

**CALL TO ORDER**

IN REGULAR SESSION Monday, December 15, 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, Revore, and Williams.

Also Present: City Manager Tarkiewicz and Clerk Nelson.

Absent: None.

**INVOCATION/PLEDGE OF ALLEGIANCE**

Scott Loughrige of Cross Roads Church and Ministries gave the Invocation and Mayor Dyer led the Pledge of Allegiance.

**APPROVAL OF THE AGENDA**

**Moved** Miller, supported Reed, to approve the agenda with the removal of item 10A – P.A. 425 Land Transfer with Marshall Township and postpone to a later date. On a voice vote – **MOTION CARRIED.**

**PUBLIC COMMENT ON AGENDA ITEMS**

None.

**CONSENT AGENDA**

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

- A. Schedule a public hearing for Tuesday, January 20, 2105 to hear public comment on Proposed July 1, 2015 – June 30, 2021 Capital Improvement Program;
- B. Approve the 2015 City Council Meeting Schedule;
- C. Approve the 2015 Boards and Commissions listing for the positions that are scheduled to expire and the term of office;
- D. Approve minutes of the City Council Regular session and Work Session held on Monday, November 17, 2014;
- E. Approve city bills in the amount of \$ 1,915,410.49.

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

**PRESENTATIONS AND RECOGNITIONS**

- A. **Certificates of Appreciation:**

Mayor Dyer presented Certificates of Appreciation to past Boards and Commissions members.

**B. Presentation of the Audited Financial Statements for the Fiscal Year Ended June 30, 2014:**

Mark Kettner of Rehmann Robson presented his findings of the Audited Financial Statements for the Fiscal Year 2014.

**INFORMATIONAL ITEMS**

**A. Marshall Farmer's Market Advisory Board:**

City Council received the proposed By-Laws of the Marshall Farmer's Market Advisory Board.

**PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION**

**B. Revision to Chapter 98: Airport and Aircraft Ordinance:**

Mayor Dyer opened the public hearing to hear public comment on the text changes to Chapter 98: Airport and Aircraft of the City of Marshall Code of Ordinances.

Carl Fedders, Director of Public Services, provided an overview of the text changes made to Chapter 98.

Hearing no comment, the hearing was closed.

**Moved** Miller, supported Metzger, to approve the text changes to Chapter 98: Airport and Aircraft of the City of Marshall Code of Ordinances.

**CITY OF MARSHALL  
ORDINANCE #2014-06**

AN ORDINANCE TO AMEND CITY OF MARSHALL CODE, CHAPTER 98 AIRPORT AND AIRCRAFT. THE CITY OF MARSHALL ORDAINS:

§ 98.02 COMPOSITION; APPOINTMENT.

- (A) The Airport Board shall consist of five members.
- (C) The Mayor shall appoint members with Council approval. Of the initial members, two shall serve a three year term, two shall serve a two year term and one shall serve a one year term. Then, when the initial terms expire their successors shall be appointed to terms of three years.

§ 98.03 TERMS.

- (A) After the initial appointments, all appointments to the Airport Board shall be made for terms of three years, except when the appointment shall be made to fill an unexpired term.
- (B) The Airport Board shall be considered to have taken office on October 1, 1976.
- (C) After original appointment, the City Council shall, prior to October 1 of each year, appoint two members to take office on October 1 for a period of three years.

§ 98.05 REMOVAL OF MEMBERS.

Any member of the Airport Board may be removed by the City Council upon the affirmative vote of three fifths of the Council members elect.

§ 98.07 MEETINGS.

- (A) The Airport Board shall meet not less frequently than quarterly; provided, however, that, the Chairperson may call a special meeting and the Mayor shall have the power to call a special meeting of the entire Board.
- (B) Complete minutes shall be kept of all business transacted at any meeting.

§ 98.12 REPORTS.

The Airport Board shall submit to the City Manager its proposed budget annually. In addition, the Board shall submit to the City Council an annual report.

§ 98.28 COMPLIANCE WITH CIVIL AIR REGULATIONS.

Nothing in this subchapter shall excuse the pilot from conforming to applicable State or Federal Regulations.

**Section 2.** This Ordinance [or a summary thereof as permitted by MCL 125.3401] shall be published in the *Marshall Chronicle*, a newspaper of general circulation in the City of Marshall qualified under state law to publish legal notices. This Ordinance shall be recorded in the Ordinance Book and such recording shall be authenticated by the signatures of the Mayor and the City Clerk.

