



MARSHALL CITY COUNCIL AGENDA

MONDAY – 7:00 P.M.

December 17, 2018

- 1) CALL TO ORDER
2) ROLL CALL
3) INVOCATION – Ralph McCarty, East Eckford Community Church
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. MDOT Contract for Operation and Maintenance of the Weather Observation and Data Dissemination System P. 4

City Council will consider the recommendation to approve the resolution and authorize the City Clerk to sign the agreement with MDOT for Operation and Maintenance of the Weather Observation and Data Dissemination System at Brooks Field, Contract No. 2019-0104.

B. City Council Minutes P. 6

Work Session..... Monday, December 3, 2018
Regular Session..... Monday, December 3, 2018

C. City Bills P. 13

Regular Purchases..... \$ 343,942.55
Weekly Purchases – 11/30/18..... \$ 100,115.77
Weekly Purchases – 12/7/18..... \$ 3,946.27
Total \$ 448,004.59

8) PRESENTATIONS AND RECOGNITIONS

A. Heritage Commons Annual Report

B. Certificates of Appreciation

City Council will present Certificates of Appreciation to past Board and Commission members.

C. 2018 Annual Financial Audit

9) INFORMATIONAL ITEMS

A. Event Report – Oakridge Cemetery "If these stones could talk..."

P. 18

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



10) PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

- A. **Neighborhood Improvement Authority** P. 19
City Council will hear public comment regarding the proposed ordinance that creates and sets the boundaries of the Northeast Neighborhood Improvement Authority.
- B. **Proposed Amendment Chapter 119: Medical Marihuana** P. 25
City Council will hear public comment regarding the proposed amendment to Chapter 119: Medical Marihuana, §119.03 Security Plan Definition.

11) OLD BUSINESS

12) REPORTS AND RECOMMENDATIONS

- A. **Ketchum Park Millrace Pavilion and Confluence Garden** P. 30
City Council will consider the recommendation to award the Design Services for the Ketchum Park Millrace Pavilion and Confluence Garden to Viridis Design Group of Kalamazoo, MI for an amount not to exceed \$42,235. It is also recommended to direct City Staff to contact the Cronin Foundation to acknowledge and confirm incorporation of the "Cronin" name on the pavilion at conclusion of the project.
- B. **Sidewalk Deferment – 1120 Industrial Road** P. 32
City Council will consider the recommendation to approve a deferment of the sidewalk installation at 1120 Industrial Road and approve the City Manager and/or City Clerk to execute an agreement with Delta One Consulting, LLC for and irrevocable Letter of Credit in the amount of \$44,550.
- C. **Wellhouse Repair** P. 35
City Council will consider the recommendation to approve the reallocation of the Capital Outlay projects in the Water Capital Outlay budget from Water Treatment Plant Office to Well House Roofs and Siding. Original budget of \$40,000 for the Water Plant Office and \$15,000 for the Well House Siding would be rolled into one project for the new roofs. It is also recommended to accept the bid from Meeker Building & Remodeling, LLC of Olivet in the amount of \$49,750.
- D. **Notice of Intent to Issue Bonds-Water Fund** P. 36
City Council will consider the recommendation to adopt the resolution "Notice of Intent to Sell Water Supply System Revenue Bonds" initiating the forty-five-day referendum period prior to the sale of the bonds and authorize the City Clerk to publish the Notice of Intent and Right of Referendum.
- E. **2019 Electric Line Tree Trimming Program** P. 44
City Council will consider the recommendation to approve the retention of ARS Corporation to continue to perform the tree clearance program for the City of Marshall and authorize the City Clerk to sign a contract addendum for a one-year extension with a 3% price escalator.



13) APPOINTMENTS / ELECTIONS

A. Appointment of the Northeast Neighborhood Improvement Authority Board

P. 46

City Council will consider the recommendation to appoint the following members and terms to the Northeast Neighborhood Improvement Authority:

Krista Trout-Edwards	Term expiring December 31, 2019
Richard Lindsey	Term expiring December 31, 2020
David DeGraw	Term expiring December 31, 2021
Scott Wolfersberger	Term expiring December 31, 2022

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

City Council will be requested to enter into Closed Session to accomplish the City Manager's Evaluation.

16) CLOSED SESSION

17) ADJOURNMENT

Respectfully submitted,

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

Tom Tarkiewicz
City Manager

December 17, 2018

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ADMINISTRATIVE REPORT
December 17, 2018 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council
FROM: Kristin Bauer, Director of Public Services
Tom Tarkiewicz, City Manager
SUBJECT: MDOT Contract for Operation and Maintenance of the Weather Observation and Data Dissemination System
MDOT Contract No. 2019-0104

BACKGROUND: This agreement is an on-going contract with the Michigan Department of Transportation (MDOT) for the operation and maintenance of the Weather Observation and Data Dissemination System. This system consists of the three components; (1) Automated Weather Observation System (AWOS), (2) a Data Collection System, and (3) a Weather Briefing System.

This contract is a five (5) year agreement and stipulates all pertinent requirements for the systems operation and maintenance. It also stipulates cost responsibilities for the operations and maintenance of this system. All cost responsibilities will remain the same as previous AWOS contracts with MDOT.

RECOMMENDATION: It is recommended that the City Council approve the resolution and authorize the City Clerk to sign the agreement with MDOT for "Operation and Maintenance of the Weather Observation and Data Dissemination System", at Brooks Field, Contract No. 2019-0104.

FISCAL EFFECTS: Funds are available within the Airport Operations budget expenditure line items; 295-895-820.00 – Contracted Services and 295-895-922.00 – Utilities-Elec., Water, Gas for payment of maintenance and operational costs. It is anticipated that the annual maintenance and operational costs will be approximately \$3,800.

CITY GOAL CLASSIFICATION:

GOAL AREA 4. INFRASTRUCTURE

Goal Statement: Preserve, rehabilitate, maintain and expand city infrastructure and assets.

ALTERNATIVES: As suggested by the Council.

Respectfully submitted,

Kristin Bauer
Director of Public Services

Tom Tarkiewicz
City Manager

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

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

WHEREAS, the City Council of the City of Marshall has reviewed attached Contract #2019-0104 with the Michigan Department of Transportation (MDOT) for the Operation and Maintenance of the Weather Observation (AWOS) and Data Dissemination System; and

WHEREAS, this system consists of the three components; (1) Automated Weather Observation System, (2) a Data Collection System, and (3) a Weather Briefing System which has certain location, utility needs and maintenance to operate properly; and

WHEREAS, the City Council understands that we currently have an agreement with MDOT and agrees that it is the best interest of the city to continue an operations and maintenance agreement with MDOT for a duration of five (5) years; and

WHEREAS, it is understood that the city will be billed for 50% of the service charges and maintenance costs incurred by MDOT, the city will cover 100% of the costs for electric power usage, the dedicated telephone line and internet services; and

WHEREAS, it is further understood that should any of the underground AWOS cable be damaged the city will be responsible for 100% of the cost of repair; and

WHEREAS, the City Council agrees to the contract and the attached conditions, certifications and documentations and that the annual operations and maintenance costs are estimated to be approximately \$3,800; and

NOW THEREFORE BE IT RESOLVED that based upon a motion made by XXXX, and supported by XXXX, to authorize Trisha Nelson, Clerk to sign contract #2019-0104 for the Operation and Maintenance of the Weather Observation (AWOS) and Data Dissemination System

Voting For:

Voting Against:

Absent:

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 17th day of December, 2018.

Trisha Nelson, City Clerk

Date

IN A WORK SESSION held Monday, December 3, 2018 at 5:30 P.M. in the Training Room of Town Hall, 323 West Michigan Avenue, Marshall, MI, the Marshall City Council was called to order.

Present: Council Members: Caron, Costa (via telephone), McNeil, Metzger, Mayor Reed, Williams, and Wolfersberger.

Also Present: City Manager Tarkiewicz, Director of Public Services Kristin Bauer, Director of Public Safety Jim Schwartz, and City Attorney David Revore.

Absent: None.

City Attorney David Revore updated City Council on the discussions in the State on Recreational Marihuana (Proposal 18-1).

Chief Schwartz discussed the possible effect on public safety and Attorney Sullivan discussed policing powers.

Scott Fleming discussed economic development issues.

Adjourned at 6:55 PM.

Jack Reed, Mayor

Trisha Nelson, Clerk

CALL TO ORDER

IN REGULAR SESSION Monday, December 3, 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, Costa, McNeil, Metzger, Mayor Reed, Williams, and Wolfersberger.

Also Present: City Manager Tarkiewicz and Clerk Nelson.

Absent: None.

INVOCATION/PLEDGE OF ALLEGIANCE

David Boedecker of Christ Lutheran Church gave the Invocation and Mayor Reed led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

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

PUBLIC COMMENT ON AGENDA ITEMS

None.

CONSENT AGENDA

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

- A. Scheduled a public hearing for Monday, December 17, 2018 to hear public comment on the proposed ordinance that will create and set the boundaries of the Northeast Neighborhood Improvement Authority;
- B. Scheduled a public hearing for Monday, December 17, 2018 to hear public comment on the proposed amendment to Chapter 119: Medical Marihuana. §119.03 Definitions: Security Plan Definition;
- C. Received the 2019 City Council Meeting dates;
- D. Received the listing of the 2019 Board and Commission positions that are scheduled to expire and the term of office;
- E. Minutes of the City Council Work Session and Regular Session held on Monday, November 19, 2018;
- F. Approve city bills in the amount of \$ 320,236.04.

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

PRESENTATIONS AND RECOGNITION

A. Senator Mike Nofs Recognition:

Mayor Reed recognized Senator Mike Nofs for his service to the Marshall Community.

INFORMATIONAL ITEMS

None.

PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION

A. Comcast Urethane Corporation – Industrial Facilities Tax Exemption Certificate Application:

Caryn Drenth, Chair of the Board for MAEDA, provided background regarding the application for an Industrial Facilities Tax Exemption Certificate made by Comcast Urethane Corporation.

Mayor Reed opened the public hearing to hear public comment regarding the proposed application by Comcast Urethane Corporation.

Hearing no comment, the hearing was closed.

Moved Costa, supported Williams, to approve the Industrial Facilities Tax Exemption Certificate Application for Comcast Urethane Corporation at 425 Leggitt Road. On a roll call vote – ayes: McNeil, Metzger, Mayor Reed, Williams, Wolfersberger, Caron, and Costa; nays: none. **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION #2018-12**

Minutes of a regular meeting of the City Council of the City of Marshall held on Monday, December 3, 2018, in the Council Chambers of Town Hall, located at 323 West Michigan Avenue, Marshall, Michigan.

Present: Caron, Costa, McNeil, Metzger, Mayor Reed, Williams, and Wolfersberger.

Absent: None.

The following preamble and resolution were offered by Council Member Costa and supported by Council Member Williams.

