



**CITY COUNCIL  
WORK SESSION AGENDA  
Monday October 15, 2018  
6:00 PM  
City Hall Training Room**

**A. Electric Load and Water Forecasts**

City Staff will discuss the future electric loads and water supply needs with the City Council.

**B. Other items**

**C. Future Work Sessions**

None planned.

**D. Future topics**

Kalamazoo River hydroelectric dam sediment results

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Marshall, MI 49068

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cityofmarshall.com



**MARSHALL CITY COUNCIL AGENDA**

**MONDAY – 7:00 P.M.**

**October 15, 2018**

- 1) **CALL TO ORDER**
- 2) **ROLL CALL**
- 3) **INVOCATION – Scott Loughrige, Cross Roads Church & Ministries**
- 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. **Traffic Control Order 105** **P. 4**  
 City Council will consider the recommendation to approve the proposed Traffic Control Order #105 to place Permit Parking Only Between 7 p.m. and 7 a.m. signs in designated spots in the City of Marshall parking lots.
- B. **City Council Minutes** **P. 7**  
 Regular Session..... Monday, October 1, 2018
- C. **City Bills** **P. 11**  
 Regular Purchases..... \$ 379,358.53  
 Weekly Purchases – 9/28/18..... \$ 41,214.97  
 Weekly Purchases – 10/05/18..... \$ 2,970,830.69  
 Total ..... **\$ 3,391,404.19**

**8) PRESENTATIONS AND RECOGNITIONS**

- A. **Sister City Presentation**
- B. **Red Ribbon Week Proclamation** **P. 16**

**9) INFORMATIONAL ITEMS**

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

- A. **P.A. 425 Conditional Land Transfer with Marshall Township – Family Bible Church, 725 North Old US 27** **P. 17**  
 City Council will hear public comment regarding the proposed P.A. 425 Conditional Land Transfer with Marshall Township for Family Bible Church, 725 North Old US 27.

**11) OLD BUSINESS**

**Mayor:**  
Jack Reed

**Council Members:**

- Ward 1 - Scott Wolfersberger
- Ward 2 - Nick Metzger
- Ward 3 - Brent Williams
- Ward 4 - Michael McNeil
- Ward 5 - Robert Costa
- At-Large - Joe Caron



## 12) REPORTS AND RECOMMENDATIONS

### A. Retiree Healthcare (OPEB) Corrective Action Plan Presentation P. 25

After hearing staff's presentation on the Retiree Healthcare Corrective Action Plan, it is recommended City Council approve the Additional Retiree Healthcare Contribution Resolution, which will mandate that the City contribute and budget for an additional \$200,000 per year into the City's MERS RHVF account. Based on a 6% rate of return this will produce a funding level of 40% in the year 2044. It is also recommended City Council approve the Retiree Healthcare (OPEB) Corrective Action Plan as presented and authorize staff to file the Corrective Action Plan with the Michigan Department of Treasury on or before November 13, 2018.

## 13) APPOINTMENTS / ELECTIONS

### A. City Attorney Appointment P. 40

Mayor Reed will recommend the appointment of David Revore as City Attorney effective October 22, 2018.

## 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 black ink, appearing to read "Tom Tarkiewicz".

Tom Tarkiewicz  
City Manager

**City of Marshall, Michigan  
Traffic Control Order**

Order Number: 105 Effective Date: 10-15-2018

*In according with the Uniform Traffic Code, as amended, adopted by the Marshall City Commission, April 13, 1959, as set forth under Section 2.53 thereof, it is hereby directed:*

**AMENDED:**

To place permit parking only between 7p-7a signs in designated spots in the City of Marshall parking lots. This will allow residents living in the downtown who have purchased parking permits to have a secure and dedicated location to park. There is a significant increase in residents living above businesses in the downtown area. The City of Marshall prohibits parking in the city parking lots between 3a-6a unless a parking permit has been issues and displayed.

**Permanent Order**

\_\_\_\_\_  
City Traffic Engineer  
James M. Schwartz

Date: October 22, 2018

**Temporary Order**

\_\_\_\_\_  
City Traffic Engineer  
James M. Schwartz

Date: October 15, 2018

Date: \_\_\_\_\_

Adopted by the Marshall City Council

pc: Street Superintendent  
City Manager's Office

**John D. Brundage**  
**John B. Sullivan**  
Marshall City Attorney's Office  
208 W. Michigan Avenue  
Marshall, MI 49068  
(269) 781-9989  
[John@jbsullivanlaw.com](mailto:John@jbsullivanlaw.com)

**MEMO**

October 9, 2018

James Schwartz  
Chief of Police

Scott McDonald  
Deputy Chief of Police

Joshua Lankerd  
Lieutenant

Re: Parking

This memo is in response to Chief Schwartz's October 5, 2018 email in which he requests an opinion from this office as to whether it is necessary to amend the overnight parking ordinance to enforce a new prohibition which reads "Permit Parking Only Between 7p-7a Between Signs." In my opinion, the answer is no, you do not need to amend the ordinance to create or enforce this prohibition.

I direct your attention to Section 70.008 of the Marshall Code of Ordinances.

Subsection 70.008(B)(2)(a) provides:

- (2) With the consent of the City Council, the Traffic Engineer may prohibit or restrict the stopping, standing or parking of vehicles and may direct the erection of signs giving notice thereof in the following places:
  - (a) On city streets and city parking lots;

Subsection 70.008(D)(2) provides:

(D) Municipal Lot Parking

- (2) The Traffic Engineer is authorized, with the consent of the City Council by motion, to establish procedures for the issuance of permits for parking overnight on municipal parking lots.

Based on the above, it is my opinion that you have the authority to prohibit or restrict parking in city parking lots without amending the ordinance, **provided you have obtained the consent of City Council**. Once consent of council is obtained, enforcement under Section 70.010 is appropriate.

If you have any questions or concerns, please feel free to contact me.

October 9, 2018

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John Sullivan

c/: Chief Schwartz  
Chief Deputy McDonald  
Lt. Lankerd

**CALL TO ORDER**

IN REGULAR SESSION Monday, October 1, 2018 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 Reed.

**ROLL CALL**

Roll was called:

Present: Council Members: Caron, McNeil, Metzger, Mayor Reed, and Wolfersberger.

Also Present: City Manager Tarkiewicz and Clerk Nelson.

Absent: Council Member Costa and Williams.

**Moved** Metzger, and supported McNeil, to excuse the absence of Council Member Costa and Williams. On a voice vote: **MOTION CARRIED.**

**INVOCATION/PLEDGE OF ALLEGIANCE**

Mayor Reed led the Pledge of Allegiance.

**APPROVAL OF THE AGENDA**

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

**PUBLIC COMMENT ON AGENDA ITEMS**

None.

**CONSENT AGENDA**

**Moved** McNeil, supported Caron, to approve the Consent Agenda:

- A. Approve the resolution authorizing Jon B. Bartlett, Finance Director and Tom Tarkiewicz, City Manager as legal signers for accounts belonging to the City of Marshall and authorizing Cynthia Tanner, Payroll/Accounting Clerk, and William Dopp, City Treasurer, to conduct daily business effective October 12, 2018;
- B. Minutes of the City Council Regular Session held on Monday, September 17, 2018;
- C. Approve city bills in the amount of \$ 2,067,857.23;

On a roll call vote – ayes: Caron, McNeil, Metzger, Mayor Reed, and Wolfersberger; nays: none. **MOTION CARRIED.**

**PRESENTATIONS AND RECOGNITION**

None.

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Jack Reed, Mayor

**INFORMATIONAL ITEMS**

None.

**PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION**

**A. Neighborhood Improvement Authority Public Hearing:**

Finance Director Jon Bartlett provided an informational presentation on the proposed Neighborhood Improvement Authority and Development Area. The public was able to ask questions for clarification during the presentation.

Mayor Reed opened the public hearing for comment on the Neighborhood Improvement Authority.

Tom Waidelich, 625 W. Mansion, asked if the city provided more money to the taxing jurisdictions.

Dennis Gorsline, 600 N. Madison, commented on the amount of the tax capture and at the end of the 20 years inquired what would happen to the remaining money.

Brian Hice, 1405 O'Keefe, inquired what funds are available to fix existing problems. He feels the lighting on O'Keefe is terrible and is need of updating.

David Fry, 908 N. Wooded Lane, inquired of the time commitment of the board that would be created.

Richard Lindsey spoke on behalf of MAEDA and Oaklawn Hospital. He spoke in favor of the plan and is excited to see housing and development take place in Marshall.

Jerry Clifton, Marshall Township, feels the program is a big mistake and the City is being unfair. He feels the problem was left by previous owners and we should not have to pay to clean up the mess. He also commented he hasn't sold a lot in 10 years so more are not needed.

Hearing no further comment, the hearing was closed. No further action was taken.

**OLD BUSINESS**

None.



## **REPORTS AND RECOMMENDATIONS**

### **A. Marshall Area Farmer's Market – Manager Contract:**

**Moved** Metzger, supported McNeil, to execute a contract with Jen Rice, as a contracted service provider, to perform the Market Manager duties as of October 1, 2018. On a voice vote – **MOTION CARRIED.**

### **B. 2018 Old US 27 South Water Main Extension:**

**Moved** Metzger, supported Caron, to approve the bid for the water main replacement on Old US 27 South from Hoffman Brothers Inc. of Battle Creek, MI in the amount of \$548,552.04 with a contingency in the amount of \$51,447.96 for a total of \$600,000 and also authorize a budget adjustment for the amount of the project that exceeds the original budget amount of \$500,000. On a roll call vote – ayes: McNeil, Metzger, Mayor Reed, Wolfersberger, and Caron; nays: none. **MOTION CARRIED.**

### **C. Testing, Hauling, Land Application, and Agronomic Management of Wastewater Sludge:**

**Moved** Metzger, supported McNeil, to approve a three-year agreement with Gawne Trucking, LLC for Testing, Hauling, Land Application, and Agronomic Management of Wastewater Sludge and authorize the Clerk to sign the agreement. On a voice vote – **MOTION CARRIED.**

## **APPOINTMENTS/ELECTIONS**

### **A. Downtown Development Authority / Local Development Finance Authority Appointments:**

**Moved** Metzger, supported Wolfersberger, to approve the reappointment of Sue Damron and Mike Fallon to the Downtown Development Authority and Local Development Finance Authority with terms expiring September 15, 2022. On a voice vote – **MOTION CARRIED.**

### **B. Marshall Farmers Market Advisory Board:**

**Moved** Caron, supported McNeil, to approve the reappointment of Lora For a Finch and Ken Harshman to the Marshall Farmers Market Advisory Board with terms expiring October 20, 2021. On a voice vote – **MOTION CARRIED.**

## **PUBLIC COMMENT ON NON-AGENDA ITEMS**

Kathy Miller of 540 Cosmopolitan announced there would be a Winter Farmer's

Market and they are working out the details of the new location.