**Section 3.** This Ordinance is declared to be effective immediately upon publication.

Adopted and signed this 15<sup>th</sup> day of December, 2014.

James L. Dyer, MAYOR

Trisha Nelson, CITY CLERK

I, Trisha Nelson, being duly sworn as the City 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 December 15, 2014, 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.

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Trisha Nelson, CITY CLERK

### **OLD BUSINESS**

None.

### **REPORTS AND RECOMMENDATIONS**

#### **A. Information technology infrastructure for New Fire Station and Marshall Regional Law Enforcement Center:**

**Moved** Williams, supported Metzger, to approve the resolution authorizing staff to execute a purchase order with Computer Resources Training Inc. for an amount not to exceed \$67,000 for building connectivity to the new Fire Station and Marshall Regional Law Enforcement Center and coordinating setup of new network equipment. On a roll call vote – ayes: Miller, Reed, Revore, Williams, Mayor Dyer, Mankerian, and Metzger; nays: none. **MOTION CARRIED.**

### **CITY OF MARSHALL, MICHIGAN RESOLUTION 2014-26**

**WHEREAS**, the City of Marshall has begun construction of a new Fire Station and Marshall Regional Law Enforcement Center; and

**WHEREAS**, each building will require connectivity with information technology equipment located at City Hall; and

**WHEREAS**, the project was not formally bid as required by the City of Marshall's Code of Ordinance, chapter 32.03; and

**WHEREAS**, Computer Resource Training Inc. (CRT) submitted a proposal with an amount not to exceed \$67,000; and

**WHEREAS**, CRT maintains the existing City of Marshall information technology equipment; and

**WHEREAS**, the City of Marshall's Code of Ordinance chapter 32.07 allows exceptions to the formal competitive bid process when 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 Computer Resource Training Inc. for an amount not to exceed \$67,000 for equipment and installation of new information technology devices at the new Fire Station and Marshall Regional Law Enforcement Center.

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

**Voting Against:** None.

**Absent:** None.

**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 15th day of December, 2014.

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Date

**B. Fiber Optic Installation to New Fire Station and Marshall Regional Law Enforcement Center:**

**Moved** Williams, supported Metzger, to approve the resolution authorizing staff to execute a purchase order with Midwest Communication Services, Inc. for an amount not to exceed \$67,110 for the installation of fiber optic cable to the new Fire Station and Marshall Regional Law Enforcement Center and approve a Indefeasible Right to Use Agreement subject to approval by the City Attorney. On a roll call vote – ayes: Reed, Revore, Williams, Mayor Dyer, Mankerian, Metzger, and Miller; nays: none. **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN  
RESOLUTION 2014-25**

**WHEREAS**, the City of Marshall has begun construction of a new Fire Station and Marshall Regional Law Enforcement Center; and

**WHEREAS**, each building will require dedicated fiber optic cable connections with

equipment located at City Hall; and

**WHEREAS**, the project was not formally bid as required by the City of Marshall's Code of Ordinance, chapter 32.03; and

**WHEREAS**, Midwest Communication Services Inc. (MCS) submitted a proposal with an amount not to exceed \$67,110; and

**WHEREAS**, MCS maintains the existing City of Marshall Fiber network along with other fiber networks located in town through an agreement; and

**WHEREAS**, the City of Marshall's Code of Ordinance chapter 32.07 allows exceptions to the formal competitive bid process when 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 Midwest Communication Services Inc. for an amount not to exceed \$67,110 for the installation of fiber optic cable to the New Fire Station and Marshall Regional Law Enforcement Center and approve a Indefeasible Right to Use Agreement subject to approval by the City Attorney.

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

**Voting Against:** None.

**Absent:** None.

**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 15th day of December, 2014.

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Date

**APPOINTMENTS / ELECTIONS**

None.

**PUBLIC COMMENT ON NON-AGENDA ITEMS**

Ken Swisher thanked the outgoing Council Members for their service.

**COUNCIL AND MANAGER COMMUNICATIONS**

Marshall City Council, Regular Session  
Monday, December 15, 2014

City Council presented plaques to the Mayor and Council Members for their dedicated service.

**ADJOURNMENT**

The meeting was adjourned at 7:55 p.m.

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James L. Dyer, Mayor

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Trisha Nelson, City Clerk