**RESOLUTION TO APPROVE APPLICATION OF
COMCAST URETHANE CORPORATION
425 LEGGITT ROAD**

**INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR
REAL AND PERSONAL PROPERTY - NEW MACHINERY AND EQUIPMENT**

WHEREAS, pursuant to P.A. 198 of 1974, MCL 211.551 et seq., after a duly noticed public hearing held on July 17, 1989, the Council by Resolution established Industrial Development District No. D-21 as requested; and

WHEREAS, Comcast Urethane Corporation has filed an application for an Industrial Facilities Exemption Certificate with respect to real and personal property improvements and the acquisition and installation of new machinery and equipment within Industrial Development District D-21; 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 December 3, 2018 in the Council Chambers of Town Hall, located at 323 West Michigan Avenue, Marshall, Michigan, at 7:00 p.m. at which hearing the applicant, public, Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, the acquisition and installation of the new equipment, had begun earlier than six (6) months before November 13, 2018, the date of acceptance of the application for the Industrial Facilities Exemption Certificate; and

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

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

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

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

1. The City Council find and determine that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates

previously granted and currently in force under Act No. 198 of the Public Acts of 1974, shall not have the effect of substantially impeding the operation of the City of Marshall, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Marshall.

2. The application of Comcast Urethane, 425 Leggitt, for an Industrial Facilities Exemption Certificate, with respect to real property improvements and personal property improvements described as new machinery and equipment to be acquired and installed within the Industrial Development District No. D-21 is hereby approved.
3. The Industrial Facilities Exemption Certificate, when issued, shall be and remain in force and effect for a period of (3) three years under the rules and regulations of Act 198 of Public Acts of 1974, as amended, for the new machinery and equipment from the date of approval by the State Tax Commission.

AYES: Caron, Costa, McNeil, Metzger, Mayor Reed, Williams, and Wolfersberger.

NAYS: None.

Trisha Nelson, City Clerk

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Council of the City of Marshall, County of Calhoun, Michigan, at a regular meeting held on December 3, 2018.

Trisha Nelson, City Clerk

OLD BUSINESS

None.

REPORTS AND RECOMMENDATIONS

A. MDOT Contract 2019-0058 / Purchase of Plow Truck:

Moved Caron, supported McNeil, to approve the resolution authorizing the City Clerk to sign MDOT Contract No. 2019-0058 for purchase of a new, less polluting diesel dump truck cab and chassis to replace an older model and approve the build out through the State of Michigan Extended Purchasing Program for an amount not to exceed \$145,559. On a roll call vote – ayes: Metzger, Mayor Reed, Williams, Wolfersberger, Caron, Costa, and Metzger; nays: none. **MOTION CARRIED.**

**CITY OF MARSHALL, MICHIGAN
RESOLUTION # 2018-13**

WHEREAS, the City Council of the City of Marshall has reviewed attached Contract #2019-0058 with the Michigan Department of Transportation (MDOT) for purchase of a new, less polluting dump truck cab and chassis to replace an older model; and

WHEREAS, this contract sets forth a grant from the Federal Highway Administration (FHWA) to the City of Marshall under the Congestion Mitigation and Air Quality Improvement (CMAQ) Program for said purchase; and

WHEREAS, the City Council agrees to utilize the allotted grant funds for the eligible items, cab and chassis only, up to an amount not to exceed \$80,160, of which \$64,128 are Federal CMAQ funds and the remaining \$16,032 are City of Marshall grant matching funds; and

WHEREAS, this grant covers only the purchase of the cab and chassis the remaining non-eligible truck items such as the dump body, underbody plow assemblies and other applicable and required equipment will be covered by funds from the City's Motor Vehicle Pool Funds; and

WHEREAS, the total expense for this truck is an amount not to exceed \$145,559; and

WHEREAS, the City's total participation for this purchase is \$82,431, which includes the grant match and the remaining non-eligible trucks items; and

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

NOW THEREFORE BE IT RESOLVED that based upon a motion made by Councilmember Caron, and supported by Councilmember McNeil, to authorize Trisha Nelson, Clerk to sign MDOT Contract #2019-0058 for acceptance of the Federal Grant funds through the CMAQ program.

Voting For: Caron, Costa, McNeil, Metzger, Mayor Reed, Williams, and Wolfersberger.

Voting Against: None.

Absent: None.

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 3rd day of December, 2018.

Trisha Nelson, City Clerk

Date

APPOINTMENTS/ELECTIONS

A. Marshall Farmers Market Advisory Board:

Moved Williams, supported Metzger, to approve the appointment of Suzette Little, Lisa Reed, and Patty Parker 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

David Boedecker of 701 E. Mansion, thanked City Council for the use of the Parking lot on Green Street for the Octoberfest event. It was a great success and they are planning for next year as well.

COUNCIL AND MANAGER COMMUNICATIONS

ADJOURNMENT

The meeting was adjourned at 7:39 p.m.

Jack Reed, Mayor

Trisha Nelson, City Clerk

APPROVAL LIST 2 FOR CITY OF MARSHALL
 EXP CHECK RUN DATES 01/01/2018 - 12/20/2018
 UNJOURNALIZED
 OPEN AND PARTIALLY PAID

INVOICE NUMBER	INVOICE DATE	VENDOR NAME	DESCRIPTION	AMOUNT
BANK CODE: MAIN				
18-0276	11/05/2018	AIM ASPHALT, INC	CURB ON MONTGOMERY ST	1,587.00
3809	11/27/2018	ALL RELIABLE SERVICES	LINE CLEARANCE TREE TRIMMING FOR JULY-D	4,031.07
3828	11/29/2018	ALL RELIABLE SERVICES	LINE CLEARANCE TREE TRIMMING FOR JULY-D	3,199.50
3837	12/03/2018	ALL RELIABLE SERVICES	LINE CLEARANCE TREE TRIMMING FOR JULY-D	3,989.60
89292	12/05/2018	ALL-TRONICS INC	ALARM MONITORING	81.00
181110730	12/01/2018	AMBS CALL CENTER	CALL CENTER FY19	534.19
102664	12/04/2018	ASPEN WIRELESS	DESIGN AND ENGINEERING SERVICES FOR FIB	18,543.20
102653	12/01/2018	ASPEN WIRELESS	DESIGN AND ENGINEERING SERVICES FOR FIB	16,666.67
120454	11/01/2018	B S & A SOFTWARE	ANNUAL SERVICE/SUPPORT FEES	8,231.00
388-P8850696	12/03/2018	BATTERIES PLUS BULBS	150W HPS BULB	719.76
388-P8600283	11/27/2018	BATTERIES PLUS BULBS	100 W HPS BULB	389.88
57396	10/31/2018	BATTLE CREEK LANDSCAP	LANDSCAPING SERVICE AT BROOKS NATURE AR	1,624.00
1313	11/30/2018	BAUCKHAM, SPARKS, THA	OCT & NOV SERVICES	1,102.50
1308	12/06/2018	BAUCKHAM, SPARKS, THA	NOV SERVICES	140.00
1310	12/06/2018	BAUCKHAM, SPARKS, THA	OCT & NOV SERVICES	875.00
14543	12/04/2018	BCCF/MILES FOR MEMORI	110 BRACELETS	1,100.00
13876	11/29/2018	BUD'S TOWING & AUTOMO	DART #15	65.00
18-3817	11/08/2018	CB HALL ELECTRIC COMP	6" LED TRIM	110.00
MAR-03.3-02	11/27/2018	CHALLENGER TECHNOLOGI	FIBERNET PHASE VI UNDERGROUND CONSTRUCT	11,145.00
MAR-03.5-01	11/27/2018	CHALLENGER TECHNOLOGI	FIBERNET PHASE VI UNDERGROUND CONSTRUCT	15,397.20
MAR-03.4-02	11/27/2018	CHALLENGER TECHNOLOGI	FIBERNET PHASE VI UNDERGROUND CONSTRUCT	505.00
18-0009274	10/01/2018	CITY OF THREE RIVERS	PAYMENT FOR COMPOST EQUIPMENT	7,038.80
19352	12/05/2018	COBAN TECHNOLOGIES	2019 EQUIPMENT MAINTENANCE / ENTENDED W	1,588.49
9989	12/03/2018	COURTNEY & ASSOCIATES	MONTHLY RETAINER SERVICE	250.00
98144	12/05/2018	CRT, INC	MONTHLY CLOUD STORAGE	975.10
97905	11/02/2018	CRT, INC	MONTHLY STORAGE BILL	1,107.40
000993151	11/27/2018	CRYSTAL FLASH MARSHAL	PROPANE	20.39
S3-14774	11/12/2018	CUMMINS BRIDGEWAY	FULL SERVICE W/2 HR LOAD BANK	1,466.98
S3-14603	11/14/2018	CUMMINS BRIDGEWAY	ANNUAL WWTP GENERATOR SERVICE	1,777.49
S3-14775	11/13/2018	CUMMINS BRIDGEWAY	LOAD BANK TEST FOR WTP GENERATOR	1,212.33
150048	11/12/2018	D & D MAINTENANCE SUP	SUPPLIES	432.74
K39366	12/04/2018	DARLING ACE HARDWARE	TOWEL BAR	19.99
539498	12/06/2018	DARLING ACE HARDWARE	NEW BELT AND INSTALLATION	74.49
G41859	11/01/2018	DARLING ACE HARDWARE	REPLACE RON & CLINTS CHAPS	0.00
539128	11/29/2018	DARLING ACE HARDWARE	DISINFECTANT	12.99
K39454	12/05/2018	DARLING ACE HARDWARE	NUTS, BOLTS, FASTENERS	4.18
K39425	12/05/2018	DARLING ACE HARDWARE	KEY	1.99
539140	11/29/2018	DARLING ACE HARDWARE	CHAIN	51.98
K39354	12/04/2018	DARLING ACE HARDWARE	WINDOW CLEANING, AMMONIA	25.98
538284	11/13/2018	DARLING ACE HARDWARE	DRILLBITS	41.55
539082	11/28/2018	DARLING ACE HARDWARE	HACKSAW, SUPPLIES	22.53
538101	11/09/2018	DARLING ACE HARDWARE	RESPIRATOR MASK	9.99
539606	12/07/2018	DARLING ACE HARDWARE	BATTERIES	24.98
539759	12/10/2018	DARLING ACE HARDWARE	WIRE, HINGE	6.58
539800	12/11/2018	DARLING ACE HARDWARE	NUTS, BOLTS, FASTENERS	2.48
4721941	12/06/2018	DLT SOLUTIONS LLC	AUTOCAD GOVT MAINT PLAN	617.40
138983	11/19/2018	DLZ	CONSTRUCTION OVERSIGHT & INSPECTION MAR	24,417.93
2018-43502	12/04/2018	ELECTION SOURCE	ANNUAL TABULATOR MODEM FEE	100.00
33657	12/04/2018	ERIC DALE HEATING & A	SERVICE, PARTS, AND LABOR	906.00
S102873552.001	11/29/2018	ETNA SUPPLY	COUPLINGS	86.25
GT214-120	12/02/2018	GAWNE TRUCKING INC	BIOSOLIDS HAULING	31,615.00
9307430498	11/28/2018	GRAYBAR ELECTRIC	COMMSCOPE MATERIALS- DROP CABLES, REALF	4,551.80
9307314248	11/15/2018	GRAYBAR ELECTRIC	COMMSCOPE SUPPLIES- MST, TRAYS QUOTE#02	3,863.59
9307186670	11/12/2018	GRAYBAR ELECTRIC	COMMSCOPE MATERIALS- DROP CABLES, REALF	398.50
9307112168	11/07/2018	GRAYBAR ELECTRIC	COMMSCOPE MATERIALS- DROP CABLES, REALF	4,481.50
9307140993	11/08/2018	GRAYBAR ELECTRIC	COMMSCOPE MATERIALS- DROP CABLES, REALF	975.50
9307430499	11/28/2018	GRAYBAR ELECTRIC	COMMSCOPE REALFLEX CABLES AND DROP CABL	3,266.60
9307464941	11/30/2018	GRAYBAR ELECTRIC	COMMSCOPE SUPPLIES- MST, TRAYS QUOTE#02	87.69
9307531317	12/04/2018	GRAYBAR ELECTRIC	COMMSCOPE SUPPLIES- MST, TRAYS QUOTE#02	153.00
9307508283	12/03/2018	GRAYBAR ELECTRIC	COMMSCOPE MATERIALS- DROP CABLES, REALF	1,214.50
9307552916	12/05/2018	GRAYBAR ELECTRIC	COMMSCOPE MATERIALS- DROP CABLES, REALF	770.50
0000571644	12/06/2018	GRAYBAR ELECTRIC	COMMSCOPE MATERIALS- DROP CABLES, REALF	1,968.20
2678	11/28/2018	GREATER MICHIGAN MOVE	MOVE APT 105	556.00
12501	11/15/2018	GUTTERS R US LLC	200 E SPRUCE ST - ROCK SALT SPREAD	570.00
12567	11/30/2018	GUTTERS R US LLC	REMOVE AND REPLACE DOWNSPOUT	218.00
12506	11/15/2018	GUTTERS R US LLC	ROCK SALT SPREAD	600.00
4435-605497	11/23/2018	HARMON AUTOGLASS	CLEAR INSULATED GLASS	1,145.00
299313	11/27/2018	HAVILAND PRODUCTS COM	BLANKET PO FOR TREATMENT CHEMICALS	872.72
299314	11/27/2018	HAVILAND PRODUCTS COM	CHLORINE, FLUORIDE & PERMANGANATE WTP	253.49
300062	12/05/2018	HAVILAND PRODUCTS COM	BLANKET PO FOR TREATMENT CHEMICALS	1,019.70
9168333658	11/30/2018	HD SUPPLY FACILITIES13	KITCHEN HARDWARE AND PLUMBIN	59.05

