

**CALL TO ORDER**

IN REGULAR SESSION Monday, July 18, 2011 at 7:00 P.M. in 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, Traver, and Williams.

Also Present: City Manager Tarkiewicz.

Absent: Council Member Booton.

**Moved** Miller, supported Mankerian, to excuse the absence of Council Member Booton. On a voice vote: **MOTION CARRIED.**

**INVOCATION/PLEDGE OF ALLEGIANCE**

Brandon Crawford of Grace Baptist Church gave the invocation and Mayor Dyer led the Pledge of Allegiance.

**APPROVAL OF THE AGENDA**

**Moved** Metzger, supported Mankerian, to approve the agenda with the addition of the Michigan South Central Power Agency invoice in the amount of \$609,690.35. On a voice vote: **MOTION CARRIED.**

**PUBLIC COMMENT ON AGENDA ITEMS**

None.

**CONSENT AGENDA**

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

- A. Approve the purchase of a 17 seat passenger bus using the State of Michigan Extended Purchase Program from Mobility Transportation Services out of Canton, Michigan in the amount of \$61,181.00;
- B. Approve minutes of the City Council Regular Session held on Wednesday, July 6, 2011;
- C. Approve city bills in the amount of \$885,780.66.

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

**PRESENTATIONS AND RECOGNITIONS**

**A. Fourth Quarter Investment Portfolio:**

**Moved** Miller, supported Mankerian to accept the Fourth Quarter Investment Portfolio for the City of Marshall and place on file. On a voice vote – **MOTION CARRIED.**

**B. Proclamation – National Bowling Week:**

Mayor Dyer presented a proclamation to Sue Hutchings of Marshall Lanes to proclaim National Bowling Week in the City of Marshall.

**National Bowling Week Proclamation**

**Whereas**, more than 2.5 million people belong to bowling leagues and

**Whereas**, more than 51 million people bowl casually each year and

**Whereas**, more than 6,000 people in Marshall Bowl at least once a year and

**Whereas**, Marshall Lanes is joining the effort of over 4,000 other bowling centers to help break the World's Record Day of Bowling on Saturday, August 6, with over 1 million games bowled, at Centers across the country in celebration of the United States Number One Participation Sport

Now therefore I, James Dyer, Mayor of the City of Marshall do hereby join with the Bowling Proprietor's Association, the United States Bowling Congress, Strike Ten Entertainment, the International Bowling Pro Shop and Instructors Association, the Professional Bowlers Association and Marshall Lanes and proclaim **July 31-August 6 National Bowling Week.**

Given under my hand and the Great Seal of the City of Marshall this 18<sup>th</sup> day of July in the Year of Our Lord Two Thousand and Eleven.

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James L. Dyer, Mayor

**INFORMATIONAL ITEMS**

City Manager Tarkiewicz provided an event report on the Annual Home Tour to be held in the City of Marshall.

**PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION**

**A. Public Hearing – Standard Printing & Office Supply:**

Marshall City Council, Regular Session  
Monday, July 18, 2011

Mayor Dyer opened the public hearing to hear public comment regarding the approval of an Industrial Facilities Tax Exemption Certificate for Standard Printing & Office Supply.

Jim Pardoe of Standard Printing & Office Supply provided some background on the improvements to the business, which will enhance the businesses digital production.

Hearing no further comment the hearing was closed.

**Moved** Miller, supported Metzger to approve the Industrial Facilities Tax Exemption Certificate for Standard Printing & Office Supply. On a roll call vote – ayes: Mankerian, Metzger, Miller, Traver, Williams, and Mayor Dyer; nays: none. **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN  
RESOLUTION #2011-26**

**RESOLUTION TO APPROVE APPLICATION OF  
STANDARD PRINTING CO.  
1600 S KALAMAZOO  
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR PERSONAL  
PROPERTY COSTS**

WHEREAS, pursuant to P.A. 198 of 1974, MCL 211.551 et seq., after a duly noticed public hearing held on December 5, 1988 the Council by Resolution established Industrial Development District No. 19 as requested; and

WHEREAS, Standard Printing Co. has filed an application for an Industrial Facilities Exemption Certificate with respect to personal property improvements and the acquisition and installation of new machinery and equipment within Industrial Development District 19; 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 18, 2011 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 facility upgrades, did not begin earlier than six (6) months before June 28, 2011, the date of acceptance of the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, the acquisition of the upgrades 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.

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 Standard Printing Co, for an Industrial Facilities Exemption Certificate, with respect to real and personal property improvements described as purchase and install new production equipment to be acquired and installed within the Industrial Development District No. 19 is hereby approved.
3. That and IFEC Letter of Agreement, attached, be signed and submitted

by Standard Printing Co. to the City of Marshall.

4. The Industrial Facilities Exemption Certificate, when issued, shall be and remain in force and effect for a period of twelve (12) years under the rules and regulations of Act 198 of Public Acts of 1974, as amended, for the new equipment from the date of approval by the State Tax Commission.

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

NAYS: None.

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Sandra Bird, Clerk-Treasurer

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 on July 18, 2011.

