hall Renovations Project

City Council will consider the recommendation to adopt the resolution initiating the forty five day referendum period prior to the sale of the bonds and the resolution of intent of entering into limited tax-supported contracts of lease. Adoption of these resolutions does not authorize projects or any expenses.

D. Michigan Department of Transportation Agreement – Mansion Street

City Council will consider the recommendation to approve the resolution authorizing the Clerk to sign the contract with the Michigan Department of Transportation for the Reconstruction of Mansion Street from Plum Street to N. Kalamazoo Avenue.

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.

15) COUNCIL AND MANAGER COMMUNICATIONS

16) ADJOURNMENT

Respectfully submitted,

A handwritten signature in blue ink that reads "Tom Tarkiewicz". The signature is stylized and fluid.

Tom Tarkiewicz
City Manager

March 18, 2013

Page 2



ADMINISTRATIVE REPORT
March 18, 2013 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council

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

SUBJECT: Michigan Department of Transportation Local Bridge Program Grant

BACKGROUND: The Michigan Department of Transportation annually has a call for bridge projects for the local bridge grant program. The grant will pay 95% of the construction cost for the replacement or rehabilitation of bridges. Although the State only requires the City of Marshall to inspect the bridges bi-annually, in 2008 the city changed the required inspections to take place annually due to the deterioration that has been observed. In 2011, the City of Marshall added a review of the load ratings and an additional scour inspection to the bridges which helps to determine if there are any footing issues. The estimated cost of the bridge replacements would be \$1,205,000 for the Monroe Street Bridge over Rice Creek and \$2,300,000 for the Marshall Avenue Bridge over the Kalamazoo River. This will be the eighth time that these bridges have been submitted.

Currently, the city is in possession of plans that are 80% completed for both bridges at an expense of \$52,870.98 which was accomplished in 2009 in an effort to better align these projects with stimulus funds.

The City has placed the Monroe Street Bridge over Rice Creek as the priority bridge due to the condition of the bridge.

RECOMMENDATION: It is recommended that City Council adopt the attached resolutions in support of the submittal of a grant from the Michigan Department of Transportation Local Bridge Program for the Monroe Street Bridge over Rice Creek and Marshall Avenue Bridge over the Kalamazoo River.

FISCAL EFFECTS: None at this time. If the grant is awarded, the City will be responsible for the design engineering cost which is 80% completed to date, 5% of the construction cost (estimated at \$78,250) and the construction engineering. At this time, the source of the City's share is unknown.

ALTERNATIVES: As suggested by the Council.

323 W. Michigan Ave.
Marshall, MI 49068
p 269.781.5183
f 269.781.3835
cityofmarshall.com

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Carl E. Fedders".

Carl E. Fedders
Director of Public Services

A handwritten signature in blue ink, appearing to read "Tom Tarkiewicz".

Tom Tarkiewicz
City Manager

CITY OF MARSHALL, MICHIGAN
RESOLUTION #2013-

**RESOLUTION FOR MICHIGAN DEPARTMENT OF TRANSPORTATION LOCAL
BRIDGE PROGRAM GRANT FOR MONROE STREET**

WHEREAS, the City of Marshall is preparing a Local Bridge Program Grant for rehabilitation or replacement of the Monroe Street Bridge over Rice Creek, and

WHEREAS, the City of Marshall may be eligible for a maximum of up to 95 percent participation from Federal and/or State sources, and

WHEREAS, this project would not take place due to insufficient local funds for several years, and

WHEREAS, the application requires a resolution of support from the City Council,

NOW THEREFORE BE IT RESOLVED, the City Council hereby resolves that the City of Marshall supports the replacement of the Monroe Street Bridge over Rice Creek and authorizes the submittal of a Local Bridge Program Application.

Dated: March 18, 2013

IN TESTIMONY WHEREOF, I have hereunto set my hand affixed seal of said City of Marshall, this the 18th day of March A.D., 2013.

Trisha Nelson, Clerk

CITY OF MARSHALL, MICHIGAN
RESOLUTION #2013-

**RESOLUTION FOR MICHIGAN DEPARTMENT OF TRANSPORTATION LOCAL
BRIDGE PROGRAM GRANT FOR MARSHALL AVENUE**

WHEREAS, the City of Marshall is preparing a Local Bridge Program Grant for rehabilitation or replacement of the Marshall Avenue Bridge over the Kalamazoo River, and

WHEREAS, the City of Marshall may be eligible for a maximum of up to 95 percent participation from Federal and/or State sources, and

WHEREAS, this project would not take place due to insufficient local funds for several years, and

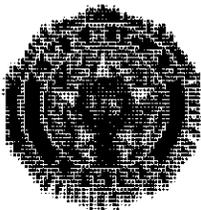
WHEREAS, the application requires a resolution of support from the City Council,

NOW THEREFORE BE IT RESOLVED, the City Council hereby resolves that the City of Marshall supports the replacement of the Marshall Avenue Bridge over the Kalamazoo River and authorizes the submittal of a Local Bridge Program Application.

Dated: March 18, 2013

IN TESTIMONY WHEREOF, I have hereunto set my hand affixed seal of said City of Marshall, this the 18th day of March A.D., 2013.

Trisha Nelson, Clerk



**Stanley E. Lamb Post 79
American Legion
Marshall, MI**

March 7, 2013

The Honorable Mayor James Dyer
City of Marshall
323 W. Michigan Ave.
Marshall, MI 49068

Dear Mayor Dyer and City Council Members:

The American Legion Marshall Stanley E. Lamb Post 79 is asking approval to conduct their annual Poppy Sale at various locations within the City of Marshall on May 17 & 18, 2013.

The American Legion Marshall Stanley E. Lamb Post 79 is a 501(c)(19) tax exempt military veterans' organization under the IRS code.

All profits raised in the poppy sale go toward the assistance of military veterans and present members of the military in need. This assistance includes, but is not limited to, providing access to a Legion service officer to assist with dealing with the bureaucracy of the Veterans Administration. Among the other uses of the proceeds from this sale is assistance to Legion Villa, an adult foster care home for veterans, and the purchase of coupon books to allow patients at the Battle Creek VA hospital to purchase snacks and toiletries (Remember-A-Vet).

Sincerely

Rodney Detty,
Post Commander
1035 Lowe Drive
Marshall, MI 49068
(269) 781-9594

IN A WORK SESSION Monday, March 4, 2013 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: Mankerian, Metzger, Miller, Reed, and Williams

Also Present: City Manager Tarkiewicz, Finance Director Bird, Police Chief Schwartz, and Fire Chief Kiessling.

Absent: Mayor Dyer.

A. Council discussed and explored the options for the Police, Fire, and City Hall Building Renovations.

The meeting was adjourned at 6:35 p.m.

James L. Dyer, Mayor

Trisha Nelson, Clerk

CALL TO ORDER

IN REGULAR SESSION Monday, March 4, 2013 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: Mayor Dyer, Mankerian, Metzger, Miller, Reed and Williams.

Also Present: City Manager Tarkiewicz.

Absent: None.

INVOCATION/PLEDGE OF ALLEGIANCE

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

APPROVAL OF THE AGENDA

Moved Miller, supported Reed, to approve the agenda as presented. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON AGENDA ITEMS

None.