APPROVAL LIST 2 FOR CITY OF MARSHALL
 EXP CHECK RUN DATES 01/01/2018 - 12/20/2018
 UNJOURNALIZED
 OPEN AND PARTIALLY PAID

INVOICE NUMBER	INVOICE DATE	VENDOR NAME	DESCRIPTION	AMOUNT
BANK CODE: MAIN				
77629	09/07/2018	HERMANS MARSHALL HARD	PKG MASKS	4.99
77699	09/25/2018	HERMANS MARSHALL HARD		5.99
77652	09/12/2018	HERMANS MARSHALL HARD	SUPPLIES	89.87
77797	10/05/2018	HERMANS MARSHALL HARD	SUPPLIES	66.35
77988	11/13/2018	HERMANS MARSHALL HARD	CUBE TAPS	8.98
77995	11/15/2018	HERMANS MARSHALL HARD	BULBS, PLUG, HANDLE	36.95
77616	09/06/2018	HERMANS MARSHALL HARD	LIQUID NAIL	7.29
77808	10/09/2018	HERMANS MARSHALL HARD	GROUND BEE SPRAY	13.98
77909	11/28/2018	HERMANS MARSHALL HARD	MARSHALL HOUSE	39.59
77613	09/06/2018	HERMANS MARSHALL HARD	MARSHALL HOUSE SUPPLIES	49.20
80538	11/27/2018	HERMANS MARSHALL HARD	CALCIUM CHLORIDE	21.99
80536	11/27/2018	HERMANS MARSHALL HARD	AIRPORT	7.75
77997	11/16/2018	HERMANS MARSHALL HARD	SALT SPREADERS	99.99
77761	08/24/2018	HERMANS MARSHALL HARD	STREET SUPPLIES	31.96
77734	10/02/2018	HERMANS MARSHALL HARD	STREET SUPPLIES	47.83
77787	10/04/2018	HERMANS MARSHALL HARD	NUTS, WASHERS	34.98
77948	11/06/2018	HERMANS MARSHALL HARD	RED ELECTRICAL TAPE	29.88
1134147	11/27/2018	HUB INTERNATIONAL MID	THIRD & FOURTH QUARTER BILLINGS FOR AGEN	6,217.00
IN593709	12/05/2018	HUSKIE TOOLS LLC	PIN	49.08
IN593362	11/30/2018	HUSKIE TOOLS LLC	HUSKIE 6 TON STREAMLINE COMPRESSION TOO	3,815.14
0050373-IN	11/30/2018	HYDROCORP	CROSS CONNECTION CONTROL PROGRAM	865.00
3040096768	12/04/2018	IDEXX DISTRIBUTION CO	WATER TESTING SUPPLIES	222.46
3040096755	12/04/2018	IDEXX DISTRIBUTION CO	WATER TESTING SUPPLIES	1,084.61
M26156	11/27/2018	IMPACT SOLUTIONS	DOOR TAGS	186.50
9325	11/29/2018	INTERIOR MAINTENANCE	STRIP AND SEAL FLOORS	675.00
9671	12/07/2018	J AND K PLUMBING SUPP	POLY TUBE, BRASS SLEEVE	8.48
7422	12/04/2018	JS BUXTON	BLANKET PO FOR LIME	1,189.08
2202	11/28/2018	KECK CONSULTING SERVI	INSTALLATION OF SUB-SLAB DEPRESSURIZATI	13,200.00
3600	11/29/2018	KF LAWN SERVICE	2018 LAWN MOWING CONTRACT AT VARIOUS CI	1,762.00
3516	10/15/2018	KF LAWN SERVICE	2018 LAWN MOWING CONTRACT AT VARIOUS CI	2,512.00
3392	09/04/2018	KF LAWN SERVICE	2018 LAWN MOWING CONTRACT AT VARIOUS CI	4,484.00
311963	11/20/2018	KNIGHT WATCH, INC	FIRE ALARM SERVICE CALL	325.49
312080	12/01/2018	KNIGHT WATCH, INC	24 HR FIRE ALARM MONITORING SVC	224.85
01050594	12/03/2018	LEGG LUMBER	AIRPORT	284.02
014768	12/03/2018	LEWEY'S SHOE REPAIR	REPAIR UNIFORM	10.00
18.11.01-DARIDE	11/01/2018	LINE1 COMMUNICATIONS	CLOUD TEXTING SERVICE	529.20
9900 732038 7 - 11	11/20/2018	LOWES BUSINESS ACCOUN		952.80
34547	11/26/2018	MARCOUX, ALLEN, BOWER	LDFA	1,440.00
120518	12/05/2018	MARSHALL AREA GARDEN	16 URNS ON MICHIGAN AVE	318.82
1004-1118	11/09/2018	MARSHALL COMMUNITY CU	1004 - SCHWARTZ	434.10
120318	12/03/2018	MARSHALL MANUFACTURER	ANNUAL MEMBERSHIP - PRIMARY & ASSOC MEM	450.00
10655C11831	08/01/2018	MARSHALL MEDICAL ASSO	EUBANK - DRUG SCREEN, LAFFERTY - PRE EM	169.00
81312453	12/10/2018	MCMaster-CARR	BAGS	14.79
S4416256.010	11/09/2018	MEDLER ELECTRIC COMPA	ELECTRIC TAPE	1,072.00
S4416256.011	11/27/2018	MEDLER ELECTRIC COMPA	SILICONE	283.08
1005902	11/14/2018	MESSICK'S	NEW BLOWER MOTORS FOR LEAF BLOWER	19,603.06
120618	12/06/2018	MICHIGAN ASSOC OF MUN	2019 MEMBERSHIP APPLICATION	60.00
02692	12/01/2018	MICHIGAN CHAPTER OF N	MEMBER RENEWAL	45.00
277369	11/30/2018	MICHIGAN INDUSTRIAL G	ACETYLENE, ARGON, OXYGEN	61.10
277430	12/03/2018	MICHIGAN INDUSTRIAL G		171.23
112718	11/27/2018	MICHIGAN MUNICIPAL EX	2019 MEMBERSHIP APPLICATION	135.00
18-80197-1	11/16/2018	MILLENNIUM	3000' REEL	557.75
1418192	12/05/2018	MILLER CANFIELD PADD0	GENERAL EMPLOYMENT MATTERS	165.00
20190177	12/03/2018	MISS DIG SYSTEM INC	MISS DIG ANNUAL MEMBERSHIP FEE	1,824.77
11918	11/19/2018	MRWA	ASSE BACKFLOW PREVENTER 40 HR CERTIFICA	1,095.00
676830	11/19/2018	NYE UNIFORM COMPANY	STOCKING CAPS AND EMBROIDERY	273.48
675183	11/19/2018	NYE UNIFORM COMPANY	SMITH & WESSON LEG IRONS	354.90
1214713	11/30/2018	OFFICE 360	FIBER	3.98
1215659B1	12/03/2018	OFFICE 360	CALENDAR	4.89
1215659	12/03/2018	OFFICE 360	CALENDARS	21.88
1208660	11/26/2018	OFFICE 360	SHOE COVERS, FOLDERS	16.49
1222935	12/11/2018	OFFICE 360	CALENDAR, PAPER	50.18
1222662	12/11/2018	OFFICE 360	PEN, FOLDER	7.77
1846215997	12/06/2018	PACE ANALYTICAL SERVI	WATER TESTING KALAMAZOO RIVER - MEC	2,624.00
18207	12/11/2018	PALM TEES	MARSHALL JUNIOR BASKETBALL JERSEYS	381.60
2018-0019	11/30/2018	PARKS COMMUNICATION S	INSTALLATION	260.00
464080	12/06/2018	PEERLESS MIDWEST INC	WATER EXPLORATION S INDUSTRIAL	4,375.00
6508604-01	11/26/2018	POWER & TELEPHONE SUP	COMMSCOPE DROP CABLES & REAL FLEX CABLE	15,909.30
6489126-02	11/20/2018	POWER & TELEPHONE SUP	REALFLEX CABLES, CLIPS, DRIVE HOOKS QU	2,394.02
56316447	11/21/2018	POWER LINE SUPPLY	GLOVES	277.99
56320112	12/06/2018	POWER LINE SUPPLY	14 SAFETY VEST - KOYL	54.11