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Sandra Bird, Clerk-Treasurer

**B. Public Hearing – LDFA Development/TIF Plan Amendment:**

Mayor Dyer opened the public hearing to hear public comment regarding the proposed amendment to the LDFA Development/TIF Plan Amendment and the LDFA/TIF Expansion.

Mike Hindenach, Manager of Marshall Economic Development provided some information regarding the LDFA/TIF Plan Amendment and the Expansion.

Hearing no further comment the hearing was closed.

**Moved** Williams, supported Mankerian to approve the proposed amendment to the LDFA Development/TIF Plan. On a roll call vote – ayes: Metzger, Miller, Traver, Williams, Mayor Dyer, and Mankerian; nays: none. **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN  
RESOLUTION #2011-27**

WHEREAS, pursuant to Act 281, Public Act of Michigan, 1986, as amended

("Act 281") and a resolution of the City Council of the City of Marshall (the "City"), the Local Development Finance Authority of the City of Marshall (the "Authority") was created; and

WHEREAS, the Authority has previously approved a plan (the "Plan"), and

WHEREAS, it is necessary and advisable to adopt amendments to the Development Plan and Tax Increment Financing Plan for the District (the "Plan Amendments") to extend the duration of the Plan and

WHEREAS, the Board of Directors of the Authority, pursuant to Act 281, is authorized to approve the Plan Amendments.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. Approval of Plan. The Board hereby adopts and approves the Plan Amendments except for the amending of the boundaries of the LDFA, a copy of which is on file with the Secretary of the Authority.
2. Deliver Resolution to City. The Secretary of the Authority is directed to deliver a certified copy of this resolution and the Plan Amendments to the City Clerk of the City of Marshall.
3. Repealer. All resolutions and parts of resolution in conflict with the provisions of this resolution are hereby repealed or amended to the extent of such conflict.

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

NAYES: None.

RESOLUTION DECLARED ADOPTED.

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Sandra Bird, CLERK-TREASURER

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Board of Directors of the Local Development Finance Authority of the City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on July 18, 2011, and that said meeting was conducted and public notice of said meeting was given pursuant to and

in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

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Sandra Bird, CLERK-TREASURER

**C. Public Hearing – LDFA/TIF Expansion:**

**Moved** Traver, supported Williams to approve the proposed expansion to the LDFA district. On a roll call vote – ayes: Miller, Traver, Williams, Mayor Dyer, Mankerian, and Metzger; nays: none. **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN  
RESOLUTION #2011-28**

WHEREAS, pursuant to Act 281, Public Act of Michigan, 1986, as amended (“Act 281”) and a resolution of the City Council of the City of Marshall (the “City”), the Local Development Finance Authority of the City of Marshall (the “Authority”) was created; and

WHEREAS, the Authority has previously approved a plan (the “Plan”), and

WHEREAS, it is necessary and advisable to adopt amendments to the Development Plan and Tax Increment Financing Plan for the District (the “Plan Amendments”) to extend the duration of the Plan and

WHEREAS, the Board of Directors of the Authority, pursuant to Act 281, is authorized to approve the Plan Amendments.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. Approval of Plan. The Board hereby adopts and approves the boundary expansions as outlined within the Plan, a copy of which is on file with the Secretary of the Authority.
2. Deliver Resolution to City. The Secretary of the Authority is directed to deliver a certified copy of this resolution and the Plan Amendments to the City Clerk of the City of Marshall.

3. Repealer. All resolutions and parts of resolution in conflict with the provisions of this resolution are hereby repealed or amended to the extent of such conflict.

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

NAYES: None.

RESOLUTION DECLARED ADOPTED.

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Sandra Bird, CLERK-TREASURER

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Board of Directors of the Local Development Finance Authority of the City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on July 18, 2011, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

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Sandra Bird, CLERK-TREASURER

### **OLD BUSINESS**

None.

### **REPORTS AND RECOMMENDATIONS**

#### **A. Michigan Gas Utilities Easement:**

**Moved** Miller, supported Metzger, to authorize the Clerk-Treasurer to sign the corporate gas easement agreement and easement release with Michigan Gas Utilites for parcel 15-311-015-00. On a roll call vote – ayes: Traver, Williams, Mayor Dyer, Mankerian, Metzger, and Miller; nays: none. **MOTION**



**CARRIED.**

**B. Sale of Used Snorkel Truck:**

**Moved** Metzger, supported Williams to approve the recommendation for the sale of the 1980 Snorkel truck to the Village of Union City for \$3,000. On a roll call vote – ayes: Williams, Mayor Dyer, Mankerian, Metzger, Miller, and Traver; nays: none. **MOTION CARRIED.**

**C. City Council Meeting Location Change:**

**Moved** Miller, supported Mankerian to approve the August 1, 2011 Council Work Session and Regular Session be held at the Marshall House Apartments, 200 East Spruce Street, Marshall, MI 49068. On a voice vote – **MOTION CARRIED.**

**APPOINTMENTS / ELECTIONS**

None.

**PUBLIC COMMENT ON NON-AGENDA ITEMS**

None.

**COUNCIL AND MANAGER COMMUNICATIONS**

None.

**ADJOURNMENT**

The meeting was adjourned at 7:45 p.m.

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James L. Dyer, Mayor

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Sandra Bird, Clerk-Treasurer