CONSENT AGENDA

Moved Williams, supported Mankerian, to approve the Consent Agenda:

- A. Appoint Tracy Hall as the Title VI Coordinator and approve the Title VI Non-Discrimination Plan;
- B. Adopt the resolution to change the Building Permit Fees;

**CITY OF MARSHALL
RESOLUTION #2013-09**

RESOLUTION ESTABLISHING REASONABLE PERMIT FEES UNDER TITLE XV LAND USAGE OF CHAPTER 150, SECTION 150.004 OF THE MARSHALL CITY CODE.

WHEREAS, the State Construction Code Act known as Public Act 230 of 1972 as amended, Section 125.1522 states a Governmental Unit may charge reasonable fees to cover the costs of enforcing this Act; and

WHEREAS, the City of Marshall now wishes to establish reasonable fees in accordance with PA 230 and Title XV, Chapter 150, Section 150.004 of the City of Marshall Codified Ordinance;

NOW THEREFORE, BE IT RESOLVED, that the following building permit fees shall be established:

FLAT FEES	
1. Roofing (shingle only)	\$70.00
2. Roofing (new board & shingle)	\$110.00
3. Deck under 600 square feet	\$110.00
4. Large Deck	\$110 + add \$15 per 100 square feet
5. Fences	\$30.00
6. Pools (above ground)	\$70.00
7. Pools (in-ground)	\$110.00
8. Chimney/Masonry	\$70.00
9. Additional safety inspection or re-inspection	\$40.00
10. Certificate of Occupancy	\$30.00
11. Certificate of Occupancy (copy)	\$25.00
12. Special Inspection	\$50.00
13. Starting work without a permit	\$75.00
DEMOLITION	
14. Residential	\$110.00
15. Commercial/Industrial (Minimum \$110)	.01 per square foot
RESIDENTIAL REMODELING	
16. Residential Remodel (Minimum \$70)	\$20.00 + \$15 per 100 square feet
RESIDENTIAL NEW OR ADDITION	
17. Residential New Build or Addition (Minimum \$150)	\$15.00 per 100 square feet
RESIDENTIAL ACCESSORY STRUCTURE	
18. Accessory structure between 201-600 square feet	\$110.00

19. Accessory structure over 601 square feet	\$110.00 + \$15 per 100 square feet
PLAN REVIEW	
<u>RESIDENTIAL</u>	
20. First 1,000 square feet	\$25.00
21. Each additional 500 square feet	\$15.00
<u>COMMERCIAL/INDUSTRIAL</u>	
22. First 500 square feet	\$100.00
23. Each additional 500 square feet	\$10.00
INDUSTRIAL & COMMERCIAL	
Fee is charged per square foot according to use group:	\$275.00
24. A-1 (small assembly, indoor seating)	.62
25. A-2, A-3, & A-4 (larger assembly with food/recreation)	.44
26. A-5 (Large assemblies with participation)	.39
27. B (Business less than 50 people)	.40
28. E (Educational)	.43
29. F-1, F-2, & H (Factory and High Hazard)	.23
30. I-1 (Institutional – physically capable)	.39
31. I-2 & I-4 (Medical Institutional-physically incapable)	.61
32. I-3 (Institutional under security)	.55
33. M (Mercantile)	.33
34. R-1 (Sleeping quarters-transient in nature)	.41
35. R-2 (more than 2 dwelling units permanent in nature)	.35
36. S-1, S-2 & U (Storage and utility)	.21
37. Unfinished Basement	.08
SIGN	
38. Ground Sign	\$70.00
MINIMUM FEES	
1 Inspection	\$70.00
2 Inspections	\$110.00
3 Inspections	\$150.00

This Resolution is declared to be effective immediately upon publication.

Adopted and signed this _____ day of _____, 2013.

James L Dyer, Mayor

Trisha Nelson, City Clerk

I, Trisha Nelson, being duly sworn as the Clerk for the City of Marshall, hereby certify that the foregoing is a true and complete copy of an ordinance approved by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on March 4, 2013, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available by said Act.

Trisha Nelson, City Clerk

- C. Adopt the Resolution of Intent to authorize the City of Marshall to seek financial assistance from the State of Michigan for DART;
- D. Adopt the resolution to support improvements in State Transportation funding to the City;
- E. Approve minutes of the City Council Regular Session held on Tuesday, February 19, 2013;
- F. Approve city bills in the amount of \$1,859,483.09.

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

PRESENTATIONS AND RECOGNITIONS

None.

INFORMATIONAL ITEMS

None.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. Hospital Campus Overlay District Ordinance:

Council Member Williams was recused from voting on all Hospital Campus Overlay District issues on June 18, 2012.

Mayor Dyer opened the public hearing to hear comments on the proposed Hospital Campus Overlay District Ordinance.

City Attorney Paul Beardslee provided some information regarding the Michigan Zoning and Enabling Act and clarified some recent questions asked.

Ginger Williams, President/CEO of Oaklawn Hospital, recommended the Council adopt the proposed Hospital Campus Overlay District Ordinance with three recommended amendments.

Martin Overhiser spoke regarding the options for the hospital and their future growth.

Bruce Laidlaw, Attorney retained by the Marshall Neighborhood Association, commented regarding the notice published for the Hospital Campus Overlay District Ordinance public hearing and the Master Plan for the City.

Nancy Finegood of the Michigan Historic Preservation Network commented regarding the Historic Easements placed on 216 and 223 North Division Street and the impacts of the HCOD on the properties.

Mayor Dyer closed the public hearing.

Moved Miller, supported Metzger, to approve the Hospital Campus Overlay District Ordinance as presented.

Moved Miller, supported Metzger, with an amendment to delete sections 2c and 2f from the proposed ordinance and put the 8 parcels back in the way the HNC recommended back in September.

Moved Reed, supported Metzger to delay action and renote the Hospital Campus Overlay District public hearing. On a voice vote – **MOTION CARRIED.**

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

None.

APPOINTMENTS / ELECTIONS

A. City Council Vacancy – Ward 1:

Each candidate for the Ward One Council Vacancy was given 5 minutes to speak about themselves.

Moved Reed, supported Mankerian, to appoint David Revore to fill the unexpired term of the Ward One Council Vacancy. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON NON-AGENDA ITEMS

Janet Ostrum encouraged the Council to set up a Local Historic District Study Committee.

COUNCIL AND MANAGER COMMUNICATIONS

CLOSED SESSION

Moved Miller, supported Mankerian, to enter into closed session under the Michigan Open Meetings Act section 8(e)(h) to discuss attorney client privileged communication from the City Attorney. On a roll call vote – ayes: Metzger, Miller, Reed, Williams, Mayor Dyer, Mankerian, and Revore; nays: none. **MOTION CARRIED**

Moved to closed session at 8:20 p.m.

Returned to open session at 8:47 p.m.

Moved, Miller support Reed, to direct the City Attorney to act in accordance with the recommendation made in closed session. On a voice vote – **MOTION CARRIED.**

ADJOURNMENT

The meeting was adjourned at 8:52 p.m.