**COUNCIL AND MANAGER COMMUNICATIONS**

**ADJOURNMENT**

The meeting was adjourned at 8:57 p.m.

\_\_\_\_\_  
Jack Reed, Mayor

\_\_\_\_\_  
Trisha Nelson, City Clerk

APPROVAL LIST FOR CITY OF MARSHALL  
 EXP CHECK RUN DATES 10/05/2018 - 10/31/2018  
 UNJOURNALIZED  
 OPEN AND PARTIALLY PAID

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
8506	A GRAND OCCASION LTD	40' OBSTACLE COURSE		175.00
251902	AD-VISOR & CHRONICLE	SEPTEMBER ADS		1,066.06
3511	ALL RELIABLE SERVICES	LINE CLEARANCE TREE TRIMMING FOR JULY-DE 2019.025		3,160.40
3530	ALL RELIABLE SERVICES	LINE CLEARANCE TREE TRIMMING FOR JULY-DE 2019.025		3,160.40
180910712	AMBS CALL CENTER	CALL CENTER FY19	2019.008	295.09
2018-24	ARBOR MASTER	4 DAY PRIVATE IN-HOUSE TRAINING ( TREE F 2019.037		8,400.00
MEMBERSHIP	ASCE MEMBERSHIP	MEMBERSHIP DUE 2019		245.00
25730	ASPEN WIRELESS	DESIGN AND ENGINEERING SERVICES FOR FIBE 2019.019		16,666.67
9962	ASPHALT RESTORATION, II	2018 CRACK FILLING	2019.046	11,298.08
225-436750	AUTO VALUE MARSHALL	SCREW CLAM		5.04
225-436696	AUTO VALUE MARSHALL	AIRSPRINGS		288.30
225-436632	AUTO VALUE MARSHALL	QUICK RELEASE FI		105.98
225-436395	AUTO VALUE MARSHALL	SLEEVE, RL POLY		23.44
225-437124	AUTO VALUE MARSHALL	OIL DRI		21.98
225-437021	AUTO VALUE MARSHALL	OIL & FILTER		52.03
225-436889	AUTO VALUE MARSHALL	BELT, HY POWER BELT,		471.09
225-437022	AUTO VALUE MARSHALL	SHORT AIR HAMMER		179.95
225-436933	AUTO VALUE MARSHALL	2 LB FIRE EXT		28.79
225-436669	AUTO VALUE MARSHALL	OIL FILTER, NON-CHLOR BK CN, TAPE		84.84
225-436459	AUTO VALUE MARSHALL	GLOSS BLK, GRAY ENG PRMER, BURNT COPPER,		82.66
225-435832	AUTO VALUE MARSHALL	PANEL 60, SEAM SLR BEIGE		42.48
225-436749	AUTO VALUE MARSHALL	V.C. BREATHER		16.99
225-436807	AUTO VALUE MARSHALL	WEATHERSTRIP ADH, THREADLOCKER		30.98
225-436360	AUTO VALUE MARSHALL	WASHR SOLVENT		17.94
3051646	BESCO WATER TREATMENT	WATER		68.35
10035461	BROWN WOOD PRESERVING	WOOD UTILITY POLES - QUOTE# Q0010957	2019.077	13,046.00
10035460	BROWN WOOD PRESERVING	WOOD UTILITY POLES - QUOTE# Q0010956	2019.076	12,568.00
NVS4308	CDW-G GOVERNMENT	NETSHELTER, SWITCH RACKMOUNT, PWR STRIP		439.02
092118	COLLINS PROFESSIONAL T	GROUND 12 STUMPS, TOPSOIL & SEED, HAULED 2019.119		2,175.00
INV0098597	CONSUMERS CONCRETE PRO	PATIO		6.80
9987	COURTNEY & ASSOCIATES	SEPTEMBER 2018 RETAINER		250.00
97663	CRT, INC	CABLE CAT5		4.00
97629	CRT, INC	NEW SERVER	2019.029	7,956.50
985480	CRYSTAL FLASH MARSHALL	PROPANE CYLINDERS		22.65
71611542	CRYSTAL FLASH MARSHALL	DYED DIESEL FUEL		1,209.23
71611544	CRYSTAL FLASH MARSHALL	GASOLINE		862.40
535107	DARLING ACE HARDWARE	BALLAST		22.99
535162	DARLING ACE HARDWARE	CHLORINE TABLETS		64.99
535505	DARLING ACE HARDWARE	DRAIN CVR, SHOWER HOSE		16.97
535265	DARLING ACE HARDWARE	CONCRETE PATCH		6.99
535468	DARLING ACE HARDWARE	MAP PRO GAS		11.99
535338	DARLING ACE HARDWARE	SHOVEL		45.98
535211	DARLING ACE HARDWARE	HELMET SYSTEM STIHL RACH		69.99
533560	DARLING ACE HARDWARE	9 FILES		4.99
533716	DARLING ACE HARDWARE	FLASHLIGHT AND BATTERIES		63.97
535173	DARLING ACE HARDWARE	KICKDOWN DOOR HOLD		17.18
535669	DARLING ACE HARDWARE	MOUSE KIT		12.99
535675	DARLING ACE HARDWARE	STAIN MINWAX		9.59
138696	DLZ	CONSTRUCTION OVERSIGHT & INSPECTION MARS 2018.216		24,805.85
138801	DLZ	2018 BRIDGE INSPECTIONS	2019.007	647.08
93529161	ESRI INC	ESRI ARCGIS UPGRADE TO DESKTOP BASIC	2019.101	3,150.00
120228	FERGUSON ENTERPRISES I	ISUPPLIES		449.88
57800	FERGUSON WATERWORKS #3	METER PARTS FOR INVENTORY	2019.116	2,939.17
FS180919209144	FS.COM- NORTH AMERICA	TRANSIEVERS- 1 GB & 10 GB	2019.108	2,254.00
FS180919209143	FS.COM- NORTH AMERICA	TRANSIEVERS- 1 GB & 10 GB	2019.108	3,979.78
FS180919209142	FS.COM- NORTH AMERICA	TRANSIEVERS- 1 GB & 10 GB	2019.108	1,861.02
18-020001	GARAGE DOORS UNLIMITED	ADA OPERATORS AT CITY HALL	2019.118	6,500.00
TRP/100116476	GLOCK PROFESSIONAL INC	ARMORER'S COURSE - PHIL GOODRICH		250.00
3924	GOODWIN'S PLUMBING, LL	WOMEN PUBLIC RESTROOM, MEN'S LOCKER ROOM		1,157.93
3925	GOODWIN'S PLUMBING, LL	WOMEN'S PUBLIC RESTROOM, MEN'S LOCKER RO		142.00
136242001-2018	GOVERNMENT FINANCE OFF	MEMBERSHIP #136242001, JON BARTLETT #300		170.00
9306241121	GRAYBAR ELECTRIC	MULE TAPE		499.06
9306241120	GRAYBAR ELECTRIC	COMMSCOPE MST ORDER	2019.071	3,458.68
9306191294	GRAYBAR ELECTRIC	COMMSCOPE 50' REALFLEX CABLES	2019.093	1,598.00
245427	GWIN, DARWIN	MOWED BROOKS NATURE AREA		150.00
092018	HAAS, JOSH	SPEAKER FEE		150.00
11138064	HACH COMPANY	LAB SUPPLIES		395.56
293939	HAVILAND PRODUCTS COMP.	CHLORINE, FLUORIDE & PERMANGANATE WTP	2019.001	591.47
9165787171	HD SUPPLY FACILITIES M.	FULIDMASTER		49.54
9166296703	HD SUPPLY FACILITIES M.	DELTA 2HD KITCHEN VALUE		43.87
15307310	HERITAGE-CRYSTAL CLEAN	HD NAPS FREE ELC 50/50 MIX		415.80
77752	HERMANS MARSHALL HARDW.	LEAF BAGS		3.99
77559	HERMANS MARSHALL HARDW.	SUPPLIES		17.46
77503	HERMANS MARSHALL HARDW.	TEXTURE, LEG, LIQ NAIL, SIMPLE GREEN, BU		111.02
83978	HERMANS MARSHALL HARDW.	PRUNER		19.49
77546	HERMANS MARSHALL HARDW.	WASP SPRAY, LYSOL		17.97
77739	HERMANS MARSHALL HARDW.	SNOW FENCE		63.98
77712	HERMANS MARSHALL HARDW.	3/8 CHAIN		34.44
77701	HERMANS MARSHALL HARDW.	TRAILER ADAPTER	11	9.99