INVOICE NUMBER	INVOICE DATE	VENDOR NAME	DESCRIPTION	AMOUNT
BANK CODE: MAIN				
56320113	12/06/2018	POWER LINE SUPPLY	LARGE WEDGE DEADEND	224.80
56320278	12/06/2018	POWER LINE SUPPLY	LED ROADWAY FIXTURES- ACUITY ATB030BLED	1,617.33
56320782	12/07/2018	POWER LINE SUPPLY	FR HAT	22.00
293478	11/28/2018	PRINTLINK	ENVELOPES	118.40
CG828313	10/25/2018	PROSOURCE OF KALAMAZO	MARSHALL HOUSE, CRYSTAL LANE	959.88
718767.1	11/30/2018	RIETH-RILEY CONSTRUCT	FY19 MAJOR ST - BREWER STREET (TEDF GRA	11,700.00
7000571	07/01/2018	SERVPRO	COMMERCIAL WATER DAMAGE RESTORATION SER	500.00
5445	11/16/2018	SONAR	NOVEMBER SERVICES	793.75
5764	12/16/2018	SONAR	DECEMBER SERVICES	856.25
5139	10/16/2018	SONAR	OCTOBER SERVICES	681.25
108639	12/04/2018	ST REGIS CULVERT INC	CURB GUARD	1,000.00
108640	12/04/2018	ST REGIS CULVERT INC	SNOW PLOW BLADES FOR PLOW TRUCK	2,307.60
7812391	11/28/2018	STANLEY LAWN & GARDEN	TIRE CHAINS	58.23
1441200	11/28/2018	STANTEC CONSULTING MI	CONSTRUCTION SERVICES FOR SEDIMENT TEST	3,687.00
1441197	11/28/2018	STANTEC CONSULTING MI	MICHIGAN AVE WATERMAIN DESIGN/CONSTRUCT	12,850.21
1441199	11/28/2018	STANTEC CONSULTING MI	N. MARSHALL STORAGE TANK PDR	1,380.00
1441192	11/28/2018	STANTEC CONSULTING MI	PERRIN DAM WATERMAIN DESIGN/CONSTRUCTIO	1,736.45
1441193	11/28/2018	STANTEC CONSULTING MI	WATER WITHDRAWL ON-GOING CONSULTING	6,024.08
83487167	10/31/2018	STAPLES BUSINESS CRED	CALENDARS	45.35
83822772	11/02/2018	STAPLES BUSINESS CRED	WIPES FOR ATHLETIC ROOM	63.64
83668288	11/01/2018	STAPLES BUSINESS CRED	LYSOL WIPES	19.72
7207872153-0-1	11/08/2018	STAPLES BUSINESS CRED	PAPER	57.61
7208347857-0-1	11/16/2018	STAPLES BUSINESS CRED	PLATES, NAPKINS, CUPS	282.27
7207631271-0-1	11/06/2018	STAPLES BUSINESS CRED	SUPPLIES	27.97
S011052553.005	11/30/2018	STUART C IRBY CO	MISC LINEMEN TOOLS AND EQUIPMENT - QUOT	441.90
S011052553.006	11/30/2018	STUART C IRBY CO	MISC LINEMEN TOOLS AND EQUIPMENT - QUOT	533.45
MAR13642	11/24/2018	TIRE CITY TIRE PROS	DART #15	38.04
MAR13637	11/24/2018	TIRE CITY TIRE PROS	DART #8	38.04
MAR13511	11/19/2018	TIRE CITY TIRE PROS	M-7	64.00
MAR13745	11/29/2018	TIRE CITY TIRE PROS	TIRES - 2017 FORD F-150	295.96
MAR13535	11/19/2018	TIRE CITY TIRE PROS	DART 13	38.04
3845624	11/15/2018	TOSHIBA AMERICA BUSIN	COPIER - MRLEC	83.29
161 0033237	11/28/2018	UNIFIRST CORPORATION	DPW GARAGE	58.49
161 0033236	11/28/2018	UNIFIRST CORPORATION	WASTE WATER	31.45
161 0033707	12/05/2018	UNIFIRST CORPORATION	WATER	34.82
161 0033708	12/05/2018	UNIFIRST CORPORATION	MARSHALL HOUSE	39.88
UNIFIRST	12/05/2018	UNIFIRST CORPORATION	POWER HOUSE	58.27
161 0033241	11/28/2018	UNIFIRST CORPORATION	MARSHALL HOUSE	39.88
161 0033239	11/28/2018	UNIFIRST CORPORATION	POWER HOUSE	52.87
161 0033704	12/05/2018	UNIFIRST CORPORATION	DPW GARAGE	109.52
161 0033705	12/05/2018	UNIFIRST CORPORATION	ELECTRIC	201.40
161 0033703	12/05/2018	UNIFIRST CORPORATION	WASTE WATER	39.76
161 0033240	11/28/2018	UNIFIRST CORPORATION	WATER	34.82
161 0033238	11/28/2018	UNIFIRST CORPORATION	ELECTRIC	181.06
745188	11/26/2018	USA BLUEBOOK	OIL FOR WTP AIR COMPRESSOR	41.79
57002246	12/06/2018	WEX BANK	NOVEMBER STATEMENT	9,229.54
111918	11/19/2018	WILSON'S TANNENBAUM F	75 FT ROPING - PARADE	165.00
TOTAL BAN				343,942.55
GRAND TOTAL:				343,942.55

APPROVAL LIST 2 FOR CITY OF MARSHALL
 EXP CHECK RUN DATES 01/01/2018 - 11/30/2018
 UNJOURNALIZED
 OPEN AND PARTIALLY PAID

INVOICE NUMBER	INVOICE DATE	VENDOR NAME	DESCRIPTION	AMOUNT
BANK CODE: MAIN				
145970911-1118	11/17/2018	AT&T MOBILITY	145970911	80.92
206255959048	11/16/2018	CONSUMERS ENERGY	1243 S KALAMAZOO	29.64
204120219368	11/16/2018	CONSUMERS ENERGY	1243 1/2 KALAMAZOO	31.63
203408288349	11/15/2018	CONSUMERS ENERGY	1609 S KALAMAZOO	13.67
204832160343	11/15/2018	CONSUMERS ENERGY	714 US HIGHWAY 27	538.11
206078024986	11/15/2018	CONSUMERS ENERGY	801 INDUSTRIAL RD	150.84
11262018	11/26/2018	EGNATUK, PAUL	ENERGY OPTIMIZATION	225.00
11192018	11/19/2018	GINGERICH, LISA	CUSTOMER REFUND	48.00
112618	11/26/2018	GROSS, JOHN	INSPECTIONS	495.00
1145347	08/03/2018	HUB INTERNATIONAL MID	PROPERTY- LIABILITY-UMBRELLA INSURANCE	96,596.00
112818	11/28/2018	LAKE MICHIGAN MAILERS	POSTAGE	500.00
112018	11/19/2018	LEATHEAD, MIKE	CUSTOMER REFUND	48.00
111318	11/13/2018	MCDONALD, SCOTT	LUNCH - TRAINING	8.99
112618	11/26/2018	NYE, TED	ENERGY OPTIMIZATION	125.00
112718	11/27/2018	REFS R US	MARSHALL JR BASKETBALL PARTNERSHIP ASSI	300.00
112618	11/26/2018	SCOTT, DOUGLAS	INSPECTION	270.00
112918	11/29/2018	STEELE, JEREMIAH	BOOT ALLOWANCE	90.08
112618	11/26/2018	THATCHER, TERRY L	INSPECTION	180.00
200703872	10/24/2018	TRACTOR SUPPLY CREDIT	ACCT #6035 3012 0506 1839	384.89

TOTAL BAN

100,115.77

100,115.77

0.*

80.92+

29.64+

31.63+

13.67+

538.11+

150.84+

225.00+

48.00+

495.00+

96,596.00+

500.00+

48.00+

8.99+

125.00+

300.00+

270.00+

90.08+

180.00+

384.89+

019

100,115.77*

12/07/2018 09:02 AM
 User: KTICE
 DB: Marshall

APPROVAL LIST 2 FOR CITY OF MARSHALL
 EXP CHECK RUN DATES 01/01/2018 - 12/07/2018
 UNJOURNALIZED
 OPEN AND PARTIALLY PAID

INVOICE NUMBER	INVOICE DATE	VENDOR NAME	DESCRIPTION	AMOUNT
BI CODE: MAIN				58.39
12/06/2018	12/06/2018	BANKER, TYSON	UB refund for account: 3100580026	231.25
PAY - 9/4	09/04/2018	BRADY PERIAN		68.60
120618	12/06/2018	CITY OF MARSHALL	CALHOUN COUNTY EASEMENT RECORDINGS	245.50
601011494826	11/01/2018	CONSUMERS ENERGY	323 W MICHIGAN AVE	318.00
12062018	12/06/2018	COUNTRY SIDE TOWING &	TOWING SERVICE	50.00
12/06/2018	12/06/2018	DAVID DEWOLF	UB refund for account: 435	34.27
12/06/2018	12/06/2018	GONZALEZ, HALEY	UB refund for account: 2901340027	282.75
100243-113018	11/30/2018	HERITAGE CLEANERS	UNIFORM CLEANING	48.00
113018	11/30/2018	HEWITT, JOSHUA	CUSTOMER REFUND	74.19
120318	12/06/2018	HUEPENBECKER, JOHN	SAFETY EQUIPMENT	21.85
3410592	11/30/2018	IIX INSURANCE INFORMA	MOTOR VEHICLE REPORTS	777.51
120618	12/06/2018	KELLOGG, DONALD J & R	PURCHASE PERMANENT EASEMENT AT 301 LOCU	3.30
12/06/2018	12/06/2018	KRAMER, ANDREW	UB refund for account: 3003300040	1,557.43
0249-006182179	11/25/2018	REPUBLIC SERVICES #24	GARBAGE AND RECYCLING SERVICES	39.50
013934621-112418	11/24/2018	WOW! BUSINESS	POLICE DEPT	102.76
014226414-112918	11/29/2018	WOW! BUSINESS	FIRE DEPT	32.97
010058364-112818	11/28/2018	WOW! BUSINESS	1243 S KALAMAZOO	
TOTAL BAN				3,946.27
GRAND TOTAL:				3,946.27

0.*

58.39+
 68.60+
 245.50+
 318.00+
 50.00+
 34.27+
 282.75+
 48.00+
 74.19+
 21.85+
 777.51+
 3.30+
 1,557.43+
 39.50+
 102.76+
 32.97+

6

3,715.02*
 0.*
 3,715.02+
 231.25+
 3,946.27*

EVENT REPORT

EVENT: If these stones could talk.....