James L. Dyer, Mayor

Trisha Nelson, City Clerk

User: ctanner

DB: Marshall

EXP CHECK RUN DATES 03/19/2013 - 03/21/2013

BOTH JOURNALIZED AND UNJOURNALIZED

OPEN

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
SCM 10000463	ALEXANDER CHEMICAL CO	DEPOSIT REFUND	(500.00)
SCM 10000462	ALEXANDER CHEMICAL CO	DEPOSIT REFUND	(800.00)
130210702	AMBS CALL CENTER	MARCH SERVICES	342.74
453724	APPLIED IMAGING	LEXMARK COPIER CONTRACT	286.45
76000849	APPLIED INDUSTRIAL TE	BLOWER COUPLINGS	707.49
11-871891	ARROW UNIFORM	CUST #010198-04	62.30
11-871886	ARROW UNIFORM	CUST #010198-01	26.37
11-871894	ARROW UNIFORM	CUST #010198-05	20.00
11-871892	ARROW UNIFORM	CUST #010198-03	135.58
11-871890	ARROW UNIFORM	CUST #010198-02	54.56
388-103816-01	AUSTIN-BATTERIES PLUS	400 W HPS LAMP	695.76
225-319019	AUTO VALUE MARSHALL	PQ ROTOR, CERAMIC DISC PAD	103.47
225-319070	AUTO VALUE MARSHALL	BATTERY FOR FOCUS	110.99
225-319040	AUTO VALUE MARSHALL	AIR FILTER	162.29
225-318721	AUTO VALUE MARSHALL	12V BT JUNIOR	(33.99)
225-318604	AUTO VALUE MARSHALL	STARTER - CORE RETURN	(40.00)
225-319460	AUTO VALUE MARSHALL	MIRROR ADHESIVE	6.87
225-319441	AUTO VALUE MARSHALL	REPLACEMENT CYL	36.99
489839	BANDIT INDUSTRIES INC	CHIPPER KNIVES	415.23
361273	BANDIT INDUSTRIES INC	CAP	19.41
95190022	BSN SPORTS	SPORTS EQUIPMENT	1,898.60
95190022A	BSN SPORTS	SPORTS EQUIPMENT	347.82
55696	C2AE	PRELIMINARY ARCHITECTURAL	15,868.00
44452	CARON CHEVROLET OLDSM	PROGRAM 3 FOBS	19.95
44403	CARON CHEVROLET OLDSM	PROGRAM 2 FOBS	19.95
541	CEREAL CITY ELECTRIC	MOTOR TESTING - RAW PUMPS	135.00
171611	CITY OF ALBION	WOW! INTERNET	127.49
26310	CLASSIC DRY CLEANING&	CLEANING	104.50
28205	CLASSIC DRY CLEANING&	CLEANING, LAUNDRY	338.20
DM 130225	COMPLETE METER SERVIC	TESTING OF ELECTRICAL METERS	1,095.00
8111	COURTNEY & ASSOCIATES	MONTHLY RETAINER - FEBRUARY	250.00
81900	CRT, INC	BACKUP DR APPLIANCE SERVICE	339.00
81880	CRT, INC	CABLE CAT5 YELLOW 20FT SNAGLES	10.00
112628	D & D MAINTENANCE SUP	ROLLER KIT, JANITORIAL SUPPLIES	42.15
63648	DADOW POWER EQUIPMENT	TIE ROD EN	39.48
63692	DADOW POWER EQUIPMENT	BLADE	32.71
424381	DARLING ACE HARDWARE	TAPE	6.99
424290	DARLING ACE HARDWARE	NIPPLES, COUPLING-GALV FOR WASHER	8.47
424270	DARLING ACE HARDWARE	KEYS	14.41
424141	DARLING ACE HARDWARE	GRIND WHEEL & CONTROL TEMP	38.34
424364	DARLING ACE HARDWARE	CHAINS	12.87
424095	DARLING ACE HARDWARE	AIR DUSTER	15.98
424010	DARLING ACE HARDWARE	PAINTBRUSHES	6.98
423905	DARLING ACE HARDWARE	COAT ROOF WHITE	25.99
424635	DARLING ACE HARDWARE	PADLOCK	4.99
424763	DARLING ACE HARDWARE	SHOP VAC FILTER	14.99
21331	DL GALLIVAN INC	KYOCERA COPIER	190.50
12180	EMERGENCY VEHICLE SER	SERVICE CALL	586.25
207432	FIRE EXTINGUISHER SER	MH ANNUAL INSPECTION	142.50
204326	FIRE EXTINGUISHER SER	FIRE EXTINGUISHERS @ WWTP	264.00
11-14500	GARAGE DOORS UNLIMITE	MULTI CODE REMOTE	35.00
9070738076	GRAINGER	MOTOR - EXH FAN	204.00
5587	GRONDIN PRINTING & AW	BENCH SHEETS	260.00
68123	HERMANS MARSHALL HARD	FLAG	43.99
68200	HERMANS MARSHALL HARD	PLUG REPAIR	3.99
68210	HERMANS MARSHALL HARD	PAINT & TRAY LINERS	26.73
68215	HERMANS MARSHALL HARD	PAINT & COLORANT	41.99
68220	HERMANS MARSHALL HARD	PAINT	18.99
68151	HERMANS MARSHALL HARD	PLIERS, FAUCET HOLE CONN, STRAP	30.77
53048	HUNTER PRELL COMPANY	REPLACED 3 FIRE HOSE VALVES	790.00
53047	HUNTER PRELL COMPANY	FIRE PROTECTION ANNUAL INSPECTION	234.46
RMS000245	INTERACT PUBLIC SAFET	ANNUAL RMS MAINT SUBSCRIPTION	1,000.00
RMS000040	INTERACT PUBLIC SAFET	RMS MAINT SUBSCPTN 3/21--3/31/12	372.58
RMS000041	INTERACT PUBLIC SAFET	RMS MAINT SUBSCPTN 4/01--4/30/12	1,000.00
RMS000042	INTERACT PUBLIC SAFET	RMS MAINT SUBSCPTN 5/01--5/31/12	1,000.00
RMS000043	INTERACT PUBLIC SAFET	RMS MAINT SUBSCPTN 6/01--6/30/12	1,000.00
81623	J & K PLUMBING SUPPLY	DRAIN SNAKE	21.00
4570	JS BUXTON	BULK LIME BLANKET PO FOR FY2013	1,116.50
302852	JUSTICE FENCE	SERVICE CALL	580.00
131236	KAR LABORATORIES INC	CYANIDE ANALYSIS	100.00
51283	KEBS INC	2012 LOCAL ROAD RESURFACING	837.50
S101412579.001	KENDALL ELECTRIC INCO	SEALS	99.76
544076	KENNEDY INDUSTRIES IN	CHECK VALVE REPAIR - FOUNTAIN ST	133.28
544153	KENNEDY INDUSTRIES IN	CHECK VALVE REPAIR	13.81
693668A	KIESLER'S POLICE SUPP	AMMO	309.00
25733	LAKELAND ASPHALT CORP	COLD PATCH	530.26
1528265-20130131	LEXISNEXIS RISK DATA	JANUARY SERVICES	139.56

