

CALL TO ORDER

IN REGULAR SESSION Tuesday, July 8, 2014 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 and Clerk Nelson.

Absent: Council Member Revore

Moved Williams, supported Mankerian to excuse Council Member Revore. On a voice vote – **MOTION CARRIED.**

INVOCATION/PLEDGE OF ALLEGIANCE

Mayor Dyer led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Moved Miller, supported Metzger, to approve the agenda with the addition of item 12B – Income Tax Study. On a voice vote – **MOTION CARRIED.**

PUBLIC COMMENT ON AGENDA ITEMS

None.

CONSENT AGENDA

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

- A. Approve minutes of the City Council Regular session held on Monday, June , 2014 and Special Session held on Wednesday, June 25, 2014;
- B. Approve city bills in the amount of \$ 474,363.87.

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

PRESENTATIONS AND RECOGNITIONS

A. Relay for Life Week Proclamation:

Moved Reed, supported Mankerian, to support the Proclamation recognizing Relay for Life Week in the City of Marshall. On a voice vote – **MOTION CARRIED.**

Relay For Life Week Proclamation

WHEREAS, The American Cancer Society is the nationwide community-based voluntary health organization dedicated to eliminating cancer as a major health problem by preventing cancer, saving lives and diminishing suffering from cancer through research, education, advocacy and service; and

WHEREAS, By these efforts the overall, age-adjusted cancer mortality rate is declining and will continue to do so; and

WHEREAS, Relay For Life is the national signature event of the American Cancer Society and has raised more than \$2.6 billion in funds since the first Relay For Life held in 1985; and

WHEREAS, Relay For Life - Calhoun County East has raised more than \$2.2 million in funds since the first Relay For Life was held in 1996; and

WHEREAS, The Relay For Life is unique in this community in that it blends fundraising, cancer awareness and prevention activities, fellowship and support for cancer survivors; and

WHEREAS, Relay For Life - Calhoun County-East will hold its 18th Relay For Life on July 18th and 19th with the goals of raising \$160,000, honoring more than 450 cancer survivors and bringing together more than 2,000 community members to participate; and

WHEREAS, Relay For Life offers our community the chance to Celebrate cancer survivorship, Remember loved ones lost and Fight Back against a disease that takes too much from too many

NOW THEREFORE, I, James L. Dyer, Mayor of the City of Marshall do hereby proclaim the week of July 14th, Relay For Life Week.

IN WITNESS WHEREOF, I, James L. Dyer, Mayor of the City of Marshall have hereunto set by hand and affixed the Seal of the City of Marshall, Michigan the 8th day of July, 2014.

James L. Dyer, Mayor

INFORMATIONAL ITEMS

A. Event Report – Exchange Street/South Marshall Block Party:

Moved Miller, supported Williams, to approve the street closure of South Marshall Avenue, between E. Spruce and Hanover Street on August 2, 2014 from 5:00 p.m. to 9:00 p.m. for a Neighborhood Block Party. On a voice vote – **MOTION CARRIED.**

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. Mor-Dall Enterprises, LLC, 511 S Kalamazoo Avenue, Industrial Facilities Tax Exemption Certificate:

Industrial Manager Michael Hindenach provided some background regarding the IFT Exemption Certificate Application for Mor-Dall Enterprises, LLC at 511 S Kalamazoo Avenue.

Mayor Dyer opened the public hearing to hear public comment regarding the application for an Industrial Facilities Tax Exemption Certificate for Mor-Dall Enterprises, LLC.

Hearing no comment, the hearing was closed.

Moved Miller, supported Reed, to approve the Industrial Facilities Tax Exemption Certificate for Mor-Dall Enterprises, LLC, 511 S Kalamazoo Avenue. On a roll call vote – ayes: Metzger, Miller, Reed, Williams, Mayor Dyer, and Mankerian; nays: none. **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION #2014-13**

Minutes of a regular meeting of the City Council of the City of Marshall held on July 8, 2014, in the Council Chambers of Town Hall located at 323 West Michigan Avenue, Marshall, Michigan.

Present: Mayor Dyer, Mankerian, Metzger, Miller, Reed, and Williams.
Absent: Revore.

The following preamble and resolution were offered by Council Member Miller and supported by Council Member Reed.