EVENT LOCATION: Oakridge Cemetery

SPONSOR: Georgia Marsh – 269-781-2501 (georgiamarsh212@gmail.com)

EVENT DATE: TBD – One date within 2019

EVENT TIMEFRAME: Twilight Hours

MDOT PERMIT REQUIRED: No

MDOT PERMIT GRANTED: N/A

ROAD CLOSURE DETAIL: None

ROAD CLOSURE TIMEFRAME: N/A

EVENT CLOSURE DETAIL: Close entrances of the Cemetery during the event

DETOUR DETAIL: N/A

EVENT DETAIL:

This group is requesting to utilize Oakridge Cemetery for a walking tour and dramatizations by actors depicting various notable people buried within Oakridge Cemetery. This event has occurred previously at the cemetery and may bring as many as 300 people to the tours. These tours are guided and this is a ticketed event. Proceeds from this event, after coverage of operational costs, have and will continue to be placed in an account to fund special projects at the cemetery. This group, in order to re-vamp this program, is asking the following from the city:

- Participation on the steering committee by one employee.
(First Mtg. will be on January 8, 2019 at 6:30pm, Marshall District Library)
- Use of cemetery records, during business hours and on-site.
- Approval from the City Council for use of the cemetery and associated facilities.
- Use of the city's barricades the day of the event to close the cemetery to vehicle traffic for the safety of the walkers participating in the tours.
- Police assistance, if available, after the tours for assistance crossing Homer Rd.
- Use of the DPW garage site for parking of patrons.

COUNCIL NOTIFICATION DATE: December 17, 2018



ADMINISTRATIVE REPORT
December 17, 2018 – CITY COUNCIL MEETING

TO: Honorable Mayor and City Council

FROM: Jon B. Bartlett, Finance Director
Kristin Bauer, Director of Public Services
Tom Tarkiewicz, City Manager

SUBJECT: Public Hearing - Neighborhood Improvement Authority

BACKGROUND: Administrative staff has researched on how the City of Marshall, if asked, could assist in the development of the Oaklawn/Golden Rule property and other properties by providing public improvements. Staff has determined that a Neighborhood Improvement Authority (NIA) is the best solution. Most of the programs researched were designed for commercially zoned property, while the NIA program is geared for residential zoned areas containing 70% or more residential zoned properties. A presentation of the proposed NIA and development area was presented to the MAEDA Housing Task Force and a motion of acceptance passed unanimously. At the August 27, 2018, Special City Council Meeting, Council set a public hearing for October 1, 2018 in order to hear public comments concerning the proposed Neighborhood Improvement Authority. The 60-day waiting period for the October 1, 2018, public hearing is over and on December 3, 2018, the Marshall City Council introduced an ordinance and set a public hearing that will create the Northeast Neighborhood Improvement Authority.

RECOMMENDATION: After hearing public comments, it is recommended that City Council adopt the attached ordinance that creates and sets the boundaries of the Northeast Neighborhood Improvement Authority.

FISCAL EFFECTS: The Neighborhood Improvement Authority will have a Development Plan and a corresponding Tax Increment Financing Plan, which would allow the NIA to begin capturing taxes in 2019. The NIA at this time will only capture City taxes, County taxes, Kellogg Community College taxes, as the Ambulance Authority and the Marshall District Library have both opted out from having their taxes captured.

The capturing of taxes by the NIA operates just like the DDA and the LDFA where there is a base initial taxable value and any annual increase of the taxable value of the properties within the development area would be the only amount captured. The taxing jurisdictions would continue to receive the current amount of tax they are receiving from all of the properties within the development area.

ALTERNATIVES: As suggested by City Council.

CITY GOAL CLASSIFICATION:

323 W. Michigan Ave.

Marshall, MI 49068

p 269.781.5183

f 269.781.3835

cityofmarshall.com

GOAL AREA 1 – ECONOMIC DEVELOPMENT

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

GOAL AREA 4 – INFRASTRUCTURE

Goal Statement: Preserve, rehabilitate, maintain and expand city infrastructure and assets.

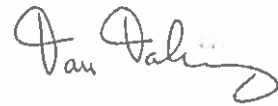
Respectfully Submitted,



Jon B. Bartlett
Finance Director



Kristin Bauer
Director of Public Works



Tom Tarkiewicz
City Manager

**CITY OF MARSHALL, MICHIGAN
ORDINANCE NUMBER #2018-**

AN ORDINANCE TO AMEND TITLE III, ADMINISTRATION, OF THE CITY OF MARSHALL CODE OF ORDINANCES BY AMENDING CHAPTER 31: CITY ORGANIZATIONS

THE CITY OF MARSHALL ORDAINS:

Section 1. THAT TITLE III, ADMINISTRATION, CHAPTER 31: CITY ORGANIZATIONS BE AMENDED BY ADDING THE FOLLOWING SECTIONS TO READ AS FOLLOWS:

Section

31.65	Created; membership; qualifications.
31.66	Terms; vacancies.
31.67	Compensation.
31.68	Election of chairperson.
31.69	Oath of office.
31.70	Meetings.
31.71	Removal of board members for cause.
31.72	Expenses and financial records.
31.73	Writings.
31.74	Duties and powers of the authority.
31.75	Budget; cost of handling and auditing funds.
31.76	Boundaries of the development area
31.77	Dissolution of the authority; property and assets

31.65 CREATED; MEMBERSHIP; QUALIFICATIONS.

Pursuant to the provisions of and under the authority of Public Act 61 of 2007, as amended there is hereby created a Northeast Neighborhood Improvement Authority, which shall be under the supervision and control of a Board, consisting of the City Manager or his or her designee, and not less than 5 or more than 9 members appointed by the City Manager, subject to the approval of the City Council. Not less than a majority of the members shall be persons having an ownership or business interest in property located in the development area, as hereinafter described. At least one of the members shall be a resident of the development area or of an area within ½ mile of any part of the development area.

31.66 TERMS; VACANCIES.

Of the members first appointed, an equal number of the members, as near as is practicable, shall be appointed for 1 year, 2 years, 3 years, and 4 years. A member shall hold office until the member's successor is appointed. After the initial appointment, each member shall serve for a term of 4 years. An appointment to fill a vacancy shall be made by the City Manager for the unexpired term only.

31.67 COMPENSATION.

Members of the board shall serve without compensation, but shall be reimbursed for actual and necessary expenses.

31.68 ELECTION OF CHAIRPERSON.

The chairperson of the board shall be elected by the board.

31.69 OATH OF OFFICE.

Before assuming the duties of office, a member shall qualify by taking and subscribing to the constitutional oath of office.

31.70 MEETINGS.

The proceedings and rules of the board are subject to the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. The board shall adopt rules governing its procedure and the holding of regular meetings, subject to the approval of the governing body. Special meetings may be held if called in the manner provided in the rules of the board.

31.71 REMOVAL OF BOARD MEMBER FOR CAUSE.

After having been given notice and an opportunity to be heard, a member of the board may be removed for cause by the Marshall City Council.

31.72 EXPENSES AND FINANCIAL RECORDS.

All expense items of the authority shall be publicized monthly and the financial records shall always be open to the public.

31.73 WRITINGS.

A writing prepared, owned, used, in the possession of, or retained by the board in the performance of an official function is subject to the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

31.74 DUTIES AND POWERS OF THE AUTHORITY.

The board shall possess all the powers granted to it by P.A. 61 of 2007, as amended, and shall perform any and all acts required of it.

31.75 BUDGET; COST OF HANDLING AND AUDITING FUNDS.

1. A budget shall be submitted to the board for the operation of the authority for each fiscal year before the beginning of the fiscal year. The budget shall be prepared in the manner and contain the information required of other City departments. After review by the board, the budget shall be submitted to the Marshall City Council. The Marshall City Council shall approve the budget before the board may adopt the budget. Unless authorized by the Marshall City Council or by P.A. 61 of 2007, as amended, funds of the municipality shall not be included in the budget of the authority.
2. The Marshall City Council shall assess a reasonable pro rata share of the funds for the cost of handling, accounting, and auditing the funds against the funds of the authority, other than those committed, which shall be paid annually by the board pursuant to an appropriate item in its budget.

31.76 BOUNDARIES OF THE DEVELOPMENT AREA

A tract of land within the City of Marshall with Point of Beginning at the southeast corner of Lot 56, Upper Village Annex. Thence north 20 rods, parallel with the east section line of Sect. 25, T2S, R6W. Thence running along the west side of East Dr., north 66 ft. to the southeast corner of Lot 11, East Drive. Thence continuing along the west side of East Dr. right of way, north 501.88 ft. to the northeast corner of Lot 7, East Drive. Thence north 60 ft. crossing Mann Rd. right of way to a point at the southeast corner of Lot 29, East Drive. Thence continuing along the west side of East Dr. right of way along the arc of a curve to the left 212.2 ft., whose radius is 1,420.95 ft. and chord bearing N 08°33'40" W. Thence continuing along said west right of way line along the arc of a curve to the right 330.15 ft., whose radius is 540.46 ft. and chord bearing N 10°57'00" E. Thence along the arc of a curve to the right 143.87 ft., whose radius is 1,741.28 ft. and chord bearing N 19°19'00" E, to a point at the northeast corner of Lot 23, East Drive. Thence continuing along the west right of way line of East Dr., N 28°10'00" E 171.22 ft. to a point at the northeast corner of Lot 76, East Drive #2. Thence crossing Forest St. right of way, N 28°10'00" E 60.12 ft. to a point at the southeast corner of Lot 50, East Drive #2. Thence continuing along the west side of East Dr. right of way, N 28°10'00" E 242.17 ft. to a point at the intersection of East Dr. and Hill Rd. Thence N 00°10'00" E 651.36 ft. to a point at the northeast corner of Lot 42, East Drive #2. Thence continuing along the west side of East Dr. right of way, N 00°10'00" E 216.98 ft. to a point in the south half of Lot 172, East Drive #6. Thence along the arc of a curve to the left 443.79 ft whose radius is 443.84 ft., and delta angle N 89°03'00" E to a point on the north side of Lot 161, East Drive #6. Thence crossing East Dr. right of way, N 43°35'00" E 66 ft. to a point at the southeast corner of Lot 155, East Drive #6. Thence continuing along the east line of said Lot 155, N 43°35'00" E 172.05 ft. Thence continuing along said east line, N 01°07'00" E 88.0 ft., to a point at the northeast corner of said Lot 155. Thence S 88°53'00" E 741.0 ft. to a point at the northeast corner of Lot 88, East Drive #3. Thence along the east line of said Lot 88, S 00°09'00" W 31.42 ft. to a point at the northwest corner of Lot 179, East Drive #7. Thence S 89°57'24" E 314.29 ft. along the east-west ¼ line of Sect. 19, T2S, R5W. Thence along the arc of a curve to the left 626.11 ft., whose radius is 6,736.12 ft. and chord bearing S 75°13'25" E 625.88 ft. to a point on the east line of the west ½ of southwest ¼ of said Sect. 19. Thence along the arc of a curve to the left 1,273.03 ft., whose radius is 6,736.12 ft. and chord bearing S 80°15'03" E 573.38 ft. Thence S 00°06'30" W 355.4 ft. along the west line of 18 ½ Mile Rd. right of way. Thence N 89°56'48" W 390.56 ft. Thence S 07°38'42" E 547.89 ft. to a point on the east side of Woodruff Dr. right of way. Thence S 89°55'50" E 353.76 ft. to a point on the west side of 18 ½ Mile Rd. right of way. Thence S 00°06'30" W 796.67' to a point on the north side of Centennial Rd. right of way. Thence along said right of way, S 48°37'24" W 326.30 ft. Thence N 00°00'12" E 231.54 ft. to a point on the west side of Woodruff Dr. right of way. Thence N 89°55'21" W 1055.41 ft. to the east line of the east ½ of the southwest ¼ of Sect. 19, T2S, R5W. Thence south along said east line 641.25 ft. Thence S 89°25'26" W 338.91 ft. Thence S 89°25'16" W 353.91 ft. Thence south 600 ft. to a point on the north line of E. Michigan Ave. right of way. Thence continuing along said right of way, S 73°20'00" W 272.26 ft. to the west section line of Sect. 30, T2S, R5W. Thence continuing along said right of way, S 73°34'00" W 851.9 ft. to a point on the south line of Lot 59, Upper Village Annex. Thence N 89°20'00" W 102.5 ft. to a point at the southwest corner of Lot 58, Upper Village Annex, said point also being the east line of East Dr. right of way. Thence N 89°20'00" W 66 ft. to a point at the southeast corner of Lot 56, Upper Village Annex, said point also being the Point of Beginning.