User: ctanner

DB: Marshall

EXP CHECK RUN DATES 03/19/2013 - 03/21/2013

BOTH JOURNALIZED AND UNJOURNALIZED

OPEN

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
1025483	MARSHALL LUMBERTOWN	FOAM SHEETS	16.31
1025586	MARSHALL LUMBERTOWN	R-13 3.5/8X15 40 SF KF	13.99
1025527	MARSHALL LUMBERTOWN	PLYWOOD, 1-5/8" EXT SCR STAR DR 5#	75.97
6240	MARSHALL TIRE CITY	4 TIRES - TAHOE	762.09
022813	MICHIGAN ASSOCIATION	MEMBERSHIP DUES - SCOTT MCDONALD	100.00
88468	MICHIGAN METER TECHNO	WATER METERS	2,352.68
2013-2014	MICHIGAN MUNICIPAL LE	DUES--SANDRA BIRD	4,226.00
1928	MICHIGAN PUBLIC TRANS	MEMBERSHIP DUES	408.00
63440	MIDWEST TRANSIT EQUIP	LARGE GEAR, MOTOR & PC BOARD KIT	523.75
1303018	MUNIMETRIX SYSTEMS CO	SOFTWARE SUPPORT FOR IMAGEFLOW	499.00
13-085	NU-TWIST SCREEN PRINT	T-SHIRT	5.95
408931	NYE UNIFORM COMPANY	SHIRTS	187.20
409516	NYE UNIFORM COMPANY	PANTS	106.89
52326	O'LEARY WATER CONDITI	BOTTLED WATER	9.00
52337	O'LEARY WATER CONDITI	WATER	36.00
030113	OVERHISER, MARTIN	EPSON EX5210 PROJECTOR	503.98
13519	OWENS REFRIGERATION S	ICE MACHINE	314.14
2075121202-4	PARRISH EXCAVATING	MANSION STREET WATER MAIN CONSTRUCTION	105,061.14
030813	PATINO, JOSEPHINE	50% HONOLULU HOUSE RESTORATION	7,400.00
35657	PEERLESS MIDWEST INC	WELL #2 PUMP OVERHAUL	14,925.10
5709772	POWER LINE SUPPLY	METERS	1,635.90
276880001 001	PRINTEK INC	VEHICLE PRINTERS	1,598.40
4514	QUANTUM CONSTRUCTION	OBSERVATION DECK	22,657.49
I1302040334	REALPAGE INC	ONSITE FACILITIES	600.00
228891	RHOADES MCKEE PC	CITY V POMA GLASS & SPECIALTY WINDOWS	997.50
332958	ROE-COMM., INC	MINITOR IV & V BELT CLIP	29.98
304-13	RON COOK	SAFETY MEETING	180.00
8103415222	SCHINDLER ELEVATOR CO	ANNUAL FEE - 3 BLDGS	9,049.52
25916	STANDARD PRINTING & O	TOWN CRIER	324.97
665868	STANTEC CONSULTING MI	CONSTRUCTION ENGINEERING SERVICES	12,473.00
665593	STANTEC CONSULTING MI	MANSION ST. WATER MAIN CONST. ENGINEERI	10,032.84
7000492781	STAPLES CONTRACT & CO	OFFICE SUPPLIES	4.79
7000492778	STAPLES CONTRACT & CO	TONER	254.97
7000494534	STAPLES CONTRACT & CO	OFFICE SUPPLIES	9.98
7000492779	STAPLES CONTRACT & CO	OFFICE SUPPLIES	156.62
7000516128	STAPLES CONTRACT & CO	OFFICE SUPPLIES	465.79
6400	TURNER MEDICAL	GE TUFFSAT DATEX OHMEDA HAND HELD PULSE	325.00
128	VIA PRUDENCE	DEVLPMT/TRAINING, SERVICE AGREEMENT	1,250.00
49837	VILLA ENVIRONMENTAL C	3-RING BINDER SETUP/TRAINING, INSPECTIO	325.00
020113	WEBERLING SERVICE LLC	2011 CHEVY TAHOE	56.95
022013	WEBERLING SERVICE LLC	2010 FORD CROWN VIC	48.95
021313	WEBERLING SERVICE LLC	2008 FORD CROWN VIC	63.90
			233,825.53

EXP CHECK RUN DATES 02/22/2013 - 03/01/2013
 UNJOURNALIZED
 OPEN

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
022113	AARON AMBLER	BOOTS	133.00
135330010500	ADVANCED FUEL COMPONE	REFUND TAX OVERPAYMENT	360.35
ALLMI550-0313	ALLSTATE WORKPLACE DI	POLICY #ALLMI550	783.23
Z1406436NB	AMERICAN MESSAGING	ACCT #Z1-406436	103.83
MAR 2013	BATTLE CREEK UNLIMITE	MARCH SERVICES	14,041.66
022013	BEARDSLEE LAW OFFICES	FEBRUARY SERVICES	6,034.50
022813	CALHOUN COUNTY EQUALI	MARCH SERVICES	2,122.00
022513	CALHOUN COUNTY TREASU	MTT#00399851 ADJ (2010 & 2011)	915.33
022213	CHEMICAL BANK SOUTH	TOM TARKIEWICZ HSA HARDSHIP	843.00
596604	COMMERCIAL OFFICE PRO	MH OFFICE SUPPLIES	435.96
205986206587	CONSUMERS ENERGY	1000 0916 3203	380.72
205986206588	CONSUMERS ENERGY	1000 0916 3435	1,647.30
201358324375	CONSUMERS ENERGY	1000 5741 9077	738.56
201358323348	CONSUMERS ENERGY	1000 0033 5602	4,255.08
204651234777	CONSUMERS ENERGY	1000 0759 4680	591.30
206787031336	CONSUMERS ENERGY	1000 6710 1772	61.41
205986206589	CONSUMERS ENERGY	1000 0916 3971	3,112.89
188061717729	COULTER, JOHN	ACCT #188061717729	216.08
FEB 2013	COULTER, JOHN	FEB--IN LIEU OF HEALTH BENEFITS	250.00
MI022820001-0313	DELTA DENTAL PLAN OF	CUST #MI022820001	4,949.89
022813	DENNIS DIXON	APPA CONFERENCE AIRFARE	349.80
022013	FISHER, CHARLIE	SCHOOL LUNCH	11.09
022513	GILL, CHRISTOPHER	REFUND BURIAL PLOT LESS FNDTN	298.80
1010959	GRIFFIN PEST SOLUTION	323 W MICHIGAN	32.00
1010960	GRIFFIN PEST SOLUTION	900 S MARSHALL	44.00
022513	GROSS, JOHN	INSPECTION COMMISSION	80.00
022813	JAKE ESSELINK	LIL HOOPSTERS ASSISTANT	80.00
022513	LEACH, DOUG	MILEAGE REIMBURSEMENT--JURY DUTY	33.60
3507-0213	MARSHALL COMMUNITY CU	3507 - MCDONALD	142.20
135330032200	MARSHALL FRAMING STUD	REFUND TAX OVERPAYMENT	24.95
022213	MATHIS, KIMO & TANYA	ENERGY OPTIMIZATION--FURNACE & THRMSTAT	165.00
46466498	MCMASTER-CARR	FLOAT FOR HYDRO	27.90
S3350036.001	MEDLER ELECTRIC COMPA	FUSE	59.07
S3327449.001	MEDLER ELECTRIC COMPA	STARTER	398.83
S3350036.002	MEDLER ELECTRIC COMPA	FUSE	38.71
021913	MOORE, GARRETT	EXPENSE REIMBURSEMENT	33.68
13-53-312-166-00	NEW LIFE HEALTH SOLUT	REFUND TAX OVERPAYMENT	2.81
224843832-082	SPRINT	ACCT #224843832	399.80
022013	TICE, LUCAS	SCHOOL LUNCH	12.76
020613	TROY DEKRYGER	MEALS AT TRAINING	16.82
021913	TROY DEKRYGER	MEAL REIMBURSEMENT	9.82
			44,237.73