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
49679-IN	HYDROCORP	CROSS CONNECTION CONTROL PROGRAM	2019.052	865.00
M25753	IMPACT SOLUTIONS	UTILITY BILL DELIVERY		7.00
8637	J AND K PLUMBING SUPPL	SLIP COUPLING, SLIP BUSHING		2.50
8525	J AND K PLUMBING SUPPL	PVC PLUG		0.87
8531	J AND K PLUMBING SUPPL	SUPPLIES		20.72
8738	J AND K PLUMBING SUPPL	CONNECTOR		10.20
8681	J AND K PLUMBING SUPPL	GASKET W/BOLTS		10.68
1005957	J.C. EHRlich	PEST MAINTENANCE SERVICE		69.00
50176	KAL-BLUE INC	BROOKE NATURE FLYERS		181.14
10334	KELLOGG'S REPAIR	DECK CHUTE-N		54.20
10422	KELLOGG'S REPAIR	BEARING WHEEL-N		41.00
1049756	LEGG LUMBER	EXT SCR STAR DR, LINE LEVEL, NYLON TWINE		17.27
1049733	LEGG LUMBER	FAST SETTING CONC MIX		8.99
3195	M & M PAVEMENT MARKING	2018 PAVEMENT MARKINGS	2019.030	6,866.73
083018	MARSHALL PUBLIC SCHOOL	08/24/18 TRIP TO KETCHUM PARK/ALLSKATE		339.76
8451	MARSHALL WELDING & FAB	4 PCS 1/4 X 2 FLAT BAR		16.21
8465	MARSHALL WELDING & FAB	REPLC RUSTED HITCH RECEIVER TUBE ON #318		315.00
276290	MICHIGAN INDUSTRIAL GA	CYLINDER RENTAL INVOICE		61.10
275799	MICHIGAN INDUSTRIAL GA	CYLINDER RENTAL		62.72
18-76312-1	MILLENNIUM	CONDUIT		1,016.48
18-77314-1	MILLENNIUM	Q SPAN CLAMPS		64.85
92853039	MSC INDUSTRIAL SUPPLY	GLOVES		19.72
95306119	MSC INDUSTRIAL SUPPLY	MARKING SOLVNT BASED PAINT		179.76
C958112679	MSC INDUSTRIAL SUPPLY	LG ROAD PANT		54.86
348431	NATIONAL CENTER FOR HO	RENEWAL - SEARS, THERESA		95.00
89078	O'LEARY WATER CONDITIO	SEPT & OCT 2018 COOLER RENTAL, WATER		51.50
89046	O'LEARY WATER CONDITIO	SALT DELIVERED		392.00
4788-199254	O'REILLY FIRST CALL	FULL GSKT		49.65
4788-197254	O'REILLY FIRST CALL	PROTECT		18.99
4788-199622	O'REILLY FIRST CALL	HOLDWN BOLTS, BATT HOLDWN, TAPE		27.96
2018-77	OERTHERS	GRASS SEED		128.89
1155051	OFFICE 360	RUBBERBANDS, CLIPS		6.68
18143	PALM TEES	T SHIRTS FOR VOLLEYBALL		492.00
56297024	POWER LINE SUPPLY	GLOVES		569.37
56297202	POWER LINE SUPPLY	GLOVES		451.94
56297203	POWER LINE SUPPLY	CLEANER CABLE WIPES		326.01
56299394	POWER LINE SUPPLY	WR159 CONNECTOR		56.96
56299393	POWER LINE SUPPLY	ROADWAY LED LIGHT		1,482.12
56299032	POWER LINE SUPPLY	GLOVES		129.77
56299392	POWER LINE SUPPLY	GLOVES		106.81
56299391	POWER LINE SUPPLY	WR715 CONNECTOR		69.76
56297201	POWER LINE SUPPLY	WR379 CONNECTOR		39.27
292543	PRINTLINK	FALL & WINTER PROGRAMS		536.50
CG827158	PROSOURCE OF KALAMAZOO	WALL BASE		342.92
1115	QUALITY LAWN CARE	LAWN CARE AT AIRPORT		1,260.00
718767	RIETH-RILEY CONSTRUCTI	FY19 MAJOR ST - BREWER STREET (TEDF GRAN 2019.006		64,819.65
16546	RIGHT WAY CONTROL LLC	INSPECTION & TOUCH UP		500.00
20813	RS TECHNICAL SERVICE I	KIT, 3' DIAPHRAGM		367.88
118806	SHAFER REDI-MIX INC	LIMESTONE		753.50
8018-1	SHERWIN-WILLIAMS	BSVYL INSTALLATION		295.20
9418	SIGNWORLD CONCEPTS	DIAL-A-RIDE VINYL		725.00
252524	SLC METER LLC	VALVE BOX RISERS, LID, MIDDLE SECTION, S		582.11
2018-170	SPRUCE STREET LANDSCAP	WEEDED CIRCLE AT END OF INDUSTRIAL DR		150.00
141526	STANTEC CONSULTING MIC	DEQ WATER WITHDRAWAL CONSULTING	2018.354	8,316.00
1414525	STANTEC CONSULTING MIC	WATER TREATMENT PLANT ASSET INVENTORY		108.00
72505125658-0-1	STAPLES BUSINESS CREDI	BROTHER, WASTE LINERS		51.08
7204460376-0-3	STAPLES BUSINESS CREDI	COMPRESS BANDAGE		31.12
7204460376-0-2	STAPLES BUSINESS CREDI	BANDAGES		25.80
7204460376-0-1	STAPLES BUSINESS CREDI	FIRST AID SUPPLIES		273.76
7204194720-0-1	STAPLES BUSINESS CREDI	MISC OFFICE SUPPLIES		102.33
7204245706-0-1	STAPLES BUSINESS CREDI	OFFICE SUPPLIES		112.54
7204879783-0-1	STAPLES BUSINESS CREDI	STAPLER, STAPLES		17.02
7204555865-0-1	STAPLES BUSINESS CREDI	PREM 3.5MM AUDIO MF EXT		22.79
7205018147-0-1	STAPLES BUSINESS CREDI	SCANNER		258.39
7199860223-1-1	STAPLES BUSINESS CREDI	CREDIT FOR PROJECTOR BAG		(42.59)
591-10359481	STATE OF MICHIGAN	AIRPORT LICENSE FEE		50.00
MAR12135	TIRE CITY TIRE PROS	DART 15		35.64
MAR12342	TIRE CITY TIRE PROS	M5		276.98
MAP12527	TIRE CITY TIRE PROS	DART 14		35.64
MAP12526	TIRE CITY TIRE PROS	DART 11		35.64
ETS-2018-084-16020	TRIMEDIA ENVIRONMENTAL	GEOTECHNICAL & SEDIMENT STUDIES AT PERRI 2018.365		118,160.00
1610029403	UNIFIRST CORPORATION	UNIFORMS		60.78
1610029404	UNIFIRST CORPORATION	UNIFORMS		181.56
1610028918	UNIFIRST CORPORATION	UNIFORMS		181.56
1610028917	UNIFIRST CORPORATION	UNIFORMS		58.28
1610028921	UNIFIRST CORPORATION	UNIFORMS		39.60
1610028920	UNIFIRST CORPORATION	UNIFORMS		34.45
1610028919	UNIFIRST CORPORATION	UNIFORMS		52.87
1610028916	UNIFIRST CORPORATION	UNIFORMS		25.74

10/10/2018 06:24 PM  
User: ctanner  
DB: Marshall

APPROVAL LIST FOR CITY OF MARSHALL  
EXP CHECK RUN DATES 10/05/2018 - 10/31/2018  
UNJOURNALIZED  
OPEN AND PARTIALLY PAID

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INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
1610029406	UNIFIRST CORPORATION	UNIFORMS		34.45
1610029407	UNIFIRST CORPORATION	UNIFORMS		39.60
1610029405	UNIFIRST CORPORATION	UNIFORMS		55.37
1610029402	UNIFIRST CORPORATION	UNIFORMS		25.74
680528	USA BLUEBOOK	HACH DPD		305.67
18-107	USA SOFTBALL OF MICHIG.	2018 FALL TEAMS		480.00
P65733	VERMEER OF MICHIGAN,	I1STD DRILL ROD		117.41
669918	WAV INC.	MIKROTIK RESIDENTIAL ROUTERS	2019.111	23,869.32
GRAND TOTAL:				379,358.53

09/28/2018 09:39 AM  
User: ctanner  
DB: Marshall

APPROVAL LIST FOR CITY OF MARSHALL  
EXP CHECK RUN DATES 09/28/2018 - 09/28/2018  
UNJOURNALIZED  
OPEN

Page: 1/1

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
092618	BAIER, JESSICA	TIPS FOR MACKINAC ISLAND TRIP		297.00
09/28/2018	BEGG, JEFF	UB refund for account: 1500350019		18.82
09/28/2018	BROWN, LEONARD	UB refund for account: 1100880004		95.92
17-010	CONSUMERS ENERGY	REFUND R.O.W. PERMIT BOND PROW 17-010 A		500.00
17-020	CONSUMERS ENERGY	REFUND R.O.W. PERMIT BOND PROW 17-020 A		500.00
092818	FREDONIA TOWNSHIP	425 AGREEMENT		464.23
092518	GROSS, JOHN	INSPECTION COMMISSIONS		765.00
09/28/2018	HAZEL, FLOYD	UB refund for account: 1803060000		12.15
092418	JASKIE, ROBERT	CDL REIMBURSEMENT		163.00
99007320387-0918	LOWE'S	9900 732038 7		105.42
09/28/2018	MALOTT, MARK & PENNY	UB refund for account: 3205400042		60.72
092818	MARENGO TOWNSHIP	425 AGREEMENT		5,187.39
9784-0918	MARSHALL COMMUNITY CU	9784-BARTLETT		405.27
9156-0918	MARSHALL COMMUNITY CU	9156 - MILLER		1,372.74
1004-0918	MARSHALL COMMUNITY CU	1004 - SCHWARTZ		503.99
092818	MARSHALL TOWNSHIP	425 AGREEMENTS		28,212.79
092618	SCOTT, DOUGLAS	INSPECTION COMMISSIONS		585.00
091418	SEARS, THERESA	TRAVEL REIMBURSEMENT		166.16
957-7	SHERWIN-WILLIAMS	205 PLANK FLOORING	2019.064	1,804.58
6306-2	SHERWIN-WILLIAMS	316 AND 205 PLANK FLOORING	2019.064	(346.50)
21063-0918	SPARTAN STORES	CUST #021063		206.41
09/28/2018	TUCKER, KALLE	UB refund for account: 1100010024		134.88
GRAND TOTAL:				41,214.97

APPROVAL LIST FOR CITY OF MARSHALL  
 EXP CHECK RUN DATES 10/05/2018 - 10/05/2018  
 UNJOURNALIZED  
 OPEN AND PARTIALLY PAID

INVOICE NUMBER	VENDOR NAME	DESCRIPTION	PO NUMBER	AMOUNT
091118	AMBROSE, KRIS	BOOT ALLOWANCE		54.99
10/04/2018	BANNING, TANYA & BRUC	UB refund for account: 700160001		73.74
092818	BLUM, RANDY	ENERGY OPTIMIZATION - FURNACE		125.00
2018 SMR # 2	CALHOUN COUNTY TREASU	2018 SUMMER DIST #2 AD VALOREM 09/01/1		1,261,072.58
2018 SMR #2	CALHOUN INTERMEDIATE	2018 SUMMER DIST #2 AD VALOREM 09/01/1		384,282.91
092818	CARREL, CRAIG & DEBOR	ENERGY OPTIMIZATION - FURNACE		125.00
100118	CASE, KYLER	MEAL		10.00
10/03/2018	COLE, ZACHERY & BOWER	UB refund for account: 700770030		6.70
206789656384	CONSUMERS ENERGY	1030 1352 1119		16.71
202963196236	CONSUMERS ENERGY	1030 1852 0884		14.40
201984309351	CONSUMERS ENERGY	1000 0916 3708		14.40
204654086580	CONSUMERS ENERGY	1030 0915 7670		16.27
203052204973	CONSUMERS ENERGY	1000 6710 1772		14.37
100118	EGNATUK, ALEC	MEAL REIMBURSEMENT		26.34
10/03/2018	FORDE, KIMBERLY	UB refund for account: 2706680012		65.08
1001	FREDS, MATT	MEAL		10.00
100118	FULLER, MIKE	MEAL		10.00
092018	HAWKS ON THE WING	SPEAKER FEE		150.00
10/04/2018	HOFFMAN, WILLIAM & JE	UB refund for account: 2102800010		39.53
3385236	IIX INSURANCE INFORMA	ACCT #888907		64.90
092918	JOHNSON, DAVE	MEAL		10.00
092718	JOHNSON, DAVE	MEALS		20.00
10/03/2018	KEITH, DANIEL	UB refund for account: 801700000		145.36
2018 SMR # 2	KELLOGG COMMUNITY COL	2018 SUMMER DIST #2 AD VALOREM 09/01/1		192,409.52
100118	KOYL, KEVIN	MEAL		10.00
M323-100118	LAKE MICHIGAN MAILERS	POSTAGE FOR ACCT #M323		500.00
1001	MACK, JEFF	MEAL		10.00
6996-0918	MARSHALL COMMUNITY CU	6996 - BAUER		441.35
2018 SMR # 2	MARSHALL DISTRICT LIB	2018 SUMMER DIST #2 AD VALOREM 09/01/1		177,883.16
2018 SMR # 2	MARSHALL PUBLIC SCHOO	2018 SUMMER DIST #2 AD VALOREM 09/01/1		928,611.85
10/04/2018	MCCU	UB refund for account: 601360007		4.49
100118	MEYER, STEVE	MEAL		10.00
100218	MORRILL, JESSICA	DIAL A RIDE TOKENS RETURNED TO CITY		22.50
100318	NATIONAL RAILROAD PAS	AMTRAK PERMIT FEES CERES FARMS PROJECT		18,864.00
10/03/18	NATIONAL RAILROAD PAS	AMTRAK PERMIT FEES FOR CERES FARMS PROJ		1,250.00
092818	PIKE, MARK	ENERGY OPTIMIZATION - DISHWASHER		15.00
16703	SCHIPPER, CLINT	BOOT ALLOWANCE		115.00
10/04/2018	SHEPHERD, ALICE	UB refund for account: 901020000		138.04
6618-0	SHERWIN-WILLIAMS	205 PLANK FLOORING	2019.064	1,804.58
100118	SUNDBERG, KIP	MEAL		10.00
145721	TELNET WORLDWIDE	ACCT #8948		1,792.92
100218	TROOP 373 PAUL RADULE	MARSHALL AREA CONSERVATION SERVICE CLUB		320.00
092718	UPRIGHT, CINDY	MEALS		20.00
092918	UPRIGHT, CINDY	MEALS		20.00
17526283-2018	WATER ENVIRONMENT FED	ALEC EGNATUK - RENEWAL		150.00
092918	WEBERLING, ERIC	MEALS		10.00
092718	WEBERLING, ERIC	MEALS		20.00
100218	WISE, TIM	CDL LICENSE REIMBURSEMENT		30.00
GRAND TOTAL:				2,970,830.69