**RESOLUTION TO APPROVE APPLICATION OF
MOR-DALL ENTERPRISES
511 S. KALAMAZOO,
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR
REAL AND PERSONAL PROPERTY - NEW MACHINERY AND EQUIPMENT**

WHEREAS, pursuant to P.A. 198 of 1974, MCL 211.551 et seq., after a duly noticed public hearing held on November 19, 2007, the Council by Resolution established Industrial Development District No. D-31 as requested; and after a duly noticed public hearing held on August 16, 2010; and

WHEREAS, Mor-Dall Enterprises has filed an application for an Industrial Facilities Exemption Certificate with respect to real and personal property improvements and the acquisition and installation of new machinery and equipment within Industrial Development District D-31; and

WHEREAS, in accordance with Act 334, P.A. 1993 amending Act 198, P.A. 1974, a written agreement shall be executed between the applicant and the City of Marshall allowing, under specific circumstances, the reduction and/or revocation of the certificate and recapture of the taxes abated; and

WHEREAS, before acting on said application, the City of Marshall held a hearing on July 8, 2014 in the Council Chambers of Town Hall, located at 323 West Michigan Avenue, Marshall, Michigan, at 7:00 p.m. at which hearing the applicant, public, Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, the acquisition and installation of the new equipment, had begun earlier than six (6) months before June 10, 2014, the date of acceptance of the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, the acquisition of the new equipment and machinery is calculated to and will, at the time of issuance of the certificate, have the reasonable likelihood to retain, create or prevent the loss of employment in the City of Marshall; and

WHEREAS, the granting of said certificate shall not have the effect of substantially impeding the operation of the City of Marshall, or impairing the financial soundness of a taxing unit which levies ad-valorem property taxes in the City of Marshall; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Marshall, after granting this certificate, will exceed 5% of an amount equal to the sum of the SEV of the local unit, plus the SEV of personal and real property thus exempted; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marshall that:

1. The City Council find and determine that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the

Public Acts of 1974, shall not have the effect of substantially impeding the operation of the City of Marshall, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Marshall.

2. The application of Mor-Dall Enterprises, 511 S. Kalamazoo, for an Industrial Facilities Exemption Certificate, with respect to real property improvements and personal property improvements described as new machinery and equipment to be acquired and installed within the Industrial Development District No. D-31 is hereby approved.
3. The Industrial Facilities Exemption Certificate, when issued, shall be and remain in force and effect for a period of (12) twelve years under the rules and regulations of Act 198 of Public Acts of 1974, as amended, for the new machinery and equipment from the date of approval by the State Tax Commission.

AYES: Mayor Dyer, Mankerian, Metzger, Miller, Reed, and Williams.

NAYS: None.

Trisha Nelson, City Clerk

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Council of the City of Marshall, County of Calhoun, Michigan, at a regular meeting held July 8, 2014.

Trisha Nelson, City Clerk

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. Brooks Memorial Fountain Painting:

Moved Williams, supported Metzger, to approve the resolution authorizing staff to execute a purchase order with DC Byers Co. for \$23,637 for painting of Brooks Memorial Fountain. On a roll call vote – ayes: Miller, Reed, Williams, Mayor Dyer, Mankerian, and Metzger; nays: none. **MOTION CARRIED.**

CITY OF MARSHALL, MICHIGAN RESOLUTION #2014-14

WHEREAS, the City of Marshall desires to hire a contractor to paint the Brooks Memorial Fountain; and

WHEREAS, No benefit will result in the formal bid process as required by the City of Marshall's Code of Ordinance, chapter 32.03; and

WHEREAS, DC Byers Company submitted a proposal of \$23,637.00; and

WHEREAS, the City of Marshall's Code of Ordinance chapter 32.07 allows exceptions to the formal competitive bid process were no advantage to the city would result; and

NOW THEREFORE BE IT RESOLVED that based upon a motion made by Council Member Williams, and supported by Council Member Metzger that the purchasing agent may execute a purchase order to DC Byers Company for \$23,637.00 for the painting of Brooks Memorial Fountain.

Voting for: Mayor Dyer, Mankerian, Metzger, Miller, Reed, and Williams.

Voting Against: None.

Absent: Revore.

CERTIFICATION OF CITY CLERK/TREASURER

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 8th day of July, 2014

City Clerk

Date

B. Income Tax Study:

City Council will hold a public presentation of the draft Income Tax Study at the August 18, 2014 City Council Meeting.

C. City Council Meeting Change:

Moved Reed, supported Williams, to authorize the cancellation of the August 4, 2014 City Council Meeting unless necessary. On a voice vote – **MOTION CARRIED.**

APPOINTMENTS / ELECTIONS

None.

Marshall City Council, Regular Session
Tuesday, July 8, 2014

PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

COUNCIL AND MANAGER COMMUNICATIONS

ADJOURNMENT

The meeting was adjourned at 7:51 p.m.

James L. Dyer, Mayor

Trisha Nelson, City Clerk