Prescription reimbursement 35.00

Total Cash Disbursements \$44,272.73

User: ctanner

DB: Marshall

EXP CHECK RUN DATES 11/30/2012 - 03/08/2013

UNJOURNALIZED

OPEN

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
7-003700-34	ADVANCED REAL ESTATE	REFUND UTILITY OVERPAYMENT	38.86
7-003600-13	ADVANCED REAL ESTATE	REFUND UTILITY OVERPAYMENT	46.55
022713	ALISON YARGER	EXPENSE REIMBURSEMENT	44.77
31-017200-03	ALLEN, DOYLE	REFUND UTILITY DEPOSIT	47.73
20-023400-07	ALTISOURCE SOLUTIONS	REFUND UTILITY OVERPAYMENT	59.69
030713	BALLARD, FRANK R	INSPECTION FORMS	81.00
14-003900-35	BARTELL, AARON	REFUND UTILITY DEPOSIT	81.57
FEB 2013	CALHOUN COUNTY TREASU	TRAILER FEES	80.00
24-014000-06	CHEMICAL BANK	REFUND UTILITY OVERPAYMENT	42.72
132271610-0313	CITGO	FLEET #132271610	15,324.64
597309	COMMERCIAL OFFICE PRO	PAPER	203.15
597308	COMMERCIAL OFFICE PRO	OFFICE SUPPLIES	598.16
301840032	CORDOVA, JOANN	REFUND UTILITY OVERPAYMENT	19.43
1113	CORNERSTONE INSPECTIO	INSPECTIONS	152.00
022713	CTI MECHANICAL CONTRA	PERMIT FEE REFUND--612 W MANSION	70.00
1155180-0213	CULLIGAN	ACCT #1155180	28.50
2801720004	ENBRIDGE	REFUND UTILITY OVERPAYMENT	90.17
27-007000-10	FLYNN, CODY	REFUND UTILITY OVERPAYMENT	63.78
21-041600-19	GILLETTE, KRISTIN	REFUND UTILITY OVERPAYMENT	97.03
030313	JOSH LANKERD	BOOT ALLOWANCE	52.98
030513	LAKE MICHIGAN MAILERS	POSTAGE FOR ACCT #M323	500.00
31-019300-00	LINT, PAULINE	REFUND UTILITY OVERPAYMENT	55.52
82130231059095-031	LOWES BUSINESS ACCOUN	ACCT #821 3023 105909 5	34.69
030513	MICHIGAN LODGING & TO	CONFERENCE--JOHN COULTER	329.00
28-078402-01	MLCFC-2006-4 MARSHALL	REFUND UTILITY OVERPAYMENT	193.96
28-078400-01	MLCFC-2006-4 MARSHALL	REFUND UTILITY OVERPAYMENT	1,307.04
28-078401-01	MLCFC-2006-4 MARSHALL	REFUND UTILITY OVERPAYMENT	3,234.02
30-032500-24	MORAN, LOIS JEAN	REFUND UTILITY DEPOSIT	7.14
13-014000-04	OLSEN, LORI	REFUND UTILITY OVERPAYMENT	47.70
249-003690640	REPUBLIC SERVICES #24	ACCT #3-0249-1022021	590.13
30-056400-27	SCHNEIDER, MYRON	REFUND UTILITY DEPOSIT	71.77
030513	SCOTT MCDONALD	POSTAGE DUE REIMBURSEMENT	6.85
15-009600-10	SILVERS, LEE	REFUND UTILITY OVERPAYMENT	44.14
21063-0313	SPARTAN STORES	FEBRUARY CHARGES	105.88
38-6004708-0213	STATE OF MICHIGAN	38-6004708, FEB 2013, SALES TAX	27,822.52
13-53-300-007-26	TIMEPAYMENT CORP	REFUND TAX OVERPAYMENT	50.03
022713	WINTERS, SHERRY	EXPENSE REIMBURSEMENT	3.17
10040269-0213	WOW! BUSINESS	323 W MICHIGAN AVE	499.55
			52,125.84

Prescription reimbursement 5.00

Total Cash Disbursements \$52,130.84



ADMINISTRATIVE REPORT
March 18, 2013 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council Members

FROM: Tom Tarkiewicz, City Manager

SUBJECT: Cronin Building Redevelopment

BACKGROUND: At the January 22, 2013 work session, the Council received a proposal from Steve Eyke to purchase and redevelop the Cronin Building. Staff was directed to return to the Council with a development plan.

I met with the MAEDA staff and it was determined that the best direction to proceed was to request proposals from interested parties. Mr. Eyke did agree with this plan. MAEDA staff will proceed with preparing a Request for Proposal (RFP). It is unknown at this time when the RFP's will be due or how they will be advertised. The MAEDA staff will contact MSHDA, MEDC, BCU and other agencies to receive input on the process.

RECOMMENDATION: No action is needed at this time.

FISCAL EFFECTS: None at this time.

ALTERNATIVES: As suggested by Council

Respectfully submitted,

A handwritten signature in blue ink that reads "Tom Tarkiewicz".

Tom Tarkiewicz
City Manager

323 W. Michigan Ave.

Marshall, MI 49068

P: 269.781.5183

cityofmarshall.com



ADMINISTRATIVE REPORT
March 18, 2013 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council Members
FROM: Tom Tarkiewicz, City Manager
SUBJECT: CCCDA Funding Resolution

BACKGROUND: In August of 2012, the voters of Calhoun County defeated a telephone surcharge based funding mechanism for the Calhoun County Consolidated Dispatch Authority (CCDA). Effective July 1, 2013, a "call for service" funding formula will be instituted. This formula requires all of the Townships, Cities and Villages to financially support the CCCDA. Some of the Villages and Townships have started a movement to request a new countywide vote for the telephone surcharge based funding mechanism be placed on the August 2013 Countywide ballot. This proposal must be approved by the County Board of Commissioners.

RECOMMENDATION: It is recommended that City Council adopt the attached resolution to support the placement of a telephone surcharged based funding mechanism for the CCCDA on the August 2013 Countywide ballot.

FISCAL EFFECTS: None at this time.

ALTERNATIVES: As suggested by Council

Respectfully submitted,

A handwritten signature in blue ink that reads "Tom Tarkiewicz".

Tom Tarkiewicz
City Manager

323 W. Michigan Ave.
Marshall, MI 49068
P: 269.781.5183

cityofmarshall.com



ADMINISTRATIVE REPORT
March 18, 2013 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council Members

FROM: Tom Tarkiewicz, City Manager

SUBJECT: Memorandum of Understanding with the Marshall Area Firefighters Ambulance Authority

BACKGROUND: Effective July 1, 2013, a “call for service” funding formula will be instituted by the Calhoun County Consolidated Dispatch Authority. This formula requires all of the Townships, Cities and Villages to financially support the CCCDA through the calls for service which occur in their jurisdictions for police, fire and EMS calls.