**CITY OF MARSHALL, MICHIGAN  
PROCLAMATION**

**RED RIBBON PROCLAMATION**

**WHEREAS**, Alcohol and other drug abuse in this nation has reached epidemic stages; and

**WHEREAS**, It is imperative that visible, unified prevention education efforts by community members be launched to eliminate the demand for drugs; and

**WHEREAS**, The National Family Partnership is sponsoring the National Red Ribbon Campaign offering citizens the opportunity to demonstrate their commitment to drug-free lifestyles (no use of illegal drugs, no illegal use of legal drugs); and

**WHEREAS**, The National Red Ribbon Campaign will be celebrated in every community in America during "Red Ribbon Week", October 23-31; and

**WHEREAS**, Business, government, parents, law enforcement, media, medical, religious institutions, schools, senior citizens, service organizations and youth will demonstrate their commitment to healthy, drug-free lifestyles by wearing and displaying Red Ribbons during this week-long campaign; and

**WHEREAS**, The City of Marshall further supports to ensure the success of the Red Ribbon Campaign;

**NOW, THEREFORE BE IT RESOLVED**, that the City of Marshall does hereby proclaim October 23-31, 2018 as RED RIBBON WEEK and encourages its citizens to participate in drug prevention education activities making a visible statement that we are strongly committed to a drug-free state.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the City of Marshall to be affixed this 15<sup>th</sup> day of October of the year of our Lord two thousand and eighteen.

---

Jack Reed  
Mayor





**ADMINISTRATIVE REPORT  
OCTOBER 15, 2018 - CITY COUNCIL MEETING**

**REPORT TO:** Honorable Mayor and City Council  
**FROM:** Tom Tarkiewicz, City Manager  
**SUBJECT:** P.A. 425 Conditional Land Transfer with Marshall Township – Family Bible Church North Old US 27

**BACKGROUND:** The City and Marshall Township have received a request from Family Bible Church (FBC), LLC 725 North Old US 27 to enter into a Public Act 425 Conditional Land Transfer. FBC is planning an addition which would straddle the City/Township line. A PA 425 agreement brings a property into the City to receive City services but gives a portion of the new taxes collected to the Township.

In 2006, the City and Marshall Township entered into a Master PA 425 Conditional Land Transfer Agreement. In 2015, the Master Agreement was extended to 2026.

PA 425 requires the adoption of a resolution and a public hearing by both governmental bodies. The proposed resolution and contract are attached.

**RECOMMENDATION:** It is recommended after hearing public comments that Council approve the P.A. 425 Land Transfer for land owned by Family Bible Church.

**FISCAL EFFECTS:** The property currently is not taxed.

**CITY GOAL CLASSIFICATION:**

**GOAL AREA I. ECONOMIC DEVELOPMENT**

**Goal Statement:** Sustain and intensify the economic vitality of the Marshall area.

**ALTERNATIVES:** As suggested by Council.

Respectfully submitted,

Tom Tarkiewicz  
City Manager

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

FAMILY BIBLE CHURCH

Lead Pastor, Kris Tarkiewicz

Founding Pastor, Richard Gerten



*A non-denominational*

*Bible teaching church*

August 21, 2018

David Bosserd  
Supervisor, Marshall Township  
13551 Myron Avery Dr, Marshall, MI 49068

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

Dear Mr. Bosserd and Mr. Tarkiewicz

I am writing to request a PA 425 Conditional Land Transfer for Family Bible Church, 725 US 27 North, Marshall, on parcel ID #16-232-009-00{~14 acres prairie grass, ball field, with road frontage on F DR. N and 100 foot road frontage on N. Kalamazoo (SW corner)}. Family Bible Church would like to add this parcel to its existing property located within the City of Marshall limits (Parcel ID 53-002-173-00). The church is preparing to build a Fellowship Hall / multipurpose facility west of the current footprint. This will encroach on the eastern edge of the land parcel. The PA 425 land transfer would allow more appropriate water and sewer access as well as provide for storm water drainage. Two building sites located on N. Kalamazoo (north of the 100 ft. egress) would remain within Marshall Township. If you have any questions you may contract Kris Tarkiewicz, Lead Pastor at 269-781-8400 (M-Th, 9-5) or myself. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark A. Walker'. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Mark A. Walker  
Vice-Chair, Family Bible Church Board of Deacons  
269-969-1990

725 US Hwy 27 North Marshall, MI 49068

PH: 269.781.8400 FX: 269.781.5119

familybiblechurch

Par. #53-014-400-00  
620 F DR N 1/2 MILE RD

CITY OF MARSHALL

F Dr N

MARSHALL TWP.

Par. #53-002-173-50  
16950 F DR. NORTH

Par. #53-002-173-00  
723 OLD US-27 N

Par. #16-232-009-02  
764 N KALAMAZOO AVE

**Par. #16-232-009-00  
N KALAMAZOO AVE**

Par. #16-232-009-03  
N KALAMAZOO AVE

16-1/2 Mile Rd / N. Kalamazoo Ave

Par. #16-232-009-04  
N KALAMAZOO AVE

Par. #53-232-009-01  
723 OLD US-27-N

CITY OF MARSHALL  
MARSHALL TWP.

MARSHALL TWP.

CITY OF MARSHALL

Par. #16-230-009-02  
766 N KALAMAZOO AVE

Par. #53-002-172-00  
721 OLD US 27-N



0

0.025

0.05

19

Miles

0.1

**RESOLUTION AUTHORIZING EXECUTION OF CONTRACT  
FOR CONDITIONAL TRANSFER OF PROPERTY**

**WHEREAS**, Family Bible Church, owner of property west of 725 Old US 27 North, with Tax ID# 16-232-009-00, have petitioned the City of Marshall and Marshall Township for a Conditional Transfer of their property from Marshall Township into the City of Marshall; and

**WHEREAS**, on February 25, 2006 the City of Marshall entered into a Master 425 Agreement with the Township of Marshall; and

**WHEREAS**, on September 15, 2014 the City of Marshall extended this Master 425 Agreement with the Township of Marshall until 2026; and

**WHEREAS**, the Master 425 Agreement facilitates the provision of City services, including municipal sewer, water, police and fire protection to properties currently within Marshall Township according to terms acceptable to both the Township of Marshall and the City of Marshall,

**NOW THEREFORE, BE IT RESOLVED**, that the City Manager and the City Clerk are authorized to execute a Contract for Conditional Transfer of Property commonly known as property west of 725 Old US 27 North, with Tax ID# 16-232-009-00, from the Township of Marshall to the City of Marshall.

**IT IS FURTHER RESOLVED**, that the Contract for Conditional Transfer shall be in the form of the attached document, subject to changes in form approved by the City Attorney.

As City Clerk I place my seal and sign my name that this is a true and accurate copy of the action taken by the Marshall City Council on \_\_\_\_\_.

\_\_\_\_\_  
Trisha Nelson, City Clerk  
CITY OF MARSHALL

Dated: \_\_\_\_\_

**CITY OF MARSHALL – TOWNSHIP OF MARSHALL  
CONTRACT FOR CONDITIONAL TRANSFER OF PROPERTY**

This Agreement made on the \_\_\_\_ day of October, 2018, between the CITY OF MARSHALL, a Michigan municipal corporation, having offices at 323 West Michigan Avenue, Marshall, Michigan 49068 (the “City”) and the TOWNSHIP OF MARSHALL, a Township duly organized under the laws of the State of Michigan, and existing in Calhoun County, Michigan, having offices at 13551 Myron Avery Drive, Marshall, Michigan 49068 (the “Township”).

WHEREAS, the City and the Township have adopted a Master 425 Agreement dated February 25, 2006 for the purpose of providing sewer and water services which are available in the City to Township properties upon the request of a Township property owner, and

WHEREAS, the Family Bible Church, the owner of the property described on Schedule 1 attached hereto (“Property”) has requested that the City extend sewer and water services to the Property, and

WHEREAS, the provision of municipal services by the City to the Property would further the economic well-being of both the City and the Township and increase the probability of additional development of the Property, and

WHEREAS, the City has available sewer and water capacity to service the Property, and

WHEREAS, the parties have each conducted a public hearing to receive input on the proposed transfer of property.

NOW, THEREFORE, by authority of Act 425 of the Public Acts of 1984 and pursuant to the Master 425 Agreement entered into between the City and the Township and in consideration of the mutual promises herein set forth, BE IT AGREED AS FOLLOWS:

1. The Township consents to the transfer to the City of the Property.
2. The City agrees to accept the transfer of the Property for all purposes allowed under Public Act 425 of 1984, as amended, to make available municipal services to the Property provided that the Property owner and other users of the utilities extended from the City to the Property shall pay for the cost of the extension.
3. The transfer of the Property contemplated by this agreement shall occur at midnight on October \_\_\_\_, 2018.
4. Following transfer, and during the term of this Agreement, the City shall have full jurisdiction over the Property subject to the following limitations:

Land usages shall be subject to the Joint Municipal Planning Commission pursuant to the provisions of the Master 425 Agreement.