31.77 DISSOLUTION OF THE AUTHORITY; PROPERTY AND ASSETS.

An authority that has completed the purposes for which it was organized shall be dissolved by ordinance of the Marshall City Council. Property and assets of the authority remaining after the satisfaction of the obligations of the authority belong to the City of Marshall.

Severability.

The various parts, sections and clauses of the Ordinance are declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a Court of competent jurisdiction, the remainder of the ordinance shall not be affected.

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 _____ day of _____, 2018.

Jack Reed, MAYOR

Trisha Nelson, CITY CLERK

I, Trisha Nelson, being duly sworn as the Clerk for the City of Marshall, hereby certify that the foregoing is a true and complete copy of an ordinance approved by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on December 17, 2018, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available by said Act.

Trisha Nelson, CITY CLERK



ADMINISTRATIVE REPORT
December 17, 2018 City Council Meeting

REPORT TO: Honorable Mayor and City Council
FROM: Tom Tarkiewicz, City Manager
SUBJECT: Amend Chapter 119 Section 1 Security Plan Definition

BACKGROUND: In May of 2017, Chapter 119 was ordained. As Staff has worked with developers, the current definition of Security Plan has been problematic. The definition currently reads:

SECURITY PLAN. A plan for preventing unauthorized access to, or theft and pilferage from, an MMMFLA licensed facility, approved for operation in the City of Marshall. A security plan must be approved by the City Manager with the advice of the Director of Public Safety. The plan shall be subject to review and reasonable approval by city staff, but shall include, at a minimum, the following components:

- (1) An eight-foot tall perimeter fence;
- (2) An exterior lighting system;
- (3) A building security system;
- (4) An on-site security guard program;
- (5) An off-site official contact list;
- (6) Established hours of operation;
- (7) Appropriate signage;
- (8) A plan for facility inspection by the City of Marshall, which shall include no less than an annual comprehensive fire and security inspection; and
- (9) Such other conditions as may be suitable for the particular license or facility to be operated by the MMMFLA licensee.

City Attorney David Revore has recommended some changes to the definition. Attached is a proposed Ordinance amendment. Also attached is a red-line/strikeout copy.

RECOMMENDATION: After hearing public comment, it is recommended that the City Council amend Chapter 119 Section 1 Security Plan definition.

FISCAL EFFECT: None.

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

**CITY OF MARSHALL, MICHIGAN
ORDINANCE #2018-**

AN ORDINANCE TO AMEND CITY OF MARSHALL CODE, CHAPTER 119: MEDICAL MARIHUANA. THE CITY OF MARSHALL HEREBY ORDAINS:

Section 1. That chapter and section **§119.03 Definitions; “SECURITY PLAN”** of the Marshall City Code, shall be and is deleted in its entirety and is hereby amended as follows:

SECURITY PLAN. A plan for preventing unauthorized access to, or theft and pilferage from, an MMMFLA licensed facility, approved for operation in the City of Marshall. The security plan shall be subject to review and pre-approval by City staff based upon the below components. The final security plan must be approved by the City Manager with the advice of the Director of Public Safety. Based upon the size and structure of the facility, location, and lot configuration, the security plan may include, but not limited to, the following components:

- (1) An eight-foot tall perimeter fence;
- (2) An exterior lighting system;
- (3) A building security system;
- (4) An on-site security guard program;
- (5) An off-site official contact list;
- (6) Established hours of operation;
- (7) Appropriate signage;
- (8) A plan for facility inspection by the City of Marshall, which shall include no less than an annual comprehensive fire and security inspection; and
- (9) Such other conditions as may be suitable for the particular license or facility to be operated by the MMMFLA licensee.

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. If any section, paragraph, clause, phrase or part of this Ordinance is held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance, and the application of those provisions to any person or circumstances shall not be affected thereby.

Section 4. Except as specifically amended herein, all other provisions of Ordinance #2017-05 shall remain in full force and effect.

Section 5. This Ordinance is declared to be effective immediately upon publication.

Adopted and signed this 17th day of December 17, 2018.

Jack Reed, 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 17, 2018, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available by said Act.

Trisha Nelson, CITY CLERK

**CITY OF MARSHALL, MICHIGAN
ORDINANCE #2018-**

AN ORDINANCE TO AMEND CITY OF MARSHALL CODE, CHAPTER 119: MEDICAL MARIHUANA. THE CITY OF MARSHALL HEREBY ORDAINS:

Section 1. That chapter and section **§119.03 Definitions; “SECURITY PLAN”** of the Marshall City Code, shall be and is deleted in its entirety and is hereby amended to the following as follows:

SECURITY PLAN. A plan for preventing unauthorized access to, or theft and pilferage from, an MMMFLA licensed facility, approved for operation in the City of Marshall. A The security plan shall be subject to review and pre-approval by City staff based upon the below components. The final security plan must be approved by the City Manager with the advice of the Director of Public Safety. The plan shall be subject to review and reasonable approval by city staff, but shall include, at a minimumBased upon the size and structure of the facility, location, and lot configuration, the security plan may include, but not limited to, the following components:

- (1) An eight-foot tall perimeter fence;
- (2) An exterior lighting system;
- (3) A building security system;
- (4) An on-site security guard program;
- (5) An off-site official contact list;
- (6) Established hours of operation;
- (7) Appropriate signage;
- (8) A plan for facility inspection by the City of Marshall, which shall include no less than an annual comprehensive fire and security inspection; and
- (9) Such other conditions as may be suitable for the particular license or facility to be operated by the MMMFLA licensee.

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. Section 3. If any section, paragraph, clause, phrase or part of this Ordinance is held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance, and the application of those provisions to any person or circumstances shall not be affected thereby.

Section 4. Except as specifically amended herein, all other provisions of Ordinance #2017-05 shall remain in full force and effect.

Section 5. This Ordinance is declared to be effective immediately upon publication.

Adopted and signed this 17th day of December 17, 2018.

Jack Reed, 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 17, 2018, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available by said Act.

Trisha Nelson, CITY CLERK



ADMINISTRATIVE REPORT
December 17, 2018 - CITY COUNCIL MEETING

TO: Honorable Mayor and City Council

FROM: Kristin Bauer, Director of Public Services
Tom Tarkiewicz, City Manager

SUBJECT: Ketchum Park Millrace Pavilion and Confluence Garden

BACKGROUND: Following development and acceptance of the Ketchum Park Master Plan in the spring of 2018 the members of the Ketchum Park Committee (KPAC) began applying for grant funding for implementation of the master plan. The committee chose to secure funding for a new pavilion and confluence garden to be located in the area of the previous mill and spillway at the west end of the park near S. Marshall Ave. Proposals were requested from consultants for design services for preliminary schematic design through bidding of the project. Proposals were received on November 12, 2018 from the following consultants:

Consultant	Design Services
Viridis Design Group Kalamazoo, MI	\$42,235
MC Smith Group Grand Rapids, MI	\$43,480
Wightman & Assoc. Portage, MI	\$47,500
TowerPinkster Kalamazoo, MI	\$48,400
Progressive AE Grand Rapids, MI	\$64,465

After review of the proposals two consultants were selected to be interviewed for this project. The selected consultants were Viridis Design Group and MC Smith Group. Following the interviews, it was decided that Viridis Design Group should be selected to assist the city with design of this project.

The scope of work for this project includes site preparation, any required demolition, earthwork, garden features, a pavilion, electrical service to the pavilion, plantings, site furnishings and design costs. It is estimated that this project will cost approximately \$674,000.

Full funding for this project was the result of multiple grants secured by KPAC volunteer committee members. These grants will cover the majority of the costs with a small amount of funds expected from the city in the form of in-kind services. These in-kind services will include project oversight throughout the design and construction phases by the City's Director of Public Services and

323 W. Michigan Ave.
Marshall, MI 49068
p 269.781.5183
f 269.781.3835
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other city staff. Grant funds were secured for this project from the following groups:

Grantor	Commitment
Kalamazoo River Community River Foundation	\$425,000
Cronin Foundation (100% for Pavilion)	\$199,986
Marshall Community Foundation	\$25,000
Eaton Foundation	\$7,000
City Matching In-Kind Funds	\$16,767
Total Grant Funds	\$673,753

The Cronin Foundation has stipulated that their donated funds be utilized to cover 100% of the pavilion portion of the project and that the pavilion be named utilizing the "Cronin" name following construction.

RECOMMENDATION: It is recommended that City Council award the Design Services for the Ketchum Park Millrace Pavilion and Confluence Garden to Viridis Design Group of Kalamazoo, MI for an amount not to exceed \$42,235. Additionally, we recommend City Council direct city staff to contact the Cronin Foundation, via letter, to acknowledge and confirm incorporation of the "Cronin" name on the pavilion at conclusion of the project.


FISCAL EFFECTS: To authorize a contract in the amount of \$42,235 expensed from the secured grant funds given to the City of Marshall by the assorted Grantors.

CITY GOAL CLASSIFICATION: GOAL AREA IV: INFRASTRUCTURE

Preserve, rehabilitate, maintain and expand city infrastructure and assets.

ALTERNATIVES: As suggested by Council.

Respectfully submitted,



Kristin Bauer
Director of Public Services



Tom Tarkiewicz
City Manager



ADMINISTRATIVE REPORT
December 17, 2018 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council
FROM: Kristin Bauer, Director of Public Services
Tom Tarkiewicz, City Manager
SUBJECT: Sidewalk Deferment – 1120 Industrial Rd.