The Marshall Area Firefighters Ambulance Authority provides transport services for the nursing homes and Oaklawn Hospital. The attached Memorandum of Understanding with the Marshall Area Firefighters Ambulance Authority, states that the City will not be responsible for any costs incurred by CCCDA or another entity as a result of requests from a licensed acute care hospital for the services of MAFAA, or any other licensed ambulance service provider, to transport a patient from that facility to another licensed hospital facility. And, any “call for service” or dispatch fees related to this type of “inter-facility transport” service provided by MAFAA or any other licensed ambulance service are the responsibility of the ambulance service

RECOMMENDATION: It is recommended that City Council authorize the City Clerk to sign the Memorandum of Understanding with the Marshall Area Firefighters Ambulance Authority.

FISCAL EFFECTS: None at this time.

ALTERNATIVES: As suggested by Council

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Tom Tarkiewicz".

Tom Tarkiewicz
City Manager

323 W. Michigan Ave.
Marshall, MI 49068
P: 269.781.5183

cityofmarshall.com

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF MARSHALL, MICHIGAN
AND THE MARSHALL AREA FIREFIGHTERS AMBULANCE AUTHORITY**

WHEREAS, The Marshall Area Firefighters Ambulance Authority (MAFAA) provides emergency medical services to the City of Marshall;

WHEREAS, The Calhoun County Consolidated Dispatch Authority (CCFDA) provides dispatch services for the City and MAFAA;

WHEREAS, On July 1, 2013 the City will be billed on a "call for service" formula which will include emergency medical service calls;

WHEREAS, The City of Marshall supports the concept that local municipalities participating in the Marshall Area Firefighters Ambulance Authority (MAFAA) will be responsible for fees related to EMS "calls for service" and assessed by the Calhoun County Consolidated Dispatch Authority (CCFDA) as authorized by the Calhoun County 911 plan;

WHEREAS, The fees are based upon the number of calls received by CCFDA from the public requesting emergency pre-hospital care and/or transport from within the boundaries of each participating municipality.

NOW, THEREFORE, The City of Marshall and the Marshall Area Firefighters Ambulance Authority agree:

That the City of Marshall will not be responsible for any costs incurred by CCFDA or another entity as a result of requests from a licensed acute care hospital for the services of MAFAA, or any other licensed ambulance service provider, to transport a patient from that facility to another licensed hospital facility; and

Any "call for service" or dispatch fees related to this type of "inter-facility transport" service provided by MAFAA or any other licensed ambulance service are the responsibility of the ambulance service.

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Understanding to be executed on this _____ day of _____, 2013.

For the City of Marshall
Trisha Nelson, City Clerk

For the Marshall Area Firefighters Ambulance Authority



ADMINISTRATIVE REPORT
March 18, 2013 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council

FROM: Tom Tarkiewicz, City Manager
James Schwartz, Chief of Police
Robert Kiessling, Fire Chief

SUBJECT: Regional Law Enforcement Center and Fire Station/City Hall Renovations Project –
Notice of Intent Resolution-Building Authority Bond
Notice of Intent Resolution-Entering Into Limited Tax-Supported Contracts of Lease

BACKGROUND: The City of Marshall is developing a plan to construct a new facility to jointly house the City of Marshall Police Department and Michigan State Police and to replace the existing fire apparatus bay and quarters and renovate City Hall offices (the “Project”); and the City expects to fund expenditures for the Project on a long-term basis with the proceeds of debt to be issued by the Marshall Building Authority.

The City has been working with Miller, Canfield, Paddock and Stone, P.L.C. in Lansing, MI who was responsible for preparing the attached resolution. The document was prepared in such a manner to show the Regional Law Enforcement Center and Fire Station/City Hall Renovations as the focus of the improvements. In addition to working with the staff of Miller, Canfield, Paddock and Stone, Robert Bendzinski, Bendzinski & Company has been retained as Financial Consultant to assist the City in preparation and planning for the sale of the bonds.

After the review and study of the cost estimate supplied by our consultants, it was recommended by our financial consultant that an amount not to exceed five million five hundred thousand dollars (\$5,500,000) was most practical for the purposes of financing costs of acquisition and construction of this project.

The Marshall Building Authority and the City intend to enter into a contract under which the City will pay the principal and interest of the Authority’s bonds from the City’s General Fund funds lawfully available for such purposes including property taxes levied within existing charter, statutory and constitutional limitations.

Later the City Council will be asked to consider a separate resolution to approve the contract of lease for the State’s share of the Law Enforcement Center, to be repaid by State sublease payments.

RECOMMENDATION: It is recommended that the City Council adopt the attached resolution initiating the forty five day referendum period prior to the sale of the bonds and the attached resolution of intent of entering into limited tax-supported contracts of lease. Adoption of these resolutions does not

323 W. Michigan Ave.

Marshall, MI 49068

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authorize the projects or any expenses. Council approval will be needed when the construction bids are received.

FISCAL EFFECTS: None at this time.

ALTERNATIVES: As suggested by the Council.

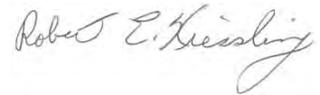
Respectfully submitted,



Tom Tarkiewicz
City Manager



James Schwartz
Chief of Police



Robert Kiessling
Fire Chief

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

**RESOLUTION APPROVING
BUILDING AUTHORITY CONTRACTS AND NOTICE**

A RESOLUTION TO PROVIDE FOR:

- Up to \$5,500,000 of Building Authority Bonds to finance:
 - the City’s share of the Law Enforcement Center,
 - Fire Station / City Hall Renovation;
- Publication of Notice of Intent to enter into Contracts with Building Authority to issue Bonds;
- City Payments to be Limited Tax Full Faith and Credit General Obligation.

WHEREAS, it is necessary for the public health, safety and welfare of the residents of the City of Marshall, County of Calhoun, State of Michigan (the “City”) to acquire and construct a new facility to jointly house the City of Marshall Police Department and the Michigan State Police (the “Law Enforcement Center”); and

WHEREAS, the City has previously established the Marshall Building Authority (the “Authority”) under the provisions of Act 31, Public Acts of Michigan (First Extra Session), 1948, as amended (“Act 31”), with full powers to acquire, construct, equip and finance buildings such as the Law Enforcement Center; and

WHEREAS, the Authority is willing to acquire and construct the Law Enforcement Center and lease it to the City; and

WHEREAS, the City anticipates that the State of Michigan (the “State”) will sublease the portion of the Law Enforcement Center to be occupied by the Michigan State Police, and pay rental to the City in an amount sufficient to pay for the State’s share of the Law Enforcement Center; and

WHEREAS, the Authority intends to prepare two contracts of lease for the Law Enforcement Center: (1) a lease of the City’s share of the Law Enforcement Center which will pledge the City’s limited tax full faith and credit, and (2) a lease of the State’s share of the Law Enforcement Center which will pledge only sublease payments to be made by the State; and

WHEREAS, under the provisions of Act 31, the Authority can finance costs of acquiring, constructing and equipping buildings such as the Law Enforcement Center through issuance of building authority bonds to be repaid from rental payments made by the City to the Authority under a contract of lease; and

WHEREAS, the Authority anticipates issuance of two series of bonds to finance the Law Enforcement Center: (1) a series of bonds which pledge lease payments secured by the City’s limited tax full faith and credit pledge, and (2) a series of revenue bonds which pledge lease payments secured solely by sublease payments received from the State; and