5. The City and Township agree that the City shall have the authority to assess and collect ad valorem taxes, real and personal, on the Property and any improvements thereon during 2019 and for the remainder of the term of this Agreement. The Township shall have the authority to assess and collect ad valorem taxes, real and personal, on the Property and any improvements thereon through calendar year 2018.

The City and Township further agree that commencing in the year 2019 and continuing through the fiftieth (50<sup>th</sup>) full calendar year thereafter, all such taxes which the City collects for its own general operating fund purposes only, and which are attributable to the Property for the term of this Agreement shall be shared between the City and the Township as follows:

A. The Township shall receive the equivalent of 3 mills levied on the taxable value of the Property for the taxable year as established by the City subject to any subsequent adjustments resulting from tax appeals. The City shall transmit the Township's share of such revenues annually on or before 30 days after receipt.

B. Thereafter, all tax revenues from the Property shall be collected and retained by the City.

6. Except as provided in paragraph 7, upon termination, expiration or non-renewal of this Agreement, jurisdiction of the Property shall pass to the City and the Township shall have no further rights or interests in the Property.

7. In the event that the City shall not share tax revenues from the Property as provided in paragraph 5 or shall breach any other provision of this Agreement, the Township shall be entitled to terminate this Agreement, whereupon jurisdiction of the Property shall revert to the Township or the Township may pursue whatever other legal remedies are available to the Township.

8. Any liability the City or the Township incurs to a third party as a result of the performance of duties or the exercise or rights imposed or granted hereunder shall be jointly shared and defended in the same proportion as the taxes are shared as described in paragraph 5.

9. The burden of all tax abatements shall be shared by the City and the Township in the same percentage as the millage is shared. In the event the City reduces its millage, the Township's share of millage shall be proportionately reduced provided no additional taxes are levied by the City to replace the reduction in millage.

10. Sewer and water rates charged to the Property owner shall not be greater than the rates charged in the City for similar users. Property owners shall contribute to repairs and capital improvements to the sewage treatment facilities, water purification plant, well facilities, and distribution systems in the same manner as similar users within the City of Marshall.

11. In the event there is a conflict between this Agreement and the Master 425 Development Agreement, the terms of the Master 425 Development Agreement shall control unless there is a specific reference in the conflicting provision that it is intended to prevail despite the Master 425 Development Agreement.

12. Within fifteen (15) days of execution of this contract, the City Clerk shall file a duplicate original of this contract with the Calhoun County Clerk, the Michigan Secretary of State and the Calhoun County Register of Deeds.

WITNESSES:

CITY OF MARSHALL

\_\_\_\_\_

By:

\_\_\_\_\_  
Tom Tarkiewicz, City Manager

\_\_\_\_\_

By:

\_\_\_\_\_  
Trisha Nelson, Clerk

WITNESSES:

MARSHALL TOWNSHIP

\_\_\_\_\_

By:

\_\_\_\_\_  
David Bosserd, Supervisor

\_\_\_\_\_

By:

\_\_\_\_\_  
Susan George, Clerk

## Schedule 1

### Legal Description of Property

Township of Marshall, County of Calhoun, State of Michigan. MARSHALL TWP SEC 23 T2S-R6W COMM AT THE NE COR OF SEC TH W 475.29' TO POB TH S 535' TH W 128.39' TH S 371.08' TH S 88DEG 21'06"W 727.31' TH N 100.01' TH N 88DEG 21'06"E 233.01' TH N 820.57' TH E 621.66' TO POB 12.47A M/L SPLIT ON 08/21/2007 INTO 16-232-009-01, 16-232-009-02, 16-232-009-03, 16-232-009-04; MLL TWP SEC 23 T2S-R6W COMM AT THE NE COR OF SEC TH W 475.29' TO POB TH S 535' TH W 128.39' TH S 371.08' TH S 88DEG 21'06"W 727.31' TH N 100.01' TH N 88DEG 21'06"E 233.01' TH N 820.57' TH E 621.66' TO POB 12.47A M/L SPLIT ON 08/21/2007 INTO 16-232-009-01, 16-232-009-02, 16-232-009-03, 16-232-009-04;





**ADMINISTRATIVE REPORT**  
**October 15, 2018 - CITY COUNCIL MEETING**

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

**FROM:** Jon B. Bartlett, Finance Director  
Tom Tarkiewicz, City Manager

**SUBJECT:** Retiree Healthcare (OPEB) Corrective Action Plan Presentation

**BACKGROUND:** Public Act 202 of 2017, Protecting Local Government Retirement and Benefits Act, went into effect on December 20, 2017. The local reporting required under this Act relates to retirement pension benefits and retirement health benefits. On January 11, 2018, the City of Marshall filed Form 5572 – Pension Report and Health Care (OPEB) Report with the Michigan Department of Treasury. On March 1, 2018, the City received the Department of Treasury’s letter titled “Preliminary Review of Underfunded Status” for our Retiree Healthcare Plan due to the fact that our Retiree Healthcare Plan liabilities are funded at 3.7%.

In accordance with PA 202, a local governmental unit may apply for a waiver of “underfunded status” by filing an Application for Waiver and Plan with Treasury, outlining the steps the local unit has enacted to reach a 40% “funding level” within 30 years as recommended by the State. The waiver was filed with the Michigan Department of Treasury on April 11, 2018. On May 17, 2018, the Finance Department received correspondence the City’s waiver was denied. The City Council must adopt a “Corrective Action Plan” to be filed with the Michigan Department of Treasury no later than November 13, 2018.

The Finance Director asked Watkins Ross, the City’s Retiree Healthcare Actuary, how different funding options would affect our funding status. The different funding options were to contribute \$200,000, \$400,000, or \$600,000 per year in addition to the “pay as you go” healthcare costs. These funds will be transferred to the City’s MERS RHVF account at the beginning of each fiscal year starting July 1, 2019. The different funding options and different rates of return are shown on the attached City of Marshall: Contribution Study.

**RECOMMENDATION:** After hearing staff’s presentation on the Retiree Healthcare Corrective Action Plan, it is recommended City Council approve the Additional Retiree Healthcare Contribution Resolution, which will mandate that the City contribute and budget for an additional \$200,000 per year into the City’s MERS RHVF account. Based on a 6% rate of return this will produce a funding level of 40% in the year 2044. It is also recommended City Council approve the Retiree Healthcare (OPEB) Corrective Action Plan as presented and authorize staff to file the Corrective Action Plan with the Michigan Department of Treasury on or before November 13, 2018

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

f 269.781.3835

cityofmarshall.com

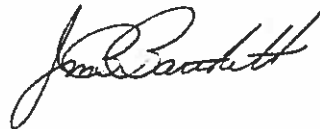
**FISCAL EFFECTS:** The additional \$200,000 per year contribution would have the following effect:

General Fund	\$109,863
Recreation	\$ 2,817
Marshall House	\$ 2,817
Electric Fund	\$ 50,706
DART	\$ 8,451
Wastewater	\$ 9,856
Water	\$ 12,674
Motor Pool	<u>\$ 2,816</u>
	\$200,000

**ALTERNATIVES:** As suggested by Council.

**CITY GOAL CLASSIFICATION:** N/A

Respectfully Submitted,



Jon B. Bartlett  
Finance Director



Tom Tarkiewicz  
City Manager

**CITY OF MARSHALL, MICHIGAN  
RESOLUTION # 2018-XX**

**WHEREAS**, the Marshall City Council is fully committed to providing retiree healthcare to those employees that qualify for the benefit; and

**WHEREAS**, the City of Marshall is required to file a corrective action plan with the Michigan Department of Treasury pursuant to PA 202 of 2017 due to the fact that the City's retiree healthcare plan (OPEB) liability is funded at 3.7% and that the criteria set by Treasury is 40%; and

**WHEREAS**, part of the "Corrective Action Plan" is for the City of Marshall to contribute an additional \$200,000 annually in addition to the normal "pay as you go" retiree healthcare costs, starting July 1, 2019; and

**WHEREAS**, the Directors and the City Manager feel that this additional \$200,000 can and will be found within current budget levels; and

**WHEREAS**, this resolution shall remain in effect for the same period of time that the 2018 Retiree Healthcare Corrective Action Plan if approved by the Michigan Department of Treasury.

**NOW THEREFORE BE IT RESOLVED**, in order to reduce the unfunded retiree healthcare liability, in consideration of the financial restrictions of the City of Marshall, the need to provide services to the public, and economic conditions out of the City's control; the City of Marshall shall contribute \$200,000 annually to the City's MERS RHFV account.

**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 15<sup>th</sup> day of October, 2018.

\_\_\_\_\_  
Trisha Nelson, City Clerk

\_\_\_\_\_  
Date

# RETIREE HEALTH BENEFITS CORRECTIVE ACTION PLAN

*In Compliance with PA 202 of 2017*



## ADMINISTRATION:

Tom Tarkiewicz, City Manager  
Jon B. Bartlett, Finance Director  
James Schwartz, Director of Public Safety  
Kristin Bauer, Director of Public Services  
Ed Rice, Director of Electric Utility

## CITY COUNCIL:

Jack Reed, Mayor  
Scott Wolfersberger, Ward 1  
Nick Metzger, Ward 2  
Brent Williams, Ward 3  
Michael McNeil, Ward 4  
Robert Costa, Ward 5  
Joe Caron, At Large

## INTRODUCTION

In December 2017, Public Act 202 of 2017 was signed into law. This new law requires all local governments to annually report its pension's and retiree healthcare unfunded liabilities to the State of Michigan, Department of Treasury, and creates certain criteria to determine if a the local government is in "underfunded status". PA 202 creates minimum funding requirements for both pension plans and retiree healthcare plans. Retiree healthcare is also referred to as "Other Post-Employment Benefits (OPEB)". In addition, PA 202, provides for standard actuarial assumptions for determining funding status which will be reviewed and published by the Michigan Department of Treasury.