BACKGROUND: The city has received a request for deferment of the requirement for placement of a sidewalk on the property addressed as 1120 Industrial Rd. and intended for development by Delta One Consulting, LLC for use as a greenhouse facility.

The City of Marshall Zoning Ordinance Article 5.0, Section 5.16.3 – Sidewalks (public ROW) specifically states that “.....Sidewalks may be required in other locations as part of the site plan review where the planning commission determines that they are needed for pedestrian traffic, safety or connectivity.” At the October 11, 2017 meeting of the City’s Planning Commission the Delta One site plan, including the need for sidewalks within the public right-of-way (ROW), was approved.

Within the same ordinance, Section 5.16.10 – Deferment, states “A deferment for the installation of sidewalks may be granted by the City Council.....when the installation of the sidewalk is premature. Where the installation of a sidewalk is deferred by the City Council, an agreement will be executed....that will ensure the future installation of the sidewalk. The deferent agreement will be accompanied by a cash escrow, letter of credit or the other form of acceptable financial security to cover the cost of installation of the sidewalk.” It is estimated that, in 2018 dollars, the cost for installation of this sidewalk would be \$44,550 for 1,980 LF of 5’-0” wide sidewalk.

RECOMMENDATION: It is recommended that the City Council approve deferment of the sidewalk installation at this time and approve the City Manager and/or City Clerk to execute an agreement with Delta One Consulting, LLC for an irrevocable Letter of Credit in the amount of \$44,550.

FISCAL EFFECTS: Securing funds for the future installation of sidewalk at this location, through an irrevocable Letter of Credit, in the amount of \$44,550.

ALTERNATIVES: As suggested by Council.

CITY GOAL CLASSIFICATION:

GOAL AREA 2. QUALITY OF LIFE

Goal Statement: To achieve and sustain a concentrated effort to promote a vibrant community atmosphere in the Marshall area.

Respectfully submitted,

Kristin Bauer
Director of Public Services

Tom Tarkiewicz
City Manager

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



29800 TELEGRAPH ROAD
SOUTHFIELD, MICHIGAN 48034
TELEPHONE (248) 353-6500
FACSIMILE (248) 353-2514

November 2, 2018

City of Marshall
City Council
Town Hall
323 W. Michigan Ave.
Marshall, MI 49068

Re: **1120 Industrial Drive, Marshall, MI project development**

Dear Council Members:

Delta 1 Consulting, LLC is requesting that the Marshall City Council grant a delay on the installation of roadside sidewalks on the development of 1120 Industrial Drive, Marshall, Michigan. While we realize installation of roadside sidewalks is contained within the City of Marshall ordinances as it relates to new construction development, we are requesting a delay in sidewalk installation at this time. An extension would allow Delta 1 Consulting, LLC to proceed with the construction development of this project.

If the requested delay is granted by the City Council, Delta 1 Consulting, LLC agrees to the following:

1. Install sidewalks in the future, as needed, or as requested by the City of Marshall, in order to connect to other sidewalks. It should be noted that sidewalks do not currently exist at this location.

City of Marshall
City Council
Page Two
November 2, 2018

2. When current, or future businesses on Industrial Drive install roadside sidewalks, Delta 1 Consulting, LLC will install the necessary, approved sidewalks at 1120 Industrial Drive in order to connect to other such sidewalks.

Thank you for your time and considerable attention to this matter. Please feel free to contact the undersigned with any questions and/or concerns.

Very truly yours,
DELTA 1 CONSULTING, LLC

Douglas Stewart

DS/cmb



ADMINISTRATIVE REPORT
December 17, 2018 City Council Meeting

REPORT TO: Honorable Mayor and City Council
FROM: Aaron Ambler, Water Superintendent
Kristin Bauer, Director of Public Services
Tom Tarkiewicz, City Manager
SUBJECT: Change budgeted projects from WTP Office to Well House Roofs & Siding

BACKGROUND: It has been determined that there is a greater need for new roofs at Wells 1, 2 & 3 at the Water Treatment Plant than a new office. Originally funds were budgeted to build a new office at the Water Treatment Plant and side the exterior of each well house.

Staff has determined that new slant roofs, as well as new siding, on each of the three well houses will extend the life for each by more than 30 years. At this time a new office at the existing Water Treatment Plant can be delayed into the future.

RECOMMENDATION: It is recommended City Council approve the reallocation of the Capital Outlay projects in the Water Capital Outlay budget from Water Treatment Plant Office to Well House Roofs and Siding. Original budget of \$40,000 for the Water Plant Office and \$15,000 for the well house siding would be rolled into one project for the new roofs. It is also recommended to accept the bid from Meeker Building & Remodeling LLC. of Olivet in the amount of \$49,750.00.

Bids:

Meeker Building & Remodeling LLC.	Olivet	\$49,750
Source One	Lansing	\$114,500


FISCAL EFFECT: The original Water Fund Capital Outlay budget 591-900-970.00 remains the same, only the project has changed.


ALTERNATIVES: As suggested by Council.


CITY GOAL CLASSIFICATION: GOAL AREA IV – INFRASTRUCTURE
Goal Statement: Preserve, rehabilitate, maintain and expand city infrastructure and assets.

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

Respectfully Submitted,


Aaron Ambler
Water Superintendent


Kristin Bauer
Director of Public Services


Tom Tarkiewicz,
City Manager



ADMINISTRATIVE REPORT
December 17, 2018 – CITY COUNCIL MEETING

TO: Honorable Mayor and City Council

FROM: Jon B. Bartlett, Finance Director
Kristin Bauer, Director of Public Services
Tom Tarkiewicz, City Manager

SUBJECT: Notice of Intent to Issue Bonds – Water Fund

BACKGROUND: During 2018, staff has researched three projects that are deemed high priority for 2019 and which will require the issuance of Water Fund Revenue Bonds to fund the projects. The projects are:

Perrin Dam Water Main Re-Location: Currently there is a 12-inch water main that is under the Perrin Hydroelectric Dam that serves the industrial park. This project consists of boring a new water main under the Kalamazoo River east of DPW garage and disconnecting the existing water main by the Perrin Dam. This relocation must be done prior to any improvements or alterations to the dam. Total estimated cost for design, construction oversight, and actual construction is \$650,000.

Michigan Avenue Water Main Replacement: Currently there is a mixture of 8 inch and 10-inch water mains situated in the northern westbound traffic lane. The Michigan Department of Transportation has allocated funds for the repaving of Michigan Ave. from Marshall Avenue to Sycamore St. and it is in the City's best interest to install the new water main at the same time. This project consists of replacing all service connections (eliminates any chance of lead service lines) and replacing and relocating the water main outside of the traffic lanes. Total estimated cost for design, construction oversight, and actual construction is \$800,000.

AMI Water Meter Replacement Project: Currently the average age of existing water meters is in the range of 10-20 years old. The average lifespan of a water meter is 10 years, so the majority of the City's water meters have exceeded their lifespan and need to be replaced. A new AMR/AMI Metering System would allow the City to have more accurate, real-time data relating to utility billing and water consumption. By installing the new meters, it is staff's desire to eliminate the wasted employee costs of the increasing need to re-read the meters. The number of meters to be replaced is approximately 3,300. The estimated cost for the AMR/AMI metering system is \$1,300,000 of which half will be reimbursed by the Wastewater Fund.

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Marshall, MI 49068
p 269.781.5183
f 269.781.3835
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Water Supply Testing: The city currently operates a single source well field on the east side of the city. Due to economic development and the need for a secondary water source the city has drilled and preliminarily tested two wells on the south side of the city. Due to requirements of the Department of Environmental Quality (DEQ) further testing is required for these wells before they can be approved for use by the city. We intend to complete the additional required testing and have estimated this testing to cost approximately \$450,000.

The Notice of Intent to Sell Revenue Bonds resolution in the amount of \$4,200,000 will provide enough funds to not only pay for the issuance costs of the bonds but also provide a cushion in case the above estimates are lower than the actual construction bids. It is expected that the bonds will be sold sometime in March or April just prior to the Michigan Avenue repaving project by MDOT.

The Resolution of Intent names our current financial advisor, Mr. Robert Bendzinski, Bendzinski and Associates as the Financial Advisor of the new bond issue, and Mr. William Danhof, of Miller, Canfield, Paddock and Stone, PLC as our Bond Counsel.

RECOMMENDATION: It is recommended that the City Council adopt the attached resolution "Notice of Intent to Sell Water Supply System Revenue Bonds" initiating the forty-five-day referendum period prior to the sale of the bonds, and to authorize the City Clerk to publish the Notice of Intent and Right of Referendum.

FISCAL EFFECTS: None at this time.

ALTERNATIVES: As suggested by City Council

CITY GOAL CLASSIFICATION: GOAL AREA IV: INFRASTRUCTURE

Goal Statement: Preserve, rehabilitate, maintain and expand city infrastructure and assets.


Respectfully Submitted,



Jon B. Bartlett
Finance Director



Kristin Bauer
Director of Public Works



Tom Tarkiewicz
City Manager

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

**NOTICE OF INTENT RESOLUTION
WATER SUPPLY SYSTEM REVENUE BONDS**

A RESOLUTION TO APPROVE:

- Publication of a Notice of Intent to Issue Bonds and Right of Referendum for up to \$4,200,000 of Bonds to construct water supply system improvements.
- Bonds to be payable solely from water system revenues.
- After the notice is published, voters will have a 45-day referendum period during which they could petition for referendum.
- Statement of intent to reimburse expenditures from bond proceeds required by Internal Revenue Code for tax-exempt debt.

PREAMBLE

WHEREAS, the City of Marshall, County of Calhoun, State of Michigan (the "City") determines it to be necessary for the public health, safety and welfare of the City and its residents to acquire and construct improvements and extensions of the water supply system, together with any appurtenances and attachments thereto and any related site acquisition or improvements (the "Project"); and

WHEREAS, the Revenue Bond Act, Act 94, Public Acts of Michigan, 1933, as amended ("Act 94"), permits a City to borrow money to finance the acquisition, construction, improvement, enlargement, extension, and repair of public improvements through the issuance of revenue bonds; and

WHEREAS, the issuance of revenue bonds under Act 94 payable from revenues of the City's Water Supply System in an amount to be determined prior to the sale of the Revenue Bonds, but in any event not to exceed Four Million Two Hundred Thousand Dollars (\$4,200,000) (the "Revenue Bonds") for the purpose of financing all or a portion of the costs of acquisition and construction of the Project, the funding of reserve funds, and paying capitalized interest and costs of issuing the Revenue Bonds, appears to be the most practical means to that end; and

WHEREAS, a notice of intent to issue revenue bonds must be published before the issuance of the Revenue Bonds in order to comply with the requirements of Section 33 of Act 94; and

WHEREAS, the Internal Revenue Service has issued Treasury Regulation § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended, governing proceeds of debt used for reimbursement, pursuant to which the City must declare official intent to reimburse expenditures with proceeds of such debt before making the expenditures.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk is hereby authorized and directed to publish a notice of intent to issue the Revenue Bonds in the Marshall *Ad-Visor & Chronicle*, a newspaper of general circulation in the City.