WHEREAS, it is necessary for the public health, safety and welfare of the residents of the City to acquire and construct improvements to Fire Station and City Hall including, but not limited to, replacement of the existing fire apparatus bay and quarters and renovation of City Hall offices (the “Fire Station / City Hall Improvements”); and

WHEREAS, the Authority is willing to acquire and construct the Fire Station / City Hall Improvements for lease to the City under a contract of lease pledging the City’s limited tax full faith and credit, and to finance the Fire Station / City Hall Improvements through the issuance of building authority bonds; and

WHEREAS, the Authority intends to finance the City’s share of the Law Enforcement Center and the Fire Station / City Hall Improvements (collectively, the “Projects”) through issuance of its bonds in one or more series in the aggregate principal amount of not-to-exceed \$5,500,000 (the “Bonds”) in anticipation of rentals secured by the City’s limited tax full faith and credit pledge; and

WHEREAS, the City and the Authority will enter into one or more Limited Tax Full Faith and Credit General Obligation Contracts of Lease (collectively, the “Contracts”) to provide for the financing of the Projects through the issuance of the Bonds, and a proposed form of the Contracts has been prepared; and

WHEREAS, the City Council will adopt a separate resolution to approve the contract of lease for the State’s share of the Law Enforcement Center; and

WHEREAS, this City Council desires to publish a notice of its intention of entering into the Contracts so as to begin the statutory referendum period; and

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Necessity. The City Council hereby determines it to be necessary for the public health, safety and welfare of the City to acquire and construct the Projects for the use of the City.
2. Building Authority Financing. The City Council deems it to be in the best interest of the City to finance the cost of the Projects through the Authority in accordance with the provisions of Act 31, which cost is not expected to exceed Five Million Five Hundred Thousand Dollars (\$5,500,000).
3. Publication of Notice of Intent. The City Clerk is hereby authorized and directed to publish a Notice of Intention of Entering into Limited Tax-Supported Contracts of Lease in *The Marshall Advisor/Chronicle*, a newspaper of general circulation in the City. The Notice shall appear as a display advertisement at least one-quarter (1/4) page in size and shall be in substantially the following form:

NOTICE OF INTENTION OF ENTERING INTO
LIMITED TAX-SUPPORTED CONTRACTS OF LEASE
AND OF RIGHT TO PETITION FOR REFERENDUM THEREON

TO THE TAXPAYERS AND ELECTORS
OF THE CITY OF MARSHALL, MICHIGAN:

PLEASE TAKE NOTICE that the City of Marshall intends to approve and execute one or more Limited Tax Full Faith and Credit General Obligation Contracts of Lease with the Marshall Building Authority pursuant to Act 31, Public Acts of Michigan, 1948 (First Extra Session), as amended. The Contracts will provide, among other things, that the Building Authority will acquire and construct a new facility to jointly house the City of Marshall Police Department and the Michigan State Police, including the site therefor (the "Law Enforcement Center"), and acquire and construct improvements to the Fire Station and City Hall including, but not limited to, replacement of the existing fire apparatus bay and quarters, and renovation of City Hall offices (the "Fire Station / City Hall Improvements") and WILL ISSUE ITS BONDS to finance the estimated cost of the City's share of the Law Enforcement Center and the Fire Station / City Hall Improvements (collectively, the "Projects") FOR THE BENEFIT OF THE CITY IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$5,500,000. The bonds may be issued in one or more series, and each series when issued will mature in not to exceed 30 annual installments and will bear interest on the outstanding principal balance at interest rates not exceeding the maximum rates permitted by law.

The Contracts will further provide that the City will lease the Projects from the Building Authority and WILL PAY AS RENTAL TO THE BUILDING AUTHORITY ALL SUMS NECESSARY TO RETIRE THE PRINCIPAL OF AND INTEREST ON THE BONDS, TOGETHER WITH ALL COSTS OF OPERATING AND MAINTAINING THE PROJECTS AND ALL COSTS of the Building Authority in connection therewith regardless of whether the Projects are tenantable. The principal amount to be borrowed by the Building Authority will be indebtedness of the City for purposes of charter, statutory and constitutional debt limitations. The State's share of the Law Enforcement Center will be paid only from sublease payments to be made by the State under a separate contract of lease and will not be an obligation of the City.

CITY'S CONTRACT OBLIGATION

BY VIRTUE OF THE PROPOSED CONTRACTS AND ACT 31, ALL OF THE CITY'S REQUIRED PAYMENTS UNDER THE CONTRACTS TO THE BUILDING AUTHORITY WILL BE A LIMITED TAX FULL FAITH AND CREDIT GENERAL OBLIGATION OF THE CITY PAYABLE FROM ANY AVAILABLE FUNDS OF THE CITY, AND THE CITY WILL BE REQUIRED TO LEVY AD VALOREM TAXES ON ALL TAXABLE PROPERTY WITHIN ITS BOUNDARIES TO THE EXTENT NECESSARY TO MAKE THE PAYMENTS REQUIRED TO RETIRE THE BONDS AND INTEREST THEREON IF OTHER FUNDS FOR THAT PURPOSE ARE NOT AVAILABLE, AND AS LIMITED BY LAW. THE OBLIGATION TO LEVY TAXES IS LIMITED BY APPLICABLE CONSTITUTIONAL, STATUTORY AND CHARTER TAX RATE LIMITATIONS.

IN THE EVENT THAT A VALID PETITION REQUIRING AN ELECTION WITH RESPECT TO THE CONTRACTS IS FILED AS DESCRIBED BELOW, AND THE CONTRACTS ARE APPROVED BY VOTE OF THE ELECTORS, THE OBLIGATION TO LEVY AD VALOREM TAXES TO PAY THE PART OF THE CITY'S RENTAL OBLIGATION THAT WILL BE USED TO PAY DEBT SERVICE ON THE BUILDING AUTHORITY'S BONDS SHALL BE WITHOUT LIMITATION AS TO RATE OR AMOUNT.

THE PROPOSED CONTRACTS SHALL BECOME EFFECTIVE WITHOUT VOTE OF THE ELECTORS OF THE CITY, AS PERMITTED BY LAW, 60 DAYS FOLLOWING THE DATE OF PUBLICATION OF THIS NOTICE, UNLESS A VALID PETITION REQUESTING AN ELECTION ON THE QUESTION OF WHETHER SUCH CONTRACTS SHOULD BE EFFECTIVE, SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS OF THE CITY, IS FILED WITH THE CITY CLERK WITHIN 45 DAYS FOLLOWING THE DATE OF PUBLICATION OF THIS NOTICE. If a valid petition is so filed, the Contracts described in such petition shall not be effective without an approving vote by a majority of electors of the City voting on the question.

This Notice is given pursuant to the requirements of Section 8b of the Act 31, Public Acts of Michigan, 1948 (First Extra Session), as amended. Further information concerning the details of the Contracts, the Projects being financed and the matters set out in this Notice may be secured from the City Clerk's office. A copy of the Contracts will be on file in the office of the City Clerk for public inspection.

Trisha Nelson, City Clerk

4. Sufficiency of Notice and Designated Newspaper. The City Council hereby determines that the designated newspaper is a newspaper of general circulation within the City which can and does publish legal notices and which reaches the largest number of persons to whom the Notice is directed, and that publication of the Notice in the designated newspaper represents the most practical and feasible means of informing the taxpayers and electors of the City of the Projects and the financing thereof. A copy of the form of the Contracts shall be placed on file in the office of the City Clerk and shall be available for public examination.

5. Approval of Contracts. The City Council hereby approves the form of Contract. The Mayor and the City Clerk are authorized to execute one or more Contracts for the Projects and deliver each executed Contract to the City. The Contracts shall become effective upon the expiration of sixty (60) days following the date of publication of the Notice, unless, under the provisions of Section 8b of Act 31, the effectiveness of the Contracts is stayed by reason of the filing of a petition for referendum thereon within forty-five (45) days after such publication and the resultant necessity of prior approval thereof by the qualified electors of the City.

The Mayor and the City Clerk are authorized to make such changes and insertions to the form of Contract in consultation with bond counsel as may be necessary or desirable to effectuate the sale and delivery of the Bonds, permitted by Act 31 and otherwise by law, and not materially adverse to the City.

6. Limited Tax Full Faith and Credit General Obligation. All of the City's required payments under the Contracts will be a limited tax full faith and credit general obligation of the City payable from any available funds of the City. The City Council does hereby ratify and confirm its covenant in the Contracts to levy ad valorem taxes against all taxable property in the City to the extent necessary to meet the obligations of the City thereunder in the event revenues from other sources are insufficient for any reason whatsoever. Any such taxes levied to pay the Cash Rentals under the Contracts shall be limited as to rate or amount in the manner provided by law.

7. IRS Required Declaration of Intent. The City hereby makes the following declaration of 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 (the "Internal Revenue Code"):

(1) The City reasonably expects to reimburse itself or the Authority with proceeds of debt to be incurred by the Authority for certain costs associated with acquisition of the Projects which were or will be paid subsequent to sixty (60) days prior to the date hereof from the general funds or capital fund of the City or the Authority.

(2) As of the date hereof, the maximum principal amount of debt expected to be issued for reimbursement purposes, including reimbursement of debt issuance costs, is \$5,500,000, which debt may be issued in one or more series and/or together with debt for other purposes.

(3) A reimbursement allocation of the expenditures described in paragraph (1) 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 Projects 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 use of the proceeds of the debt to be issued for the Projects to reimburse the City or the Authority for a capital expenditure made pursuant to this Resolution.

(4) The expenditures for the Projects 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).

(5) No proceeds of the borrowing paid to the City or the Authority 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 (3) above.

8. IRS Required Covenant. The City hereby covenants to take all action within its control to the extent permitted by law necessary to maintain the exclusion of the interest on the Bonds from gross income for federal income tax purposes under the Internal Revenue Code, including but not limited to, actions relating to the rebate of arbitrage earnings and the expenditure and investment of proceeds of the Bonds and moneys deemed to be proceeds of the Bonds. The Finance Director or the City Manager are hereby authorized and directed to execute and deliver such documents, instruments and certificates, including without limitation documents, instruments and certificates necessary or desirable to satisfy the requirements of the Internal Revenue Code in relation to arbitrage or rebate.

9. Financial Advisor. The City hereby approves the request by the Authority to retain Bendzinski & Co., Registered Municipal Advisors with the Municipal Securities Rulemaking Board, to act as Financial Advisor to the Authority for the Bonds.

10. Bond Counsel. The City hereby approves the request by the Authority that Miller, Canfield, Paddock and Stone, P.L.C. continue to serve the Authority as bond counsel for the Bonds. The City recognizes that Miller, Canfield, Paddock and Stone, P.L.C. has represented from time to time, and currently represents, various underwriters, financial institutions, and other potential participants in the bond financing process, in matters not related to the issuance and sale of the Bonds, and approves them notwithstanding the potential concurrent representation of any other participant in the bond financing process in any unrelated matters.

11. Continuing Disclosure Required by SEC Rules. In order to enable underwriters of the Bonds to comply with the requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission, the City hereby agrees to undertake Continuing Disclosure on behalf of itself as an obligated person of the Bonds, and on behalf of the Authority as the issuer of the Bonds. Either the Finance Director or the City Manager shall execute such Continuing

Disclosure Undertaking on behalf of the City in such form as he or she shall, in consultation with bond counsel, determine to be appropriate.

12. Other Actions. Any officer of the City is hereby authorized to take such actions, including preparation and circulation of an Official Statement describing the Bonds, and preparation of applications for a rating on the Bonds and, if recommended by the Financial Advisor, insurance on the bonds, and any officer of the City is hereby authorized to execute any and all agreements, certificates and documents necessary to effectuate issuance of the Bonds.

13. Conflicting Resolutions. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are 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 Regular meeting held on March 18, 2013, at 7:00 p.m., Eastern Time, and that the meeting was conducted and public notice of the 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 the meeting were kept and will be or have been made available as required by the Act 267.

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

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

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

City Clerk



ADMINISTRATIVE REPORT
March 18, 2013 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council

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

SUBJECT: Michigan Department of Transportation Agreement –
Mansion Street

BACKGROUND: The City has received a grant through the Michigan Department of Transportation Small Urban Program for the reconstruction of Mansion Street from Plum Street to N. Kalamazoo Avenue. The funding is divided between the State of Michigan (80%) and the City of Marshall (20%). City of Marshall will be responsible for an estimated \$80,200 in construction costs. To proceed with the project and allow MDOT to seek bids, the attached resolution authorizing the Clerk to sign contracts must be approved. Since the documents are lengthy, they have been made available for review at the office of the Director of Public Services.

The project was included in the FY 2013 budget at a cost of \$131,250.

RECOMMENDATION: It is recommended that the City Council approve the attached resolution authorizing the Clerk to sign the contract with the Michigan Department of Transportation for the Reconstruction of Mansion Street from Plum Street to N. Kalamazoo Avenue.

FISCAL EFFECTS: To appropriate \$80,200 from the MVH Major Streets Capital Outlay expenditure budget line item 202-900-970 with a funding source of future bond sales.

ALTERNATIVES: As suggested by the Council.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Carl Fedders".

Carl Fedders
Director of Public Services

A handwritten signature in blue ink, appearing to read "Tom Tarkiewicz".

Tom Tarkiewicz
City Manager

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

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**CITY OF MARSHALL, MICHIGAN
RESOLUTION 2013-_____**

WHEREAS, the City Council of the City of Marshall has reviewed attached Contract 13-5044 for federal project STP 1313(356) for job number 117002 with the Michigan Department of Transportation for the reconstruction of Mansion Street from Plum Street to N. Kalamazoo Avenue.

WHEREAS, the City Council agrees to utilize the combination of federal, state and local funding to cause paving and other related improvements as stated within contract 13-5044 to be performed; and

WHEREAS, the estimated expense of the project is \$442,100 and the Michigan Department of Transportation is willing to provide a maximum of \$361,900, or 80% of the overall project, whichever sum is less; and

WHEREAS, the City will be responsible for a match estimated at \$80,200, or 20% of the project, whichever is applicable with bid costs; and

WHEREAS, the City Council understands and agrees to the contract and its attached conditions.

NOW THEREFORE BE IT RESOLVED that based upon a motion made by _____, and supported by _____ that the Clerk be authorized to sign contract 13-5044 for federal project STP 1313(356).

Voting for: _____

Voting Against: _____

Absent: _____

CERTIFICATION OF CITY CLERK

I hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the City Council of the City of Marshall at a regular meeting held on the 18th day of March, 2013.

City Clerk

Date