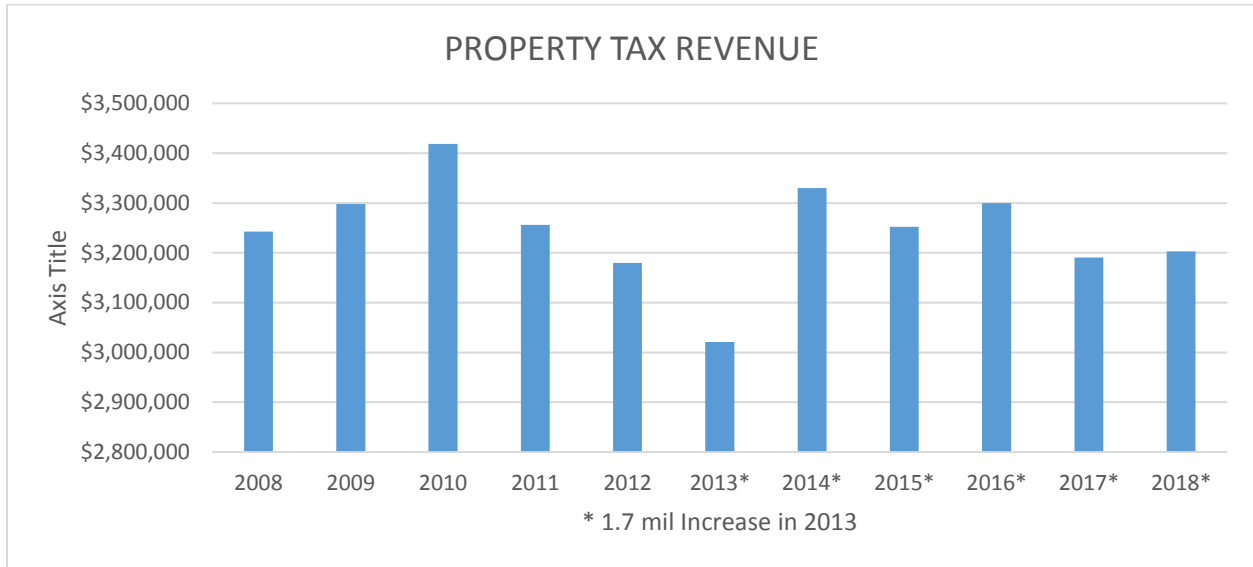
If a local unit of government is determined to be "underfunded" based on PA 202 criteria, the local unit is subject to review by a governor-appointed "municipal stability board". This board will review annual reports and corrective action plans of local units required to submit them when the local unit has not been granted a waiver under the Act.

The City of Marshall, like many other cities and villages across the State, applied for and was denied a waiver for our retiree healthcare (OPEB) due to its "underfunded status". According to our 2017 Audited Financial Statements, the City of Marshall's OPEB is funded at 3.7% which is well under the 40% threshold set by Treasury.

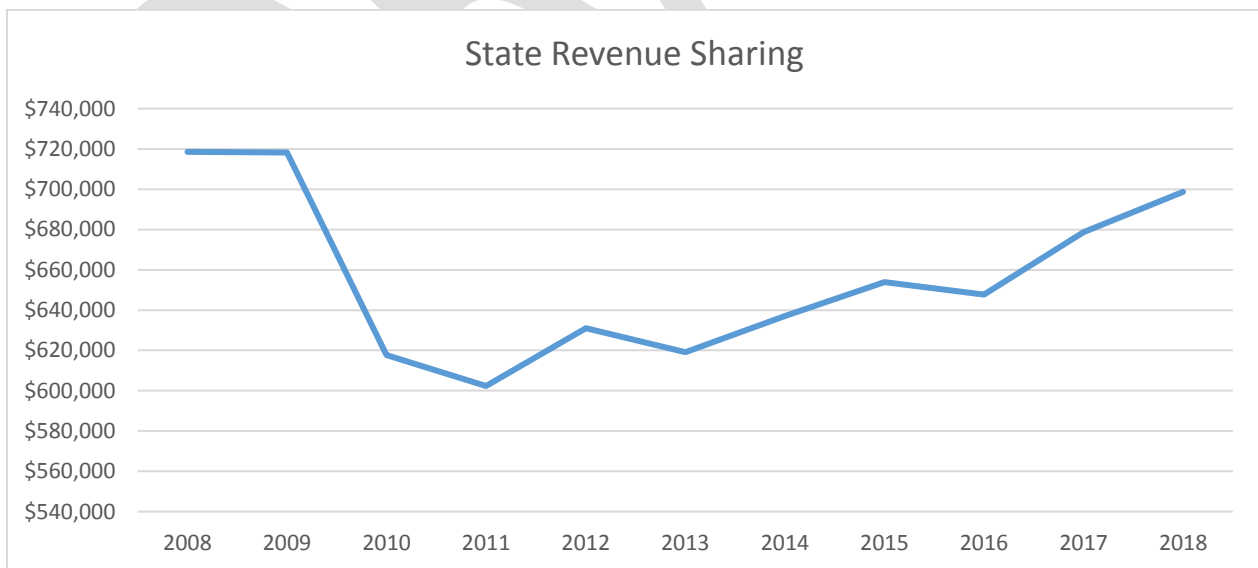
This document and all of its attachments serves as the City of Marshall's PA 202 "Corrective Action Plan". This action plan will be revisited annually and revised if necessary.

## CITY OF MARSHALL – FINANCIAL CONDITIONS

Since 2008, Marshall's property tax revenue has seen a steady decline. In 2018, property tax revenue is still below the amount received in 2008 despite a 1.7 mil increase in 2013.



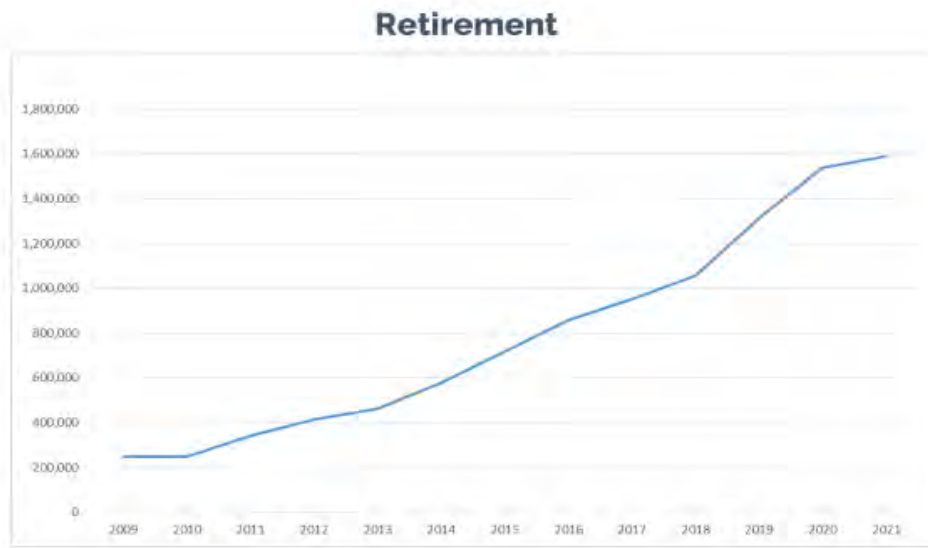
Since 2008, Marshall's state revenue sharing has seen a steady decline. In 2018, state revenue sharing is still below the amount received in 2008.



CITY OF MARSHALL – FINANCIAL CONDITIONS-Cont.



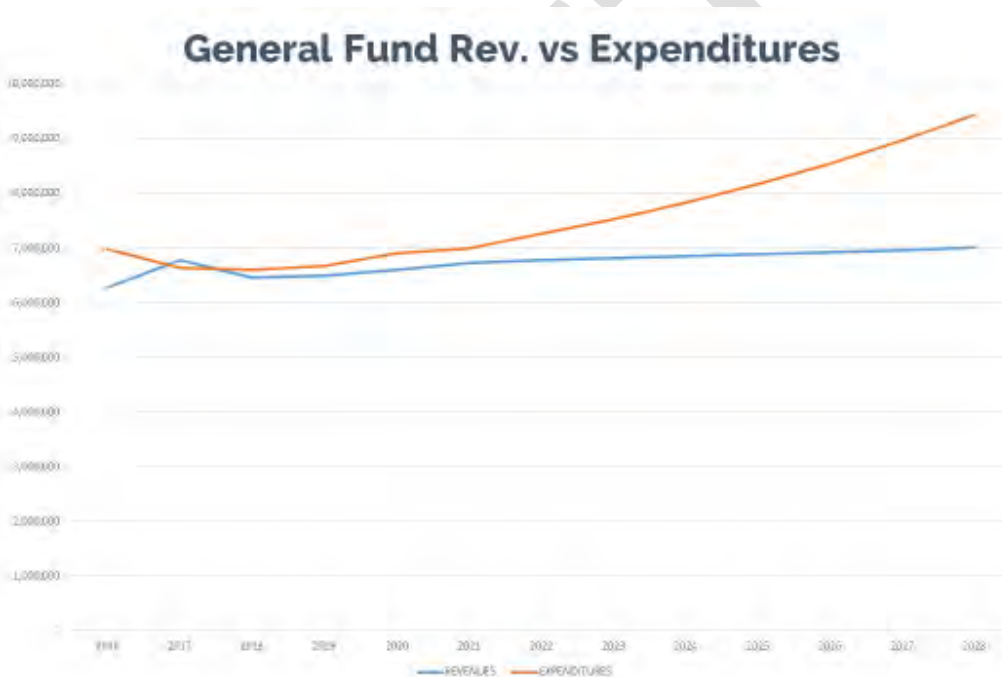
As one can see by the graph above, from 2010-2017 actual out-of-pocket (pay as you go) costs for retiree healthcare has increased \$234,126.



As one can see by the graph above, Defined Benefit Pension costs have increased \$807,658 from 2009 to 2018.

## CITY OF MARSHALL – FINANCIAL CONDITIONS-Cont.

The City of Marshall develops its budget using a 10 year revenue and expense model for all governmental and business type funds. Each specific revenue and expenditure line-item is given an individual inflation factor to which the 10 year budget model is generated. Fund Balance/Net Position is then analyzed for each year and appropriate decisions are made. Below is the projected difference between revenues and expenditures for the City of Marshall's General Fund.