2. The notice of intent shall be published as a one-quarter (1/4) page display advertisement and shall be in substantially the following form:

**NOTICE TO ELECTORS OF THE CITY OF MARSHALL
AND TO USERS OF THE CITY'S WATER SUPPLY SYSTEM OF
INTENT TO ISSUE REVENUE BONDS PAYABLE FROM THE REVENUES OF THE
WATER SUPPLY SYSTEM AND RIGHT OF REFERENDUM**

PLEASE TAKE NOTICE that the City Council of the City of Marshall, County of Calhoun, State of Michigan, intends to issue and sell the City's Water Supply System Revenue Bonds pursuant to Act 94, Public Acts of Michigan, 1933, as amended, in the maximum aggregate principal amount not to exceed Four Million Two Hundred Thousand Dollars (\$4,200,000) for the purposes of paying all or a portion of costs to acquire and construct improvements and extensions of the water supply system, together with any appurtenances and attachments thereto and any related site acquisition or improvements. Costs financed with proceeds of the Revenue Bonds shall include funding of required bond reserve funds, capitalized interest and costs of issuance. The bonds may be issued in one or more series and combined with bonds for other purposes as shall be determined by the City Council. Each series of the bonds will mature in annual installments not to exceed the maximum permitted by law, with interest on the unpaid balance from time to time remaining outstanding on the bonds to be payable at rates to be determined at sale of the bonds but in no event to exceed such rates as may be permitted by law. Bond proceeds may be used for capitalized interest to the extent permitted by law.

SOURCE OF PAYMENT OF REVENUE BONDS

THE PRINCIPAL OF AND INTEREST ON THE REVENUE BONDS SHALL BE PAYABLE SOLELY from the revenues received by the City from the operations of the City's water supply system (the "System"). The revenues will consist of rates, fees and charges billed to the users of the System, a schedule of which is presently on file at City Hall and posted at www.cityofmarshall.com. The rates, fees and charges may from time to time be revised to provide sufficient revenues to provide for the expenses of operating and maintaining the System, to pay the principal of and interest on the Revenue Bonds and any other bonds of the System, and to pay other obligations of the System.

RIGHT OF REFERENDUM

THE REVENUE BONDS WILL BE ISSUED WITHOUT A VOTE OF THE ELECTORS UNLESS A VALID PETITION REQUESTING AN ELECTION ON THE QUESTION OF ISSUING THE REVENUE BONDS, SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS OF THE CITY, IS FILED WITH THE CITY CLERK WITHIN FORTY-FIVE (45) DAYS AFTER THE DATE OF PUBLICATION OF THIS NOTICE. If such a petition is filed, the Revenue Bonds cannot be issued unless approved by a majority vote of the electors of the City voting on the question of their issuance.

THIS NOTICE is given pursuant to the requirements of Section 33 of Act 94, Public Acts of Michigan, 1933, as amended.

Further information concerning the matters set out in this notice may be secured from the City Clerk's office.

Trisha Nelson, City Clerk
City of Marshall

3. The City Council hereby determines that the foregoing form of notice of intent to issue the Revenue Bonds, and the manner of publication directed, is adequate notice to the electors of the City and the users of the Water Supply System and is the method best calculated to give them notice of the City's intent to issue the Revenue Bonds, the purpose of the Revenue Bonds, the source of payment of the Revenue Bonds, and the right of referendum of the electors with respect thereto. The City Council hereby determines that the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.

4. The City may incur expenditures for the Project prior to receipt of proceeds of the Revenue Bonds, and may advance moneys for that purpose from the funds of the Water Supply System to be reimbursed from proceeds of the Revenue Bonds when available. The Finance Director shall keep a specific record of all such expenditures.

5. The City hereby makes the following declaration of intent for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended (the "Internal Revenue Code"):

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

(2) As of the date hereof, the maximum principal amount of debt expected to be issued for reimbursement purposes, including reimbursement of debt issuance costs, is \$4,200,000, which debt may be issued in one or more series and/or together with debt for other purposes.

(3) A reimbursement allocation of the expenditures described in paragraph (1) above with the proceeds of the borrowing described herein will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the debt to be issued for the Project to reimburse the City for a capital expenditure made pursuant to this Resolution.

(4) The expenditures for the Project are "capital expenditures" as defined in Treas. Reg. § 1.150-1(b), which are any costs of a type which are properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of "placed in service" under Treas. Reg. § 1.150-2(c)) under general Federal income tax principles (as determined at the time the expenditure is paid).

(5) No proceeds of the borrowing paid to the City in reimbursement pursuant to this Resolution will be used in a manner described in Treas. Reg. § 1.150-2(h) with respect to abusive uses of such proceeds, including, but not limited to, using funds corresponding to the proceeds of the borrowing in a manner that results in the creation of

replacement proceeds (within Treas. Reg. § 1.148-1) within one year of the reimbursement allocation described in paragraph (3) above.

6. If it is necessary for the City to hold a public TEFRA hearing on any portion of the Project and the Revenue Bonds in order for the interest on the Revenue Bonds to be excluded from gross income for federal income tax purposes, then either the Finance Director or the City Manager is hereby directed to conduct a public TEFRA hearing pursuant to the requirements of the Internal Revenue Code.

7. The City hereby requests Miller, Canfield, Paddock and Stone, P.L.C. ("Miller, Canfield") to continue to serve as bond counsel to the City for the Revenue Bonds. The City recognizes that Miller, Canfield, Paddock and Stone, P.L.C., has represented from time to time, and currently represents, various underwriters, banks, and financial institutions, and other potential participants in the financing process for unrelated projects, any of which might offer to purchase the Revenue Bonds.

8. The City hereby requests that Bendzinski & Co., Registered Municipal Advisors with the Municipal Securities Rulemaking Board (the "Municipal Advisor") continue to serve the City as Municipal Advisor to advise the City on the marketing and sale of the Revenue Bonds.

9. In the event that the Finance Director is not available at the time that it becomes necessary to take actions directed or authorized under this resolution, then the City Manager is authorized to take the actions delegated to the Finance Director by this Resolution.

10. The officers, administrators, agents and attorneys of the City are authorized and directed to take all other actions necessary and convenient to facilitate sale of the Revenue Bonds.

11. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

I hereby certify that the foregoing is a true and complete copy of a resolution duly adopted by the City Council of the City of Marshall, County of Calhoun, State of Michigan, at a Regular meeting held on December ____, 2018 at __:___ o'clock p.m., Eastern Time, and that the meeting was conducted and public notice of the meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of the meeting were kept and will be or have been made available as required by Act 267.

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

_____ and that the following Members were absent: _____.

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

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

City Clerk



ADMINISTRATIVE REPORT
December 17, 2018 – City Council Meeting

REPORT TO: Honorable Mayor and Council Members

FROM Ed Rice, Director of Electric/FiberNet Utilities
Tom Tarkiewicz, City Manager

SUBJECT: 2019 Electric Line Tree Trimming Program

BACKGROUND: Electric line tree trimming is necessary to mitigate large areas of customer power outages through the removal of tree limbs and/or trees that are closer than 10 feet from the electric wires. Trees and limbs are trimmed to prevent contact with electric lines during wind and ice storms which increases reliability and safety while reducing personnel overtime.

There are approximately 120 miles of overhead electric lines that supply electricity to the city's electric customers and residents. These lines should be trimmed every four (4) years to maintain proper tree to line clearance. Extended trim cycles causes tree growth that results in difficulty in achieving the proper clearances without significant damage to the trees. Improper tree to line clearances is the leading cause of duration and number of outages during wind, snow, and ice storms.

On February 20, 2015 the City Council approved a one (1) year contract with the ARS Corp with them being the low bidder of five (5) electric line forestry contractors for the 2015 Marshall Electric line forestry program. The next lowest bid was 15% higher than the ARS bid. The reason for the one year contract was to have a trial period for ARS as they were a new line clearing contractor in the Michigan area but had been performing forestry line clearance work for east coast electric utilities.

Due to ARS's exceptional performance during the trial period, the City Council, on January 19, 2016, approved a three (3) year extension to the ARS contract with a 2% price escalator in 2016; a 3% price escalator in 2017; and, a 3% price escalator in 2018.

ARS continues to exceed all contractual requirements in performing electric forestry line clearance work for the City of Marshall including: production, safety, customer service, follow-up reports, flexibility and management communications. For these reasons a one (1) contract extension has been negotiated with ARS to continue to perform the Marshall Electric line clearance forestry program with a 3% price escalator for 2019.

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

This contract also has the benefit of having a forestry crew available for storm related work that relieves the city's electric line crews to perform line restoration work.

RECOMMENDATION: It is recommended that the City Council approve the retention of the ARS Corp. to continue to perform the tree clearance program for the City of Marshall and authorize the City Clerk to sign a contract addendum for a one year extension with a 3% price escalator.

FISCAL EFFECTS: \$206,040 is budgeted in the Electric Distribution-Contracted Services line item 582-544-820.00 for a tree trimming program. The incremental cost in 2019 is \$6,058 over the 2018 budget.

ALTERNATIVES: As suggested by the City Council.

CITY GOAL CLASSIFICATION: GOAL AREA IV: INFRASTRUCTURE

Goal Statement: Preserve, rehabilitate, maintain and expand city infrastructure and assets.

Respectfully Submitted,



Edward Rice P.E.
Director of Electrical Utilities



Tom Tarkiewicz
City Manager



ADMINISTRATIVE REPORT
December 17, 2018 - CITY COUNCIL MEETING

REPORT TO: Honorable Mayor and City Council Members
FROM: Tom Tarkiewicz, City Manager
SUBJECT: Appointment to the Northeast Neighborhood Improvement Authority Board

BACKGROUND: The Neighborhood Improvement Authority is created under State statutes. The Authority is established to promote development and economic growth of residential areas.

The State statute requires the City Manager to recommend Board appointments. The Board can have five to nine members. The following appointments are suggested:

Richard Lindsey	Representing Oaklawn Hospital
Krista Trout-Edwards	Representing Calhoun Land Bank
Scott Wolfersberger	Representing Ward One
Open	Representing Calhoun County
Open	Representing Kellogg Community College
David DeGraw	Representing Neighborhood

The City Manager, by statute, is a member of this Board. At this time, I am not recommending a full Board, so future developers could be included. Representatives of Calhoun County and Kellogg Community College would be appointed if and when they opt-in of tax capture and contribute their tax levies.

RECOMMENDATION: It is recommended that the City Council approve the appointments and the terms of:

Krista Trout-Edwards	Term expiring December 31, 2019
Richard Lindsey	Term expiring December 31, 2020
David DeGraw	Term expiring December 31, 2021
Scott Wolfersberger	Term expiring December 31, 2022

FISCAL EFFECTS: None.

ALTERNATIVES: As suggested by Council.

Respectfully submitted,

Tom Tarkiewicz
City Manager

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f 269.781.3835
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