The FY 2018 budgeted gap between revenues and expenditures was \$138,169 (which included a pay freeze for all non-union employees) while the projected FY 2028 gap is \$2,436,608

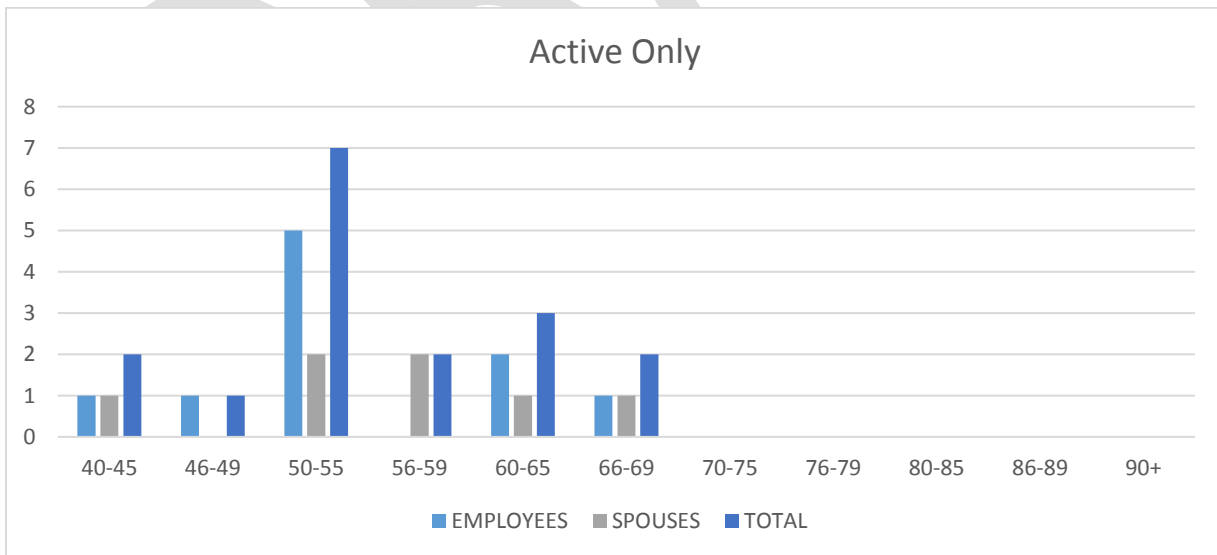


## RETIREE HEALTHCARE DEMOGRAPHICS

### ACTIVE PARTICIPANTS

LIABILITY \$5,595,870

AGE GROUP	EMPLOYEES	SPOUSES	TOTAL
40-45	1	1	2
46-49	1	0	1
50-55	5	2	7
56-59	0	2	2
60-65	2	1	3
66-69	1	1	2
70-75	0	0	0
76-79	0	0	0
80-85	0	0	0
86-89	0	0	0
90+	0	0	0
<b>TOTAL</b>	<b>10</b>	<b>7</b>	<b>17</b>



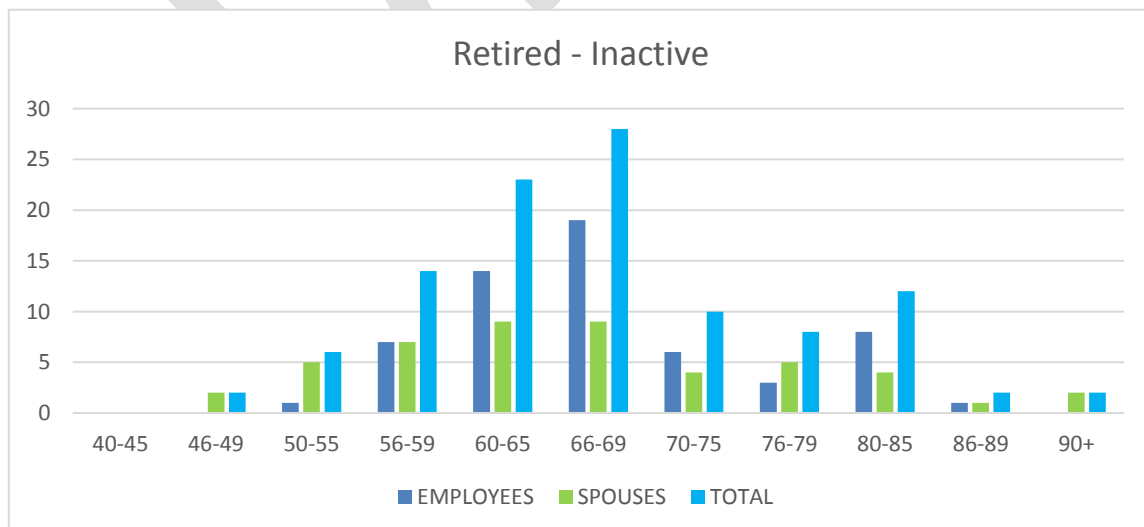
## RETIREE HEALTHCARE DEMOGRAPHICS-Cont.

Active participants represent approximately 22% or \$5,595,870 of the total OPEB liability of \$25,442,509. This liability will grow over time based on the inflation factors surrounding healthcare since retiree healthcare is closed to anyone hired after January 1, 1997. If one was to only look at active participants based on the Plan assets, the level of funding would be 16.80%.

### INACTIVE PARTICIPANTS

LIABILITY \$19,846,639

AGE GROUP	EMPLOYEES	SPOUSES	TOTAL
40-45	0	0	0
46-49	0	2	2
50-55	1	5	6
56-59	7	7	14
60-65	14	9	23
66-69	19	9	28
70-75	6	4	10
76-79	3	5	8
80-85	8	4	12
86-89	1	1	2
90+	0	2	2
<b>TOTAL</b>	<b>59</b>	<b>48</b>	<b>107</b>



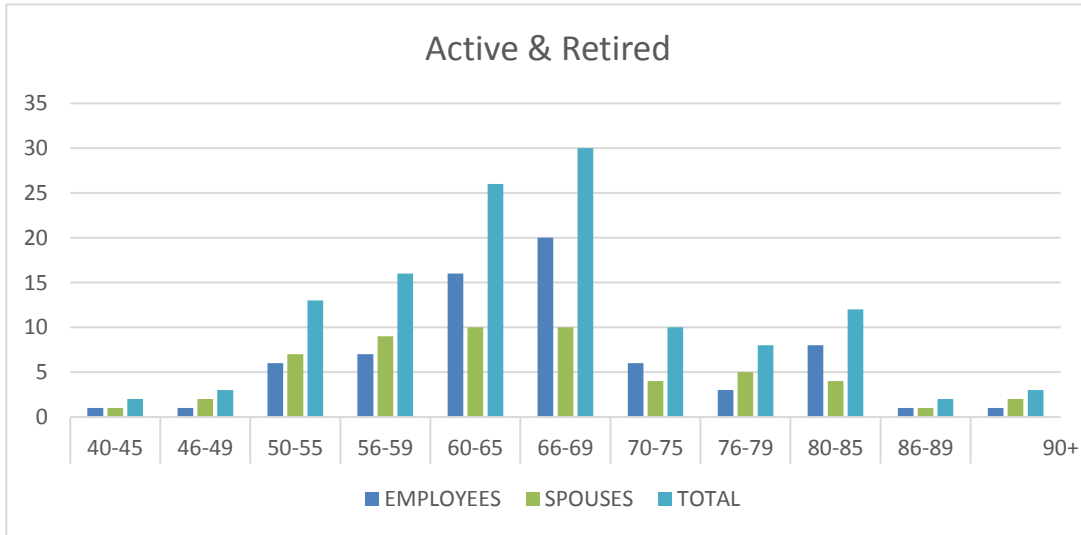
RETIREE HEALTHCARE DEMOGRAPHICS-Cont.

Inactive participants represent approximately 78% or \$19,846,639 of the total OPEB liability of \$25,442,509. This liability will grow over time based on the inflation factors surrounding healthcare and active participants retiring but will also decrease based on the age of the group. If the Michigan Department of Treasury is going to give the City of Marshall 30 years to get to the 40% funding level, approximately 85 of the 107 current inactive participants will be between the ages of 90 and 120 years old.

**ACTIVE & INACTIVE PARTICIPANTS**

AGE GROUP	EMPLOYEES	SPOUSES	TOTAL
40-45	1	1	2
46-49	1	2	3
50-55	6	7	13
56-59	7	9	16
60-65	16	10	26
66-69	20	10	30
70-75	6	4	10
76-79	3	5	8
80-85	8	4	12
86-89	1	1	2
90+	1	2	3
TOTAL	70	55	125

RETIREE HEALTHCARE DEMOGRAPHICS-Cont.



Based on the same scenario above, if the Michigan Department of Treasury is going to give the City of Marshall 30 years to get to the 40% funding level, approximately 91 of the 125 current active and inactive participants will be between the ages of 90 and 120 years old.

## CORRECTIVE ACTION PLAN

On October 15, 2018, staff will present to Marshall City Council this Corrective Action Plan for the City's Retiree Healthcare Plan (OPEB) for approval prior to filing with the Department of Treasury.

Presently the City of Marshall is 3.7% funded for its retiree healthcare liability (OPEB) which was \$25,442,509 as of June 30, 2018. The policy of the City, like many other communities, is to pay for retiree healthcare on a "pay as you go" basis. The City closed retiree healthcare to all employees hired after January 1, 1997.

In April 2018, the City's Finance Director asked Watkins Ross, the City's Retiree Healthcare Actuary, how different funding options would affect our funding status. The different funding options were to contribute \$200,000, \$400,000, or \$600,000 per year in addition to the "pay as you go" healthcare costs. These funds will be transferred to the City's MERS RHVF account at the beginning of each fiscal year starting July 1, 2019. The different funding options and different rates of return are shown on the attached City of Marshall: Contribution Study.

### COUNCIL ACTION:

After hearing staff's presentation on the Retiree Healthcare Corrective Action Plan, it is recommended City Council approve the Additional Retiree Healthcare Contribution Resolution, which will mandate that the City contribute and budget for an additional \$200,000 per year into the City's MERS RHVF account. Based on a 6% rate of return this will produce a funding level of 40% in the year 2044. It is also recommended City Council approve the Retiree Healthcare (OPEB) Corrective Action Plan as presented and authorize staff to file the Corrective Action Plan with the Michigan Department of Treasury on or before November 13, 2018.

### RESOLUTION:

**CITY OF MARSHALL, MICHIGAN**  
**RESOLUTION # 2018-XX**

**WHEREAS**, the Marshall City Council is fully committed to providing retiree healthcare to those employees that qualify for the benefit; and

**WHEREAS**, the City of Marshall is required to file a corrective action plan with the Michigan Department of Treasury pursuant to PA 202 of 2017 due to the fact that the City's retiree healthcare plan (OPEB) liability is funded at 3.7% and that the criteria set by Treasury is 40%; and

**WHEREAS**, part of the "Corrective Action Plan" is for the City of Marshall to contribute an additional \$200,000 annually in addition to the normal "pay as you go" retiree healthcare costs, starting July 1, 2019; and

**WHEREAS**, the Directors and the City Manager feel that this additional \$200,000 can and will be found within current budget levels; and

**WHEREAS**, this resolution shall remain in effect for the same period of time that the 2018 Retiree Healthcare Corrective Action Plan if approved by the Michigan Department of Treasury.

**NOW THEREFORE BE IT RESOLVED**, in order to reduce the unfunded retiree healthcare liability, in consideration of the financial restrictions of the City of Marshall, the need to provide services to the public, and economic conditions out of the City's control; the City of Marshall shall contribute \$200,000 annually to the City's MERS RHFV account.

**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 15<sup>th</sup> day of October, 2018.

---

Trisha Nelson, City Clerk

---

Date

**City of Marshal ; Contribution Study**

**Year fund reaches 40% of liability**

Return\	Contribution		
	200,000	400,000	600,000
4%	<b>2047</b>	<b>2041</b>	<b>2037</b>
6%	<b>2042</b>	<b>2036</b>	<b>2032</b>
7%	<b>2039</b>	<b>2033</b>	<b>2030</b>

Projected benefits and cash contributions

	200,000			400,000			600,000		
	Projected Benefits	Contributions	=Total	Contributions	=Total	Contributions	=Total		
2017	943,554	200,000	1,143,554	400,000	1,343,554	600,000	1,543,554		
2018	1,059,134	200,000	1,259,134	400,000	1,459,134	600,000	1,659,134		
2019	1,111,534	200,000	1,311,534	400,000	1,511,534	600,000	1,711,534		
2020	1,225,755	200,000	1,425,755	400,000	1,625,755	600,000	1,825,755		
2021	1,306,080	200,000	1,506,080	400,000	1,706,080	600,000	1,906,080		
2022	1,393,404	200,000	1,593,404	400,000	1,793,404	600,000	1,993,404		
2023	1,465,590	200,000	1,665,590	400,000	1,865,590	600,000	2,065,590		
2024	1,534,122	200,000	1,734,122	400,000	1,934,122	600,000	2,134,122		
2025	1,625,894	200,000	1,825,894	400,000	2,025,894	600,000	2,225,894		
2026	1,693,998	200,000	1,893,998	400,000	2,093,998	600,000	2,293,998		
2027	1,772,499	200,000	1,972,499	400,000	2,172,499	600,000	2,372,499		
2028	1,871,871	200,000	2,071,871	400,000	2,271,871	600,000	2,471,871		
2029	1,948,509	200,000	2,148,509	400,000	2,348,509	600,000	2,548,509		
2030	2,033,413	200,000	2,233,413	400,000	2,433,413	600,000	2,633,413		
2031	2,124,567	200,000	2,324,567	400,000	2,524,567	600,000	2,724,567		
2032	2,200,677	200,000	2,400,677	400,000	2,600,677	600,000	2,800,677		
2033	2,306,287	200,000	2,506,287	400,000	2,706,287	600,000	2,906,287		
2034	2,400,663	200,000	2,600,663	400,000	2,800,663	600,000	3,000,663		
2035	2,473,031	200,000	2,673,031	400,000	2,873,031	600,000	3,073,031		
2036	2,564,055	200,000	2,764,055	400,000	2,964,055	600,000	3,164,055		
2037	2,652,699	200,000	2,852,699	400,000	3,052,699	600,000	3,252,699		
2038	2,724,911	200,000	2,924,911	400,000	3,124,911				
2039	2,804,507	200,000	3,004,507	400,000	3,204,507				
2040	2,878,136	200,000	3,078,136	400,000	3,278,136				
2041	2,944,493	200,000	3,144,493	400,000	3,344,493				
2042	3,002,333	200,000	3,202,333						
2043	3,050,490	200,000	3,250,490						
2044	3,087,836	200,000	3,287,836						
2045	3,113,481	200,000	3,313,481						
2046	3,126,504	200,000	3,326,504						
2047	3,126,222	200,000	3,326,222						

**BAUCKHAM, SPARKS, THALL, SEEBER & KAUFMAN, P.C.**

**ATTORNEYS AT LAW**  
836 CENTENNIAL WAY, SUITE 170  
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[www.michigantownshiplaw.com](http://www.michigantownshiplaw.com)

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LORI COATES HAY  
ROBERT J. ROBINSON  
AMANDA K. TOMICH

JOHN H. BAUCKHAM  
1923 - 2015

HARRY F. SMITH  
1906 - 1972

OF COUNSEL  
KENNETH C. SPARKS  
MICHAEL D. SCHLACK

October 9, 2018

Via Email and Personal Delivery

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

**Re: City Attorney/Legal Services**

Dear Sirs:

I write to express my interest in the position of City Attorney of Marshall. I am a partner with the firm of Bauckham, Sparks, Thall, Seeber & Kaufman, P.C. For your consideration, please find enclosed my firm biography and resume. My offices are located in Lansing and Marshall (November, 2018). In addition, our firm has offices in Kalamazoo and South Haven.

My experience includes representing municipal corporations as both general counsel and special counsel. My practice areas include municipal and local government law, Freedom of Information Act and Open Meetings Act, labor & employment and human resources, Michigan Tax Tribunal, zoning, ordinance, code, and traffic enforcement actions, school law, civil state and federal court litigation.

If selected, I would be honored to serve as City Attorney. In addition, our firm has a team of attorneys and support staff dedicated to the practice almost exclusively representing municipalities, including: cities, townships, villages (with and without police and/or fire departments), downtown development authorities, water authorities, transportation authorities, and public schools as special counsel. Our firm has represented municipal entities since 1949.

As City Attorney, we invoice monthly at the hourly rate of \$175.00. Generally, our firm charges an hourly rate between \$150 (associate) - \$200 (partner) depending on the attorney performing the service and complexity of the issue. Our dedication is to provide high quality legal service while maintaining a fair hourly rate that accounts for overhead expenses as: support staff,



Mayor Jack Reed  
Mr. Tom Tarkiewicz  
Date: October 9, 2018  
Page 2 of 2

insurances, operations and building. Additional fees may result for copy/printing costs and mileage (should representation be required for out of area travel), calculated at the current IRS reimbursement rate. The firm invoices on a monthly basis for the previous month's work.

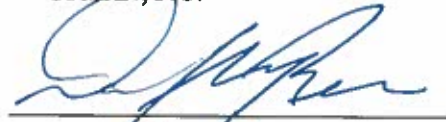
Because we essentially serve only municipal clients, Bauckham Sparks rarely finds itself in a conflict position. Should a potential conflict be presented, we work with our clients to find an amenable solution while maintaining the highest level of confidentiality and integrity.

My sincere interest is to be service to others above self, as demonstrated by my vocation and commitment to others. I believe in the City of Marshall, especially having served as a member of the City Council, Planning Commission, and current member of the ZBA. Our City is a destination with a strong and exciting future, and our home.

Thank you for considering my services.

Very truly yours,

**BAUCKHAM SPARKS, THALL, SEEGER &  
KAUFMAN, P.C.**



David M. Revore

**David M. Revore, Esq.**

David M. Revore is a partner with the firm of Bauckham, Sparks, Thall, Seeber & Kaufman, P.C. David received his Juris Doctor from Michigan State University-College of Law where he earned academic honors in Law Practice Management and recognition in Labor Arbitration. David graduated from Western Michigan University (B.A.) in 1992.

David serves as general counsel to many municipal corporations. David has represented clients in tax tribunal matters, district and circuit courts, the Michigan Court of Appeals and in federal courts. David's practice areas include municipal and local government law: labor, employment and human resources, Michigan Tax Tribunal, zoning, ordinance and traffic enforcement actions, civil state and federal court litigation.

David is admitted to practice in Michigan and various federal district courts. He is a member of the State Bar of Michigan (Public Corporations, Administrative & Regulatory, Labor & Employment Law, Alternative Dispute Resolution, and Marijuana Law sections), Federal Bar Association, Ingham County, Kalamazoo County, and Calhoun Bar Associations. David frequently presents on marijuana law, public labor, employment and human resource law, Open Meetings Act, Freedom of Information Act, tax tribunal appeals, and zoning and law enforcement matters.

Before joining Bauckham Sparks, David was a shareholder of the Thrun Law Firm, P.C. David also served as a police officer, deputy sheriff, and sergeant. He earned the distinction of Michigan State FOP Peace Officer of the Year, the Michigan Association of Chiefs of Police Medal of Honor, Medal for Bravery, and the Sheriff's Award for Excellence. In addition, he received recognition from the Federal Bureau of Investigation and the DEA. David is a past-president of the Kalamazoo Area Fraternal Order of Police.

David lives in the Marshall area with his wife, Mandy, and dog Maggie. He is a current member of the Marshall Zoning Board of Appeals and past member of the Marshall City Council and Planning Commission.

## David Mark Revore, J.D.

Colgrove Dr., Marshall, MI 49068

H-269.781.7332; email: revore@michigantownshiplaw.com

### Current Attorney Position

2017-  
Present      **Attorney/Partner – Bauckham, Sparks, Thall, Seeber & Kaufman, P.C.**  
Municipal & Government/School/Labor & Employment, Human Resource  
836 Centennial Way, Suite 170  
Lansing, MI 48917  
Telephone (517) 993-6686

### Former Attorney Position

2007-  
2017      **Attorney/Shareholder (2015) - Thrun Law Firm P.C.**  
Municipal & Government/School/Labor & Employment, Human Resource  
2900 West Road, Suite 400  
East Lansing, MI 48823-2575

**Practice Areas:** Municipal & Local Government Law: Zoning, Tax Tribunal, Ordinance and Traffic Enforcement, Civil State and Federal Court litigation; labor arbitration and mediation; State Civil Service; School, Labor & Employment, and Human Resource law for public and private sector employers. Internal investigations.

**Professional Membership:** Michigan State Bar (Membership in Bar sections: Administrative & Regulatory, Alternative Dispute Resolution, Labor & Employment, Marijuana Law, and Public Corporation), Ingham County Bar, Kalamazoo County Bar, Calhoun County Bar, and Federal Bar Association. Membership in Michigan Municipal League and Michigan Townships Association.

### Admitted to Practice

- State Bar of Michigan, P68929
- U.S. District Court, Western District of Michigan
- U.S. District Court, Eastern District of Michigan

### Marshall Community Activities

2015-Present	Zoning Board of Appeals Member	Marshall, MI
2013-2014	City Council Member	Marshall, MI
2011-2013	Marshall Planning Commission Member	Marshall, MI

### Volunteer Activities

2009-Present	Recipient Rights Review Committee Member – Summit Pointe	Battle Creek, MI
1/01-1/05	President (3 terms), V.P., and Trustee – F.O.P. Lodge 98	Kalamazoo, MI



**Professional Awards and Honors**

- Sept. 2007      **Sheriff's Awards for Excellence - Kalamazoo County Sheriff's Office**
- Sept. 2001      **Staff Services Medal - Kalamazoo County Sheriff's Office**
- 2001,02,03,05,07 **Physical Fitness Medal - Kalamazoo County Sheriff's Office**
- February 2001   **Commendation - Federal Bureau of Investigation**
- August 2000    **Medal of Bravery - Kalamazoo Township Police Department**
- August 2000    **Special Tribute Certificate – Gov. John Engler/Michigan State Senate – Ninetieth  
Legislature**
- August 2000    **Honorable Mention/TOP COP AWARDS – National Association of Police  
Organizations**
- June 2000      **Police Medal of Honor - Michigan Association of Chiefs of Police**
- June 2000      **Peace Officer of the Year - Michigan State Fraternal Order of Police**
- February 1999   **Commendation - Drug Enforcement Administration**
- April 1992     **Membership - International Sociology Honor Society**
- Dec. 1991      **Membership - National Criminal Justice Honor